



Notice of Ordinary Meeting to be held at the Yalawanyi Ganya Council Chambers 28 July 2021 at 2.00pm

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

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

Adrian Panuccio
General Manager

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CONSIDERATION OF OFFICERS' REPORTS:

GENERAL MANAGER

1. MATTERS OUTSTANDING

Report Author **Adrian Panuccio, General Manager**
File No. / ECM Index **Governance/Council Meetings**
Date of Meeting **28 July 2021**

SUMMARY OF REPORT

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

SUMMARY OF RECOMMENDATION

That the report and Attachment A be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

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

ATTACHMENTS

A: Resolution Register.

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

DISCUSSION

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

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

CONSULTATION

Relevant Directors and staff of Council.

COMMUNITY IMPACTS

To ensure the decisions of Council are implemented.

BUDGET IMPLICATIONS

Nil.

RECOMMENDATION

That the report and Attachment A be noted.

DIRECTOR LIVEABLE COMMUNITIES

2. MODIFICATION DEVELOPMENT APPLICATION MOD2021/0012 – 18 BREESE PARADE, FORSTER

Report Author Ben Lim-Cooper – Development Assessment Planner
File No. / ECM Index MOD2021/0112
Date of Meeting 28 July 2021
Authorising Director Paul De Szell - Director of Liveable Communities

SUMMARY OF REPORT

An application to modify Development Consent 120/2021 under Section 4.55(1A) of the *Environmental Planning & Assessment Act 1979* (EP & A Act) was submitted on 07 June 2021. The application seeks to delete the requirement for filling the site.

The proposed modification would result in development substantially the same as the development for which consent was originally granted.

DETAILS

Date Received: 07 June 2021
Applicant: Coastplan Pty Ltd
Owner: MidCoast Council
Land: Lot 173 DP 1117963 & Lot 172 DP 1117963, 16 -18 Breese Parade, Forster

SUMMARY OF RECOMMENDATION

That the application to modify the consent be approved.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENT

A: Original Notice of Determination

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

BACKGROUND

DA-1/2020 for a group home was approved on Lot 173 on 11 September 2019.

DA-120/2021 for boundary adjustment and two lot subdivision was approved on the land on 28 April 2021.

The site is mapped as flood prone land and Council’s Development Engineers required filling of existing Lot 173 to address the inherent flood risks on the site. The maximum extent of fill required is approximately 500mm.

SITE DESCRIPTION

The site is described as Lot 172 and Lot 173 DP 1117963, 16 - 18 Breese Parade, Forster. The site is located on the south-western corner of the intersection between Breese Parade and Goldens Road. Breese Parade forms the northern (primary) frontage of the site and Goldens Road forms the eastern (secondary) frontage of the site.

The site has a combined a total area of approximately 9452m².

The site levels of existing Lot 173 range from approximately RL 2.2m AHD to RL 3.5m AHD. The site is mapped as flood prone land and the 2100 1% AEP flood level for the site is RL 2.7m AHD.

The land adjoining the southern boundary of the site, in addition to land located on the eastern (opposite) side of Goldens Road, comprises low-density residential development. The land adjoining the western boundary of the site is occupied by a community health centre. Land located on the northern (opposite) side of Breese Parade comprises commercial and industrial enterprises.

A locality map is provided at Figure 1 below.



Figure 1: Site Locality Map (Source: Intramaps)



Figure 2: Site Layout (Source: Intramaps)

PROPOSAL

The proposed modification seeks deletion of the requirement for filling of the site.

Justification provided by the applicant in support of the modification can be summarised as follows:

- The current levels of the site are generally above or just below the flood level;
- The current requirement for filling of the site would necessitate removal of all vegetation on the site, rather than allowing for selective tree retention associated with future development of the site; and
- Future development on the land would still need to meet the necessary flood controls within Council's DCP, including the requirement for floor levels to be at or above the flood planning level.

REPORT

Section 4.55 (1A) Modifications involving minimal environmental impact

Under Section 4.55(1A)(a) of the *Environmental Planning & Assessment Act 1979* (EP & A Act), a person may make application to modify a consent if it is satisfied that the proposed modification is of minimal environmental impact. As detailed in this Report, it is considered that the deletion of the requirement of the filling will result in minimal environmental impact.

Section 4.55(1A)(b) states that the determining authority must be satisfied that the modified development is substantially the same development as the development for which the consent was originally granted. The proposed modification seeks deletion of a requirement originally imposed by Council and no material changes to the approved development are proposed. As such the modified development is considered to be substantially the same development as that originally approved.

Section 4.55(1A)(c)-(d) requires that Council consider any submissions made following notification of the development. The modification results in no additional amenity impacts on the occupants of adjoining lands in comparison to that originally approved. Therefore, the modification application was not notified in accordance with Council's Community Participation Plan. Furthermore, the modification application was not advertised as the modification application is not considered to be 'major development' for the purposes of Council's Community Participation Plan.

Finally, Section 4.55(3) requires the consent authority when determining a modification application, to take into consideration such of the following matters as are of relevance to the development the subject of the development application. The relevant matters for consideration are summarised below.

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

NSW Coastal Policy 1997 and Coastal Design Guidelines for NSW

N/A

Local Environmental Planning Instruments

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

The site is mapped as R2 Low Density Residential under the provisions of the LEP. The proposed modification will not render the approved development inconsistent with the objectives of the R2 Zone.

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

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

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

Section 4.2(1) of the DCP provides that new allotments are to be designed to ensure that all proposed building envelopes are located outside the 2100 flood planning area, hence the reason for the original requirement for filling of the site. As the modification seeks to delete the requirement for filling, a variation to this control is sought.

It should be noted that a group home was approved within the largely cleared portion of the site with floor levels above the flood planning level of 3.2 metres AHD, without the need for filling.

Filling prior to the release of the Subdivision Certificate would necessitate removal of all the vegetation from the site. Whilst it is noted that vegetation removal was approved under the original application (subject to payment of biodiversity offset credits), future development of the site could potentially involve selective tree retention and filling confined to the defined building envelope only which would result in a better ecological outcome for the site.

In relation to flood impacts, Condition 26 of the Notice of Determination places a 'restriction as to user' on the approved lot requiring that any habitable buildings be constructed with a Finished Floor Level that is consistent with the flood planning level. Therefore, the impact of flooding on future occupants of the land will not be jeopardised by the proposed modification.

The proposal was referred to Council's Development Engineers who are in support of the modification. A variation to Section 4.2(1) of the DCP is considered reasonable in this particular case.

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

No planning agreements are applicable to the proposed development.

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

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

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

The proposed development is not likely to result in any environmental impacts.

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

The site is suitable for the proposed modification.

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

The modification application seeks to delete a condition originally imposed by Council. The modification results in no material changes to the approved development and results in no additional amenity impacts on the occupants of adjoining lands. Therefore, the modification was not notified in accordance with Council's Community Participation Plan.

4.15 (1)(e) the public interest

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

CONCLUSION

It is considered that the proposed modification will have minimal environmental impact and it is considered that the development is substantially the same development as the development for which consent was originally granted.

The application has been assessed in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Adequate justification has been provided for the proposed modification application.

RECOMMENDATION

It is recommended that the application to modify Development Application DA-120/2021 for a boundary adjustment and two lot subdivision of Lot 173 DP 1117963 & Lot 172 DP 1117963, 16 -18 Breese Parade, Forster be approved in accordance with the modified condition of consent contained in Annexure A.

ANNEXURES

A: Modified Conditions of Consent

Delete Condition No. 9

B: Modification Cover Letter



Suite 5, 4 South St
TUNCURRY NSW 2428
PO Box 568
FORSTER NSW 2428
Phone: 02) 6555 2178
Fax: 02) 6555 2741

4 May 2021

MidCoast Council
PO Box 482
TAREE NSW 2430

Attention: Ben Lim-Cooper

Our Ref: 19294

Dear Ben,

RE: MODIFICATION OF CONSENT – DA 120/2021: 16-18 BREESE PARADE, FORSTER

Please find attached an application to modify the consent in relation to requirements to fill the site.

The proposed modification seeks to remove condition 9 of the consent which requires filling of the site to a level of 2.7m AHD.

The current levels of the site are generally above or just below this level, as are the surrounding verges, and the site is considered to be of negligible flood risk.

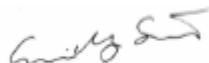
The subject land currently contains native trees and vegetation and the requirements to fill the site would result in the complete removal of all the vegetation on the land. Whilst this has been assumed for future development of the land and appropriate biodiversity offsetting credit retirement included, there is some potential that future development of the land could allow retention of some native trees to provide improved amenity and streetscape outcomes. The requirement to fill the site would necessitate the complete clearing of the site and remove any opportunity for selective retention of trees on the land.

It is noted that any future development on the land would still need to meet the necessary flood controls within Council's DCP, including the requirement for floor levels to be at or above the flood planning level of 3.2m AHD. Construction on the site will also generate fill that will likely be used as landscaping to raise the surrounding ground levels and drain the site. If considered necessary, the floor level requirement for future development could be imposed on the title by a Section 88B instrument, however, it is not our opinion that such a measure is necessary.

Given the low level of flood threat, the ability for future development to meet flood related controls and retention of opportunity for selective tree retention, it is requested that Condition 9 be removed from the consent.

Should you wish to discuss any matter outlined in this proposal please do not hesitate to contact us.

Yours faithfully



GAVIN MABERLY-SMITH
Coastplan Group Pty Ltd
email: gavin@coastplan.com.au

Enc.

3. MULTI-DWELLING HOUSING DA2021/1080 – 157 BOOMERANG DRIVE, BOOMERANG BEACH

Report Author Ben Lim-Cooper – Development Assessment Planner
File No. / ECM Index DA-2021/1080
Date of Meeting 28 July 2021
Authorising Director Paul De Szell - Director of Liveable Communities

SUMMARY OF REPORT

Development Application DA2021/1080 seeks consent for multi-dwelling housing on land described as Lot 90 DP 200167, 157 Boomerang Drive, Boomerang Beach.

A total of twelve (12) submissions have been received objecting to the proposed development.

DETAILS

Date Received: 5 February 2021
Applicant: Platform Project Services
Owner: Mosman Finance No 4 Pty Ltd
Land: Lot 90, DP 200167, 157 Boomerang Drive BOOMERANG BEACH NSW 2428

SUMMARY OF RECOMMENDATION

That the development application be refused.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

- A: Submitted Plans (Revised)
- B: Statement of Environmental Effects
- C: DCP Chapter 5 Compliance Table (from applicant)
- D: Submissions

Attachments A, B, C & D have been circulated to the Councillors and Senior Staff, however these Attachments are publicly available on Council's website. The copy of Attachment D on the website has had the personal information redacted to protect the privacy of the members of the public providing submissions.

SITE DESCRIPTION

The site is described as Lot 90, DP 200167, 157 Boomerang Drive, Boomerang Beach. The site is located on the eastern side of Boomerang Drive, approximately 40 metres south of the intersection between Boomerang Drive and Red Gum Road.

The site has a total area of approximately 752m².

The land slopes steeply away from the frontage with Boomerang Drive at a gradient of approximately 1:3 before flattening out toward the central portion of the site.

The eastern portion of the site contains a patch of remnant vegetation with the remainder of the site being clear of any vegetation.

An easement for sewer, drainage and a right-of-carriageway runs parallel with the western (rear) boundary of the site. An existing sewer main runs parallel with the northern (side) boundary of the site.

The land adjoining the northern (side) boundary of the site comprises a vacant lot. Land adjoining the western (rear) boundary comprises an attached dual occupancy. Land adjoining the southern (side) boundary of the site comprises a single-storey dwelling house. Land located on the eastern (opposite) side of Boomerang Drive comprises a two-storey dwelling house and Boomerang Beach foreshore reserve.

A locality map is provided at Figure 1 below.



Figure 1: Site Locality Map (Source: Intramaps)



Figure 2: Site Layout (Source: Intramaps)

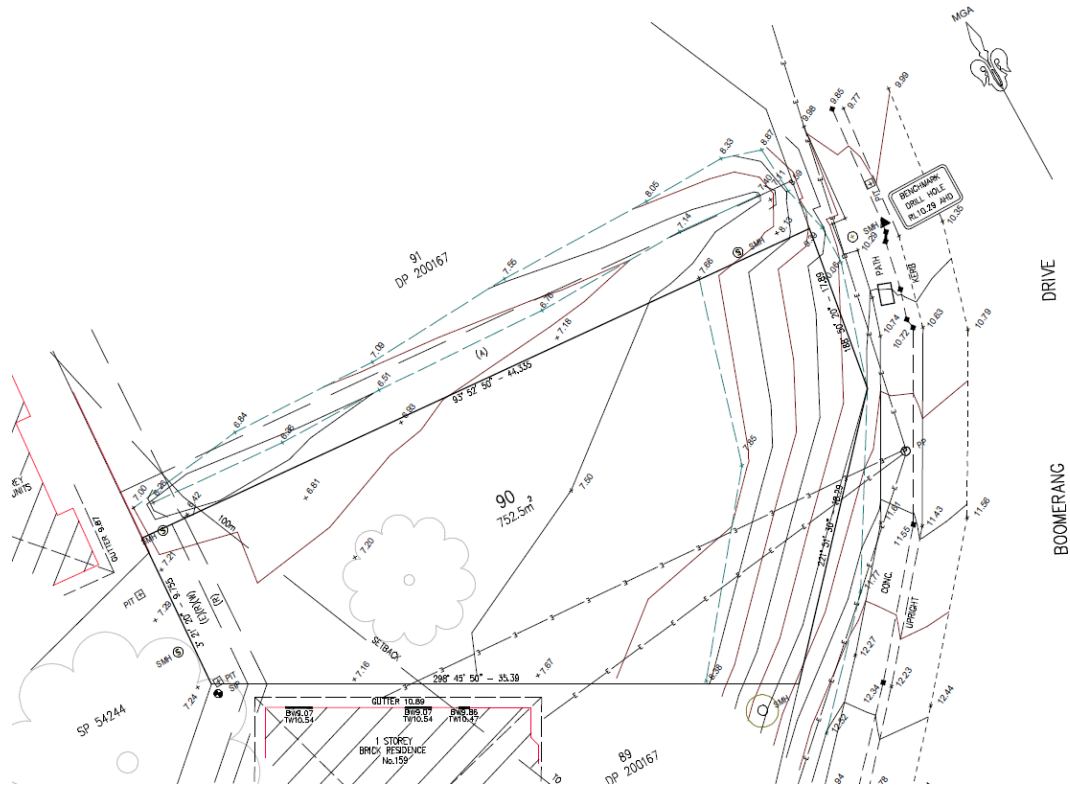


Figure 3: Site Survey (Source: Rothe Lowman)

APPLICATION HISTORY

05 February 2021: DA2021/1080 was submitted seeking consent for a multi-dwelling housing development on the land.

24 February 2021: A letter, provided as Annexure A to this Report, was sent to the applicant requesting additional information. The letter raised Council's concerns for potential impacts on existing sewer infrastructure.

26 February 2021: The applicant provided additional information in response to Council's letter. The additional information was referred to Council's Water Services Department who advised they still had concerns over potential impacts on existing sewer infrastructure.

06 April 2021: A second letter, provided as Annexure B to this Report, was sent to the applicant requesting additional information. The letter raised concerns including, but not limited to, the following:

- Compliance with the controls contained within the *Great Lakes Development Control Plan 2014*;
- Water quality; and
- Impacts on existing sewer infrastructure.

Based on the number of departures from the relevant development controls in addition to the further information requests from internal stakeholders within Council, it was considered that the design represented an overdevelopment of the site and it was recommended to the applicant that the proposed development be redesigned.

03 June 2021: The applicant provided additional information in response to Council's second letter. The revised plans made slight amendments to the proposed development, however, these amendments have not satisfactorily addressed concerns raised in relation to the development.

PROPOSAL

The proposed development involves the construction of multi-dwelling housing on land described as Lot 90 DP 200167, 157 Boomerang Drive, Boomerang Beach comprising the following works:

Filling

The proposed development seeks to fill the majority of the site to facilitate construction of the proposed units and the driveway. The extent of fill ranges throughout the site, however, the maximum height of fill is approximately 1.9 metres within the south-eastern corner of the site to facilitate construction of the proposed driveway.

Three Residential Units

Townhouse 1

Townhouse 1 (TH1) will be the easternmost unit. TH1 will comprise two (2) bedrooms and a bathroom on the ground-floor. An open plan living dining and kitchen area and a master bedroom will be located on the first-floor. Two (2) terraces will extend from the eastern elevation of both the living area and the master bedroom. A single attached garage will extend from the western elevation of the ground-floor. TH1 will have a total area of approximately 108m².

Townhouse 2

Townhouse 2 (TH2) will be the middle unit. TH2 will comprise three (3) bedrooms and a bathroom on the ground-floor. An open plan living dining and kitchen area and a master bedroom will be located on the first-floor. A terrace will extend from the eastern elevation of the living area. A single attached garage will extend from the western elevation of the ground-floor. TH2 will have a total area of approximately 123m².

Townhouse 3

Townhouse 3 (TH3) will be the westernmost unit. TH3 will comprise two (2) bedrooms and a bathroom on the ground floor. An open plan living dining and kitchen area and a master bedroom will be located on the first-floor. A terrace will extend from the eastern elevation of the living area and master bedroom. A single attached garage will extend from the western elevation of the ground-floor. TH3 will have a total area of approximately 100m²

Ancillary Works

The proposed includes ancillary works such as landscape gardening and the incorporation of water quality treatment measures such as bio-retention adjacent the western boundary of the site.

REPORT

Environmental Planning & Assessment Act 1979

Under Section 4.15 of the *Environmental Planning & Assessment Act 1979* (EP & A Act), a consent authority (the Council) when determining a development application, “*is to take into consideration such of the following matters as are of relevance to the development the subject of the development application*”. The relevant matters for consideration are summarised on the following pages:

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

State Environmental Planning Policy

State Environmental Planning Policy (Coastal Management) 2018

The site is mapped as being within the ‘coastal use area’ and Division 4 of the *State Environmental Planning Policy (Coastal Management) 2018* (Coastal SEPP) is applicable to the proposed development. Table 1 below lists the matters for consideration prescribed by Clause 14 of the Coastal SEPP and details how they relate to the proposed development.

Table 1: Clause 14 Coastal SEPP Considerations	
Clause 14(1)	Comment
<i>(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</i>	The site is separated by the adjacent foreshore area by the constructed roadway of Boomerang Drive. No impacts on the existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability is likely to result from the development.
<i>(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,</i>	The site is separated by the adjacent foreshore area by the constructed roadway of Boomerang Drive. No overshadowing, wind funnelling or loss of views from public places to foreshores is likely to result from the development.

<i>(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,</i>	The proposed development is not likely to have any significant adverse impacts on the visual amenity and scenic qualities of the coast, including coastal headlands.
<i>(iv) Aboriginal cultural heritage, practices and places,</i>	A basic AHIMS search has been conducted on the site. The search reveals no known items of aboriginal heritage within proximity to the site.
<i>(v) cultural and built environment heritage, and</i>	No identified items or features of cultural and environmental heritage are located within proximity to the site.

State Environmental Planning Policy No 55—Remediation of Land

The site is not mapped as potentially contaminated land. Based on the available information, the site is not known to have been used for any potentially contaminating land use. The proposed development satisfies the relevant provisions of *State Environmental Planning Policy No 55—Remediation of Land*.

Draft Local Environmental Plan

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

Local Environmental Planning Instruments

Great Lakes Local Environmental Plan 2014

The site is zoned 'R2 Low-Density Residential' under the provisions of the *Great Lakes Local Environmental Plan 2014* (LEP).

The relevant objectives of the R2 Zone are as follows:

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

The proposed development provides for the housing needs of the community and satisfies the relevant objective of the R2 Zone.

Table 2 below details the relevant provisions of the LEP and demonstrates how the proposed development relates to these provisions.

Table 2 - LEP Compliance Table		
GLC LEP (LEP) 2014	Compliance	Comments
4.3 Height of buildings	Yes	Maximum Allowable: 8.5m Proposed: <8.5m.
4.4 Floor Space Ratio	Yes	Maximum Allowable: 0.5:1 Proposed: 0.44:1.
5.10 Heritage conservation	Yes	The proposed development is not located within a heritage conservation area or within proximity to any items of heritage. A basic AHIMS search was conducted and the search reveals no known items of aboriginal cultural heritage located within proximity to the proposed development.
7.1 Acid sulfate soils	Yes	The site is mapped as containing potential Acid Sulfate Class 4 & 5 Soils. There will not be any significant excavations associated with the proposed development and the potential to disturb Acid Sulfate Soils or lowering of the groundwater table is minimal. No Acid Sulfate Management Plan is required.
7.2 Earthworks	No	As detailed within this Report, the extent of earthworks and associated retaining structures will create unacceptable adverse impacts on adjoining lands which is a matter for consideration prescribed by Clause 7.2 of the LEP:
7.4 Coastal Risk Planning	Yes	The site is separated by the Boomerang Beach foreshore area by the constructed roadway of Boomerang Drive. No significant coastal hazard impacts are likely to be subjected to the proposed development.
7.21 Essential Services	Yes	The site is connected to all essential services.

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

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

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

Great Lakes Development Control Plan 2014

Table 3 below details the relevant controls of the *Great Lakes Development Control Plan 2014* (DCP) and outlines how they relate to the proposed development.

Table 3 - DCP Compliance Table	
DCP Section	Compliance/Comments
Section 3 – Character Statements	
3.2.1 Coastal Villages Additional Character Statements	Compliant: No Comments: See discussion below.
Section 4 - Environmental Considerations	
4.1 Ecological Impacts	Compliant: Yes Comments: The proposed development necessitates the removal of a small patch of remnant, native vegetation located within the eastern portion of the site. The ecological significance of this vegetation is considered to be minimal given its isolation and being 'highly disturbed'. The proposal was referred to Council's Ecologist who has supported the removal of the vegetation.
4.3 Coastal Planning Areas	Compliant: Yes Comment: A small section of the site mapped as being within the coastal planning area. The site is separated by Boomerang Beach and the associated foreshore area by the constructed roadway of Boomerang Drive. The potential for coastal hazards on the site is minimal.
Section 5 - Single Dwellings, Dual Occupancies, Villas and Townhouses	
5.1 Solar Access and Overshadowing	Compliant: No Comments: The proposed development results in overshadowing within the dwelling to the south and to the private open space area of the dwelling. Overshadowing, particularly to areas of open space, is largely attributable to a 2.9m high wall (retaining 1.9m and balustrade 1m) that is to be erected along the common boundary. Overshadowing is further exacerbated due to the height of the development which is increased through filling of the site. The height of the wall on the boundary is considered adverse and the overshadowing impacts from such a high structure on the boundary unreasonable.

5.2 Views and Privacy	<p>Compliant: No</p> <p>Comments:</p> <p><u>Views:</u> See comment below.</p> <p><u>Privacy:</u> The 1.9m high retaining wall provides an elevated platform for overlooking from persons and vehicles using the driveway into the open space area of the adjoining land. The resultant impact on privacy is not considered acceptable.</p> <p>While an option could be to increase the height of the balustrade atop of the retaining wall to prevent overlooking, this would increase the height of what is a boundary fence for 159 to above 3.4m, which is also considered to be not acceptable from a visual impact perspective.</p>
5.3 Energy Efficiency	<p>Compliant: Yes</p> <p>Comments:</p> <p>A BASIX Certificate has been submitted in support of the application. The proposed development achieves the required BASIX targets.</p>
5.5 Setbacks	<p>Compliant: No</p> <p>Comments:</p> <p><u>Primary setbacks:</u></p> <p>Section 5.5.2.1(1) of the DCP requires that the primary setback should be an average of the primary setback of neighbouring dwellings within 40 metres which share the same primary road frontage.</p> <p>The primary setback of No. 153 Boomerang Drive is approximately 4.5 metres. The primary setback of No. 159 Boomerang Drive is approximately 12.5 metres. The average primary setback of these neighbouring dwellings is approximately 8.5 metres.</p> <p>The proposed development maintains a primary setback of 4.5 metres and does not comply with Section 5.5.2.1(1) of the DCP.</p> <p><u>Side setbacks:</u></p> <p>The ground-floor of the residential dwellings maintain a compliant minimum side setback of 1.5 metres.</p> <p>The first-floor of the residential dwellings are slightly setback from the ground-floor. The maximum wall height of the residential dwellings is 7 metres. Using the formulae provided by Section 5.5.2.5 of the DCP, the minimum side setback is 1.7 metres. The first-floor of the residential dwellings maintain compliant side setbacks.</p> <p><u>Rear setbacks:</u></p> <p>The maximum wall height of the western (rear) elevation is 6.4 metres. Using the formulae provided by Section 5.5.2.5 of the DCP, the minimum rear setback is 3.6 metres. The proposed development maintains a compliant rear setback.</p>

5.6 Building Heights	<p>Compliant: Yes</p> <p>Comments:</p> <p>The maximum building height of the proposed development is compliant with the maximum building height prescribed by Clause 4.3 of the LEP.</p> <p>Height profiles were erected in accordance with Section 5.6 of the DCP.</p>
5.7 Cut and Fill	<p>Compliant: No</p> <p>Comments:</p> <p>Part of the retaining wall located on the southern side boundary of the site is approximately 1.9 metres in height and exceeds the maximum 1.2 metres prescribed by the DCP. The visual impact of this retaining wall is further exacerbated by the presence of a 1 metre high vehicle barrier located atop the retaining wall.</p> <p>The height of the fill and retaining wall at this location is due to the location of the proposed driveway. The proposed driveway extends from the highest point of the site frontage and in order to construct a compliant driveway, excessive fill is required.</p> <p>The retaining wall provides a platform for overlooking from pedestrians and vehicles. In addition to this, the retaining wall results in an unacceptable visual impact with the outlook from adjoining private open space of No.159 being a 2.9 metre high wall. There has been no attempt to step the retaining wall or provide landscaping to dilute the visual prominence of the wall. The proposed development does not comply with the relevant objective of Section 5.7 of the DCP which provides:</p> <p><i>“To maintain the open character derived from the spaces and landscaping between buildings and the street.”</i></p>
5.8 Private Outdoor Areas	<p>Compliant: No</p> <p>Comments:</p> <p>Section 5.8 of the DCP requires a minimum private outdoor area of 24m² with a minimum length and width of 4 metres for each dwelling.</p> <p>The private outdoor space calculations of the proposed development include areas with a width or length of <4m. The private outdoor space for TH1 is located forward of the front building line setback and will be overlooked by pedestrian traffic along Boomerang Drive.</p> <p>The lack of functional, useable private outdoor areas will result in decreased amenity of future occupants of the proposed development.</p>

5.9 Fencing and Walls	<p>Compliant: No</p> <p>Comments:</p> <p>The DCP requires that where fencing is located atop a retaining wall, the combined height must not exceed 2.1 metres. The combined maximum height of part of the retaining wall on the common boundary is 2.9 metres. As demonstrated in this Report, the overall height of this structure presents significant adverse impacts on the amenity of adjoining lands.</p>
Section 10 - Car Parking, Access, Alternative and Active Transport	
10.3.1 Car Parking Rates	<p>Compliant: Yes</p> <p>Comments:</p> <p>Each of the proposed units have an area of <125m² and the car parking requirement in accordance with Section 10 of the DCP is one (1) covered car park per unit.</p> <p>Each of the proposed units are provided with a single attached garage which satisfies the car parking requirements prescribed by Section 10 of the DCP.</p>
Section 11 – Water Sensitive Design	
	<p>Compliant: No</p> <p>Comments:</p> <p>The proposed water quality treatment measures are not supported by Council's Water Quality team.</p> <p>The raingarden is proposed to be located within a drainage easement.</p> <p>Concerns have been raised in relation to the current design and the potential for seepage impacting on the adjoining lands.</p>
Section 13 - Landscaping and Open Space	
13.1 Single Dwellings, Dual Occupancies, Villas and Townhouses	<p>Compliant: Yes</p> <p>Comments:</p> <p>The total landscaped area of the site is approximately 303m² and complies with the minimum landscaped area requirement of 30%.</p> <p>The total deep soil area on the site is approximately 251m² and complies with the minimum deep soil area requirement of 50% of the landscaped area.</p>

DCP Section 3.2.1 - Coastal Villages Additional Character Statements

Section 3.2.1 of the DCP provides character statements for coastal villages such as Boomerang Beach. The following Table identifies relevant character statements and identifies how the proposed development relates to these statements.

Table 4: Character Statements	
Character Statement	Comment
<i>Development that is secondary to the landscape and natural environment;</i>	<p>Compliance: No</p> <p>Comments:</p> <p>The development proposes extensive filling of the site resulting an overall development that is not considered to be secondary to the landscape.</p>
<i>Buildings which avoid overshadowing and are in scale with existing development;</i>	<p>Compliance: No</p> <p>Comments:</p> <p>As detailed previously, it is considered that the proposed development results in unnecessary overshadowing impacts on internal living areas and private open space the adjoining land to the south. The overshadowing is mainly due to filling used to increase the height of the units and filling for the purposes of the driveway. It is considered that the current design of the proposed development inadequately avoids overshadowing.</p>
<i>Small scale detached buildings addressing the street; generally single storey</i>	<p>Compliance: No</p> <p>Comments:</p> <p>The proposed development is considered to be of medium/large scale and involves attached buildings.</p>
<i>Development which follows the contour of the land on sloping and steep sites</i>	<p>Compliance: No</p> <p>Comments:</p> <p>The proposed development relies on filling of the site rather than being designed to follow the natural contour of the land.</p>

The proposed development is not considered to be in keeping with the applicable character statements as detailed in Table 4 above.

DCP Section 5.2 – Views and Privacy

The submitted Statement of Environmental Effects was considered deficient in relation to discussion on potential view loss attributable to the proposed development. This concern was conveyed in Council's letter dated 06 April 2021 requesting additional information and it was requested to erect height profiles to assist Council's assessment of view loss.

The principles of view sharing as detailed in *Tenacity Consulting v Warringah Council* (2004) NSWLEC 140 are relevant to this proposed development, particularly the principle of 'reasonableness'. Where an impact on views arises as a result of non-compliance with one or more planning controls, for example the extent of fill, even a moderate impact may be considered unreasonable.

As detailed within the Report, the proposed development is non-compliant with the cut and fill controls and the design does not conform to the existing topography of the site, but rather seeks to modify the landscape by filling the site. This has contributed to impacts on existing views and, therefore, the proposed development will have unreasonable impacts on views.

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

No planning agreements are applicable to the proposed development.

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

N/A

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

The proposed development is not considered to be in keeping with the relevant character of the locality, mainly due to the proposed development necessitating landform modifications rather than being designed to conform with the natural landscape. These landform modifications result in unreasonable impacts on views, overshadowing, visual impacts and privacy.

Council's Water Services have also raised concerns in relation to impacts on existing sewer infrastructure due to the positioning of the proposed retaining wall used to accommodate filling of the site.

It is considered that the proposed development will result in unacceptable impacts.

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

Whilst the site is suitable for residential development, the design of the proposed multi-unit development is not considered to be suitable for the site.

The development requires filling of the site to accommodate the proposed units. Furthermore, the proposed driveway extends from the highest point of the site frontage and traverses the steepest part of the site. The location of the driveway requires significant fill which in turn results in unreasonable amenity impacts such as overshadowing, lack of visual privacy and visual impacts on adjoining lands. Many of these impacts would be ameliorated by relocating the driveway to the lower, less steep part of the site as less fill would be required to accommodate the driveway in this location.

The proposed development is not considered to be suitable with the site.

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

The application was originally notified in accordance with Council's notification procedures from 05/02/2021 to 01/03/2021. A total of eight (8) submissions were received during this period.

The plans were revised following Council's letter dated 6 April 2021. This letter also requested that height profiles be erected to assist a view loss analysis. Given the amendments to the plans and the installation of height profiles, the application was re-notified from 03/06/2021 to 28/06/2021. A total of eleven (11) submissions were submitted during this period.

The total number of submissions, excluding multiple submissions by the one person, is twelve (12) submissions.

The concerns raised in submissions and how these concerns were considered in the assessment of the application is provided in Table 5 below.

Table 5 - Submissions Table	
Concern	Comments
Excessive fill	The extent of fill in certain areas is considered unacceptable.
Height of retaining wall	The height of the retaining walls in certain areas is considered unacceptable.
Impacts on existing services	Any services impacted by the development is the responsibility of the developer. Appropriate arrangements and consultation with the relevant service provides is to be made prior to any impacts on services.
Stormwater – overland flow	The development will alter the natural flow of water, particularly where the site is filled. Alteration to natural stormwater flows in urban setting is not uncommon and can be managed with an appropriately designed stormwater system.
Solar access/overshadowing	The extent of overshadowing is considered unreasonable.
Excessive Density	Whilst the current design of the proposed development is not supported, this does not mean that a carefully designed multi-dwelling development could not be accommodated on the site. It is not uncommon to observe multi-dwelling housing within the vicinity of the site and throughout the Pacific Palms locality.
Development contrary to Covenant L822213	This is a private covenant and is not a mandatory matter for consideration pursuant with Clause 1.9A of the LEP.
Driveway location	The driveway location and construction and the amenity impact that ensues is considered unacceptable.
Inability to review civil/engineering plans	These plans do not form part of the notification information. These plans were reviewable at Council's offices as conveyed to the submitters.
Removal of vegetation	The removal of vegetation is deemed acceptable as detailed within the Report.
Request that Council assess the proposal against the Low Rise Housing Diversity Design Guide for Development Applications published by the Department	The Regulations require assessment of multi-dwelling housing development against the <i>Low Rise Housing Diversity Design Guide for Development Applications</i> , unless Council is satisfied that there is a Development controls Plan that adequately addresses such development.

	The <i>Great Lakes Development Control Plan 2014</i> (DCP) provides objectives and controls for multi-dwelling development. The DCP has been used in the assessment of many multi-dwelling developments throughout the former Great Lakes LGA and is considered an adequate planning tool used in assessment of such development types.
<i>Non-compliance with the Coastal Management SEPP</i>	The development complies with the relevant matters for consideration prescribed by the Coastal Management SEPP as detailed within the Report.
<i>Non-compliance with relevant character statements</i>	The proposed development does not comply with the relevant character statements.
<i>Typology does not comply with the Mid-Coast Council Housing Strategy for Low Density Residential Zone</i>	'Multi-dwelling housing' is permitted with consent in the R2 Low-Density Residential Zone.
<i>Lack of car parking</i>	The proposed development complies with the car parking requirements prescribed by the DCP.
<i>Non-compliance with primary setbacks</i>	The non-compliance with the primary setback controls, with a lack of justification for the variation, is unacceptable.
<i>Impacts on views</i>	Impacts on views is considered unreasonable as detailed within the Report.
<i>Noise impacts</i>	The proposed development is not considered to be considerable noise generating development. No significant noise impacts are likely to result.
<i>The proposed development is not suitable for the site</i>	It is considered that the proposed development is not suitable for the site.

4.15 (1)(e) the public interest

The proposed development in its current form is not considered to be in the public interest.

CONCLUSION

The site is described Lot 90, DP 200167, 157 Boomerang Drive, Boomerang Beach.

The proposed development seeks consent for the construction of multi-dwelling housing comprising three (3) attached, two-storey residential units .

Whilst the site is suitable for residential development, the proposed development is not considered to conform with the natural site features, nor has it been sympathetically designed to minimise amenity impacts on adjoining lands and occupants of the development. The proposed development seeks many variations to the controls within the DCP and provides insufficient justification for departures from these controls. The proposed development results in unacceptable visual impacts, and impacts relating to overshadowing and visual privacy. These impacts mainly stem from excessive filling of the site and undesirable driveway location.

The development proposed is not considered suitable for the site and is not in the public interest.

RECOMMENDATION

It is recommended that Development Application DA2021/1080 for multi-dwelling housing on land described as Lot 90, DP 200167, 157 Boomerang Drive, Boomerang Beach be refused based on the following reasons:

- Non-compliance with the *Great Lakes Local Environmental Plan 2014*;
 - Non-compliance with the *Great Lakes Development Control Plan 2014*;
 - Unacceptable likely impacts on existing sewer infrastructure;
 - The site is not suitable for the proposed development; and
 - The proposed development is not in the public interest.
-

ANNEXURES

A: Council's Letter Requesting Additional Information (Issue 1)



2 Biripi Way | PO Box 482
Taree NSW 2430

24 February 2021

Platform Project Services Pty Ltd
Suite 301, Level 3, 95 Pitt Street
SYDNEY NSW 2000

Ref: DA2021/1080
Enquiries: Arna Fotheringham

Dear Sir/ Madam,

Subject: Application Request for Further Information
Application details: Development Application - Residential - Multi Dwelling
Housing
Application No: DA2021/1080
Property Address: 157 Boomerang Drive BOOMERANG BEACH NSW 2428
Legal Description: Lot 90 DP 200167

I refer to your Development Application submitted on 5 February 2021 seeking development consent at the above premises.

As part of the preliminary assessment, a referral was sent to Council's Water/Sewer Services who does not support the proposal in its current form and requests a redesign. Contributing factors are as follows:

- *the retaining wall being parallel to the sewer main & not crossing at right angle – zone of Influence concern for safety of accessing sewer in the future*
- *restricted access to both sewer manholes – one being under the boundary line & proposed retaining wall*
- *change to ground levels affecting the manholes depths – if permitted by Water Services, a quote would be required & alterations would be at developer's expense*

It is suggested that you contact Water Services Technical Officer Julie-Ann Zabell on 02 7955 777 to discuss the matter before any further assessment is carried out.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Arna Fotheringham".

Arna Fotheringham
Development Planner

B: Council's Letter Requesting Additional Information (Issue 2)



2 Biripi Way | PO Box 482
Taree NSW 2430

06 April 2021

Platform Project Services Pty Ltd
Suite 301, Level 3, 95 Pitt Street
SYDNEY NSW 2000

Ref: DA2021/1080
Enquiries: Benjamin Lim-Cooper

Dear Sir/ Madam,

Subject: Application Request for Further Information
Application details: Development Application - Residential - New multi unit - Multi Dwelling Housing
Application No: DA2021/1080
Property Address: 157 Boomerang Drive BOOMERANG BEACH NSW 2428
Legal Description: Lot 90 DP 200167

I refer to your Development Application submitted on 5 February 2021 seeking development consent at the above premises.

Following the preliminary assessment of your application, it is considered that the provision of further information about the proposed development is necessary to enable the Council to properly consider the application. Accordingly, we request the following additional information pursuant to Clause 54 of the Environmental Planning and Assessment Regulation 2000:-

1. Great Lakes Development Control Plan 2014 (DCP)

Section 3 – Character Statements

Section 3.2.1 of the DCP provides character statements specific to coastal villages such as Boomerang Beach. The current design of the proposed development is not considered to achieve the applicable desired future character elements detailed within Section 3.2.1 of the DCP including, but not limited to, the following:

- Development that is secondary to the landscape and natural environment;
- Development that does not dominate views and vistas;
- Buildings which avoid overshadowing and are in scale with existing development;
- Small scale detached buildings addressing the street; generally single storey.

Section 5.1 - Solar Access and Overshadowing

Whilst the shadow diagrams submitted in support of the application demonstrate that the private open space areas associated with No. 159 Boomerang Drive to the south of the site will achieve the minimum solar access requirements prescribed by Section 5.1 of the DCP, no discussion around the potential restriction on solar access within habitable/indoor

Forster | Gloucester | Taree | Tea Gardens | Stroud | ABN: 44 961 208 161 | Contact us: 7955 7777
council@midcoast.nsw.gov.au | www.midcoast.nsw.gov.au | midcoastcouncil | @midcoastcouncil

areas of the adjacent dwelling is discussed. It is understood that habitable areas within the adjoining dwelling to the south of the site are orientated in a northerly direction.

Section 5.1 – Views and Privacy

The view analysis provided within the submitted Statement of Environmental Effects (SoEE) is deficient given the potential extent of iconic view loss associated with the proposal. The view loss analysis is confined to the adjoining dwelling to the south only and no consideration of potential view loss of other existing development is discussed.

It is understood that there is a covenant placed on the title of the land restricting the building mass of development on the subject site to conserve views of surrounding development. Whilst it is understood that this covenant can be addressed via application of Clause 1.9A of the *Great Lakes Local Environmental Plan 2014*, the covenant emphasises the potential impacts of view loss attributable to development on the site.

To assist both the applicant and Council in their assessment of potential view loss, it is considered that height profiles be erected in accordance with Section 5.6 of the DCP as discussed below.

Section 5.4 – General Building Design

The proposed development does not satisfy Section 5.4(9) of the DCP, which states:

“Building designs are to be stepped to follow the contours of the site rather than requiring extensive cut and fill to enable ‘slab on ground’ construction.”

Section 5.5.2.1 - Primary Setback Controls

Section 5.5.2.1(1) of the DCP has not been addressed.

Section 5.5.2.2 - Articulation Zone Setback Controls

There are sections of the balconies extending from Town House 1 which protrude beyond the allowable 1.5 metre articulation zone.

Section 5.6 - Building Heights

As discussed above, it is considered that height poles be erected to assist both the applicant and Council in their assessment of potential view loss in accordance with Section 5.6(4) of the DCP.

Section 5.7 - Cut and Fill

Section 5.7 of the DCP restricts visually exposed retaining walls to 0.6m in height on the street frontage and 1.2m in all other areas. The submitted plans indicate retaining walls within the western section of the site will be a maximum of 1.2 metres in height, however, the SoEE states that 1 -2 metres of fill will be placed within the western portion of the site.

Additionally, spot levels on the adjoining lands and the finished levels of the subject site indicate retaining walls may exceed the 1.2-metre-high maximum prescribed by the DCP.

Please provide clarification on the maximum height of retaining structures on the site and please provide a cut and fill plan.

Section 5.8 – Private Outdoor Areas

Certain areas calculated as private open space do not achieve the minimum length and width of 4 metres as per Section 5.8 (1) of the DCP and these areas are not considered to be useable private open space. Please re-calculate private open space areas omitting any sections with a width and length of <4 metres.

The private open space associated with Town House 1 is located within the front setback of the development and, therefore, is not compliant with Section 5.8(3) of the DCP.

Section 5.9 - Fencing and Walls

Please provide details/plans of the proposed front fencing to demonstrate compliance with Section 5.9(1) of the DCP.

The submitted plans indicate a 1.8-metre-high fence on top of the retaining wall. Given the uncertainty around the maximum height of the retaining walls, please confirm compliance with Section 5.9(3) of the DCP.

2. Water Quality

The proposal was referred to Council's Water Quality Team for comment as part of the preliminary assessment of the proposal.

MidCoast Council's Natural Systems team has reviewed the information provided and notes that the Stormwater Management Plan and proposed infiltration area does not reflect the stormwater treatment train modelled in S3QM (for example the landscaped infiltration area is shown as 20m², not the total 43m² modelled for both catchments). Swales and infiltration areas are not MidCoast Council's preferred stormwater treatment measures for this scale of development. Biofiltration consisting of an infiltrating raingarden for sandy soils is MidCoast Council's preferred stormwater treatment measure for this development.

MidCoast Council also notes that the Stormwater Management Plan indicates that stormwater may 'bypass' the proposed water quality treatment measures as no drainage connection to the landscaped infiltration area is shown.

Accordingly, MidCoast Council requests the following further information:

S3QM Modelling

- Catchment 1 – Tank water use – Select “Laundry and Toilet” to align to the BASIX report submitted.
- Catchment 1 – Treatment Train – Delete Swale and Infiltration. Select Biofiltration to reflect Council’s preferred treatment train for this scale of development and reduce treatment area.
- Catchment 2 – Treatment Train – Delete Swale and Infiltration. Select Biofiltration to reflect Council’s preferred treatment train for this scale of development and reduce treatment area.
- Provide an updated S3QM Certificate for the development.

Stormwater Management Plan

- Update the Stormwater Management Plan to show biofiltration (Infiltrating Raingarden – Sandy Soils) location and size to reflect the outcome of the S3QM model. Include drainage layouts showing lines and connections for each catchment modelled.
- Mark on the Stormwater Management Plan that:
 - 90% of the roof area will be directly connected to the rainwater tank for each townhouse.
 - 10% of the roof area be directly connected to the raingarden for each townhouse.
 - The driveway runoff will be directed to the raingarden.
 - Rainwater tank overflow will be directed to the raingarden for each townhouse.

Biofiltration Design

- Provide plans and cross-sectional drawings for each Infiltrating Raingarden – Sandy Soils, showing inlets, outlets and overflow points (these are to be prepared from standard drawings, with site-specific levels and dimensions included). Fact sheets are available on MidCoast Council’s website with regards to Infiltrating Raingarden – Sandy Soils design requirements. Refer to [Environmental Considerations - MidCoast Council \(nsw.gov.au\)](#)

Stormwater Drainage

- Clarify where stormwater overflow from the infiltrating raingarden will be directed.

3. Engineering

The proposal was referred to Council's Development Engineers for comment as part of the preliminary assessment of the proposal. Following review of the proposal by Council's Development Engineers, it is considered further information is required in order to progress their assessment. The response provided by Council's Development Engineer is as follows:

"I have looked at the plans provided by the applicant and we will require some further documentation, the internal access driveway has turning paths indicating vehicles entering and exiting the site in a forwards direction. We do have concerns with the amount of movements it is taking for the vehicles to turn around.

In addition the Australian standard for carparking AS2890.1 section 3.2.4 asks for site distance to be demonstrated. The application shows a retaining wall up the side of the driveway and the roadway slopes quite significantly at the driveway entrance. We will require a plan indicating the desired site stopping distance required in figure 3.2 AS2890.1. Figure 3.3 also asks for site triangles where minimum distances are required to ensure the safety of pedestrians.

The Drainage plan also indicates that the stormwater will connect to an existing pipe. It is unclear where this leads to, we will need to know what stormwater infrastructure the applicant intends to use for stormwater discharge."

4. Water Services

Water Services have provided comments on the revised design submitted by the applicant. Comments received from Council's Water Services Team regarding the revised design are as follows:

- the northern retaining wall being parallel to & directly over the sewer main is not accepted;
- restricted access to both northern sewer manholes – north western manhole proposed under the boundary line & retaining wall – amended plans received for retaining wall to be minimum of 1m off the NW sewer manhole is accepted however the main is still proposed under the retaining wall which is not accepted;
- change to ground levels affecting the manhole & sewer main depths is not ideal – manhole alterations would be required (raising) at developer expense; and
- water Services proposes a redesign of the entire site or a sewer main redesign/rediversion to eliminate the northern sewer main.

.....

The number of departures from the relevant development controls in addition to the further information requests from internal stakeholders within Council, it is considered that the proposal in its current design represents an overdevelopment of the site. It is recommended that the proposed design be revised to better satisfy the controls and objectives of the DCP.

The information requested in this letter must be provided within 30 days. If the information is not provided within 30 days, or such further period that Council may allow, you will be taken to have refused to provide the information and the application may be dealt with accordingly.

Should you have any enquiries regarding this matter, please contact Benjamin Lim-Cooper on 02 7955 7777 during normal business hours, Monday to Friday and quote reference DA2021/1080.

Yours faithfully,



Benjamin Lim-Cooper
Development Planner

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4. DEVELOPMENT ACTIVITY AND ASSESSMENT PERFORMANCE 20/21

Report Author Gary Mead, Executive Manager Liveability & Sustainable Development
Beth Langley, Manager Customer Experience
Adam Matlawski, Manager Major Assessment and Regulatory Services

File No. / ECM Index Land Use and Planning – Development Applications General

Date of Meeting 28 July 2021

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report provides a summary of development assessment and building certification activities for the period 1 July 2020 to 30 June 2021.

SUMMARY OF RECOMMENDATION

That the content of the report be noted.

FINANCIAL/RESOURCE IMPLICATIONS

The report reflects the level of development activity which impacts on Council's application fee income. Budget estimates are adjusted to reflect development activity trends on a quarterly basis.

LEGAL IMPLICATIONS

Nil

DISCUSSION

The development and building activity report is provided for the information of Council, noting that we have transitioned from the 4 former Councils' operating systems to one Council system (MC1) during December 2020 and from 1 January 2021 commenced receiving all applications via the NSW Planning Portal.

The following tables provide data on development and building activity that is currently available.

Development Activity Data	2020 – 2021 (FY)
DA's received	1407
DA's determined	1211
DA Modifications received	327
DA Modifications determined	276
Complying Development Certificates determined (Council)	8
Complying Development Certificates determined (Private Certifier)	293
Construction Certificates (building) determined (Council)	262
Construction Certificates (building) determined (Private Certifier)	540
Subdivision Certificates issued	45
Number of reviews on planning matters	1

The estimated construction value of the work approved for the 2020-2021 financial year is \$262,675,171.00, with the value of work approved for between 1 January 2021 and 30 June 2021 being \$110,644,669.51.

The following table provides a breakdown of the development categories associated with approved development applications between 1 January 2021 and 30 June 2021:

Development Description	Number of Applications	Value of Works
Commercial/retail/office	20	\$1,853,353.00
Community Facility	2	\$121,000.00
Industrial	3	\$75,500.00
Mixed	1	\$141,894.00
Other	80	\$6,949,925.00
Residential - alterations and additions	230	\$13,115,847.51
Residential - new multi-unit	4	\$1,485,766.00
Residential - new second occupancy	25	\$6,069,552.55
Residential - other	1	\$1,005,000.00
Residential – Senior	1	\$0.00
Residential - single new dwelling	230	\$79,235,171.45
Subdivision	17	\$10,000.00
Tourist	4	\$581,660.00
Historic	27	\$0.00
No Building	2	\$0.00
TOTAL APPLICATIONS	647	\$110,644,669.51

Recent Activity

There has been a marked increase in development and building activity in the last 12 months.

Figure 1 below provides an overview of the applications received per month leading into and during this period.

While this has provided economic value to our community, it has impacted on our ability to deliver significant improvement in assessment times.

The comparison of applications determined and application determination times are shown in the following tables:

Application Type	2019/2020	2020/2021	% Change
DA's & Modifications	1305	1487	14
Complying Development & Construction Certificates	240	270	12.5

DA & Modification Determination Timeframes	Avg (days)	Med (days)
2019/2020	96	54
2020/2021	94	78

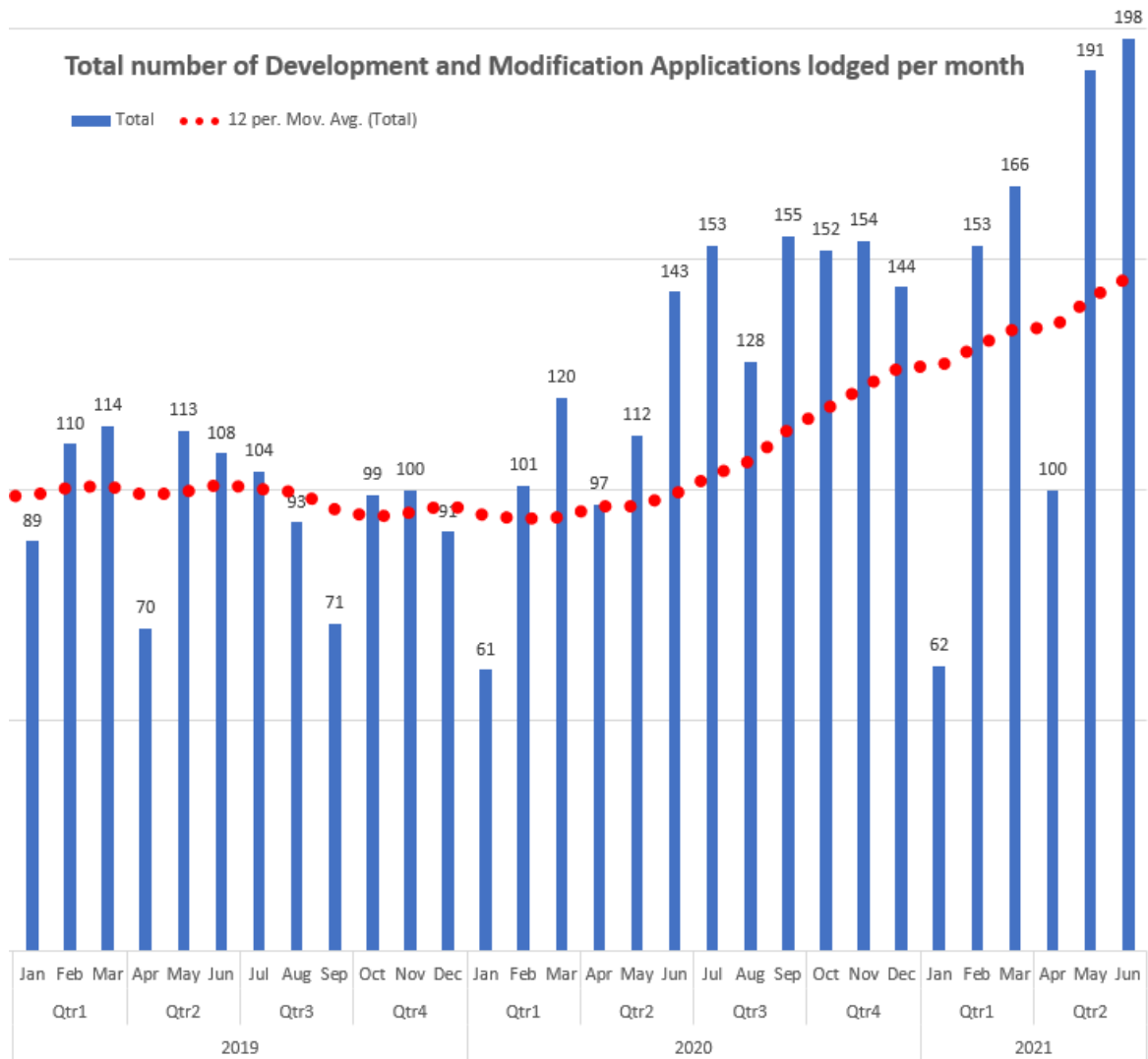


Figure 1 – Development and Modifications applications lodged between January 2019 and June 2021

A key component in the assessment process of development applications, excluding “straight-forward” applications, is the internal referral process.

Internal referrals are applications that are referred to other sections of Council for specialist advice and input, including Transport Assets, Ecology, Environmental Health, Building Services and other specialist areas of Council depending upon the nature and scale of the proposal.

Since 1 January 2021 there were a total of 1753 internal referrals raised, taking an average time of 14 days to complete, with a median of 8 days.

BUSINESS IMPROVEMENT INITIATIVES

Application lodgement

Council's Liveable Communities - Building, Development and Customer Service teams are currently focussing on the pre-lodgement and lodgement processes for development applications.

These early phases of the development application process are critical to the quality and adequacy of applications and impact on overall assessment timeframes.

The approach taken is one of a production line process, which also aligns with the NSW Development Assessment Best Practice Guide. Investment of time and effort at the pre-lodgement and lodgement phases will ensure that applications will be "assessment ready" when allocated to an assessment officer (planner or building surveyor).

Ensuring that applications are complete, i.e. having the required information, such as plans, specifications, statement of environmental effects, etc. will ensure the assessment process is not stalled and requests for further information are markedly reduced.

A desk top assessment of the application will ensure that the content of the application is of an acceptable quality, i.e. proposed variations to policy (LEP, DCP) are identified and justified, supporting reports are current, etc.

This will allow the assessment officer to focus on assessing and determining the application rather than liaising with the applicant to get the application to a standard where it is complete and able to be assessed.

Internal and external referrals together with neighbour notification will occur prior to the application being referred to the assessment officer. This will result in the application being assessment ready on allocation to an assessment officer and will allow the assessment officer to have a thorough appreciation of the proposal and its built form implications.

A further initiative that will assist in the pre-lodgement and lodgement phase of development applications and provide an enhanced service to the community is the creation of a Duty Building Surveyor and a Duty Planner.

Building surveyors and development planners are now on a rotating duty officer roster and are now available to the public, without appointment and during normal business hours for general planning and building advice.

Standard Conditions

The Department of Planning Industry and Environment has introduced standard conditions of development consent for local Councils to provide greater consistency and certainty and to make development consents easier to navigate.

The standard conditions will initially apply to residential buildings, including dwellings, multi-dwelling housing apartment buildings and shop top housing.

The Department is currently developing standard conditions for other development types, including, demolition, contaminated land, food premises, mixed use, engineering and land subdivision.

There will be three categories of conditions:

1. Mandatory conditions – new prescribed conditions that must be imposed on development consents for specified types of development or in certain circumstances,

2. Model conditions – optimal best-practice conditions that Councils can adopt for certain types of development, and
3. Bespoke conditions – Councils’ will continue to impose non-standard conditions for site specific issues.

A standardised format for development consents is also being developed.

Amendments to the Environmental Planning Assessment Regulation 2000 are proposed to commence in September 2021 which will require Councils to issue development consents on the NSW Planning Portal, in the standard format using the standard conditions.

COMMUNITY IMPACTS

Flood Recovery

In order to facilitate recovery and the rebuilding of flood damaged or destroyed buildings following the 2021 flood, a dedicated Flood Recovery Building surveyor has been deployed to be the single point of contact to assist and help navigate residents in the repair/rebuilding process.

Councils’ building surveyor is undertaking inspections of buildings impacted by the flood waters, as identified in the rapid building impact inspections undertaken by NSW Fire and Rescue, immediately following the flood event.

The purpose of the inspections is to provide assistance, support and advice to property owners in relation to the repair or rebuilding of flood impacted buildings and to connect property owners to the services provided through the Recovery Centre.

To date 74 inspections have been undertaken of flood damaged buildings. These inspections have revealed the full range of impact scenarios from the damage of fixtures and fittings through to major structural damage that may require expensive remedial works or potentially demolition of the affected buildings.

CONSULTATION

Development assessment statistics are reported to the Department of Planning annually and are discussed internally, primarily between the two teams responsible for development assessment. Council's Development Assessment planning team assess major and more complex applications and the Building Assessment team assess small scale applications, primarily being single dwellings and ancillary development.

Council is being pro-active with the community and we continue to offer free services such as pre-lodgement meetings, a duty planner service and a dedicated customer liaison team who now support counter and telephone enquiries and responses.

A Development Assessment Panel also meets weekly to provide free pre-lodgement advice to applicants.

RECOMMENDATION

That the content of the report be noted.

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5. MIDCOAST URBAN RELEASE AREAS

Report Author	Richard Pamplin - Principal Landuse Planner (Projects and Planning Contributions)
File No. / ECM Index	SPR 03/02
Date of Meeting	28 July 2021
Authorising Director	Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

The purpose of this report is to outline the results of the consultation undertaken on the draft Settlement Expansion and Redevelopment Opportunities Analysis Report, April 2021.

The exhibited report has been amended in response to feedback from the community and is now presented to Council for adoption. If the report is adopted it will then be forwarded to the NSW Department of Planning, Industry and Environment for endorsement.

SUMMARY OF RECOMMENDATION

1. That the MidCoast Urban Release Areas report as shown in Attachment A be adopted and referred to the NSW Department of Planning, Industry and Environment for endorsement.
2. That the MidCoast Housing Strategy be amended to reflect the Urban Release Areas as shown in Attachment A.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

- A: MidCoast Urban Release Areas report July 2021
- B: Summary of submissions
- C: Submissions

Due to the size of Attachments A & C these have been circulated in electronic format only to Councillors and Senior Staff, however these Attachments are publicly available on Council's website. The copy of Attachment C on the website has had the personal information redacted to protect the privacy of the members of the public providing submissions.

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

BACKGROUND

To rezone land for any purpose a Planning Proposal must demonstrate that there is Strategic Merit to the proposal. This must be demonstrated to Council by applicants and again by Council when forwarding the Planning Proposal to the NSW Department of Planning, Industry and Environment (DPIE) when seeking provision of a Gateway Determination to permit the application process to continue.

Most rezonings processed by Council are for urban release areas. Applicants and Council have traditionally relied upon land being identified in a local strategy prepared by Council and endorsed by DPIE or in a regional strategy prepared by DPIE to demonstrate that the proposed rezoning demonstrates Strategic Merit. This is a long-standing accepted method of meeting this requirement.

The majority of urban release areas from the previous Great Lakes and Greater Taree Councils relied on their identification in the *Mid North Coast Regional Strategy 2006-36*, with local strategies then providing more guidance on the type of development sought for that release area or constraints that would limit development. The former Gloucester Shire Council relied upon local strategies prepared by Council.

Council has already rezoned many of the growth areas identified in the *Mid North Coast Regional Strategy 2006-36*, which was superseded in 2016 by the *Hunter Regional Plan 2036*. This new Plan provided high-level considerations for Council to operate under while rezoning land but does not specifically identify land that can be rezoned.

While Council has been able to utilise the identification of land in the *Mid North Coast Regional Strategy 2006-36* to demonstrate Strategic Merit for rezonings, due to its age (and the fact that it was superseded in 2016) this is no longer a viable option.

Following consultation with DPIE in February 2021 it was determined that the best way for Council to be able to demonstrate Strategic Merit for the rezoning of land was to identify land for the expansion of settlements for residential and employment development in a report, undertake community consultation on the report and following adoption by Council then seek endorsement from DPIE of these Urban Release Areas.

For exhibition purposes the growth areas identified in these documents were examined and included in a document titled the draft Settlement Expansion and Redevelopment Opportunities Analysis Report, April 2021.

DISCUSSION

On 12 May 2021 Council resolved to place the report on exhibition for community and landowner feedback. Feedback from the 64 submissions has been summarised in Attachment B for each nominated growth area, with a staff response and recommendation included against each. Where submission comments were more general in nature these have been included and addressed at the end of the submission summary.

The following table shows any differences between each growth area in the draft and final version for which adoption is sought.

Growth Area from Draft Strategy	Recommendation in Exhibition Version	Recommendation in Final Version for Adoption
Forster		
Growth Area 1 (The Lakes Way)	Nominate as Urban Release for rezoning in Short-Term for a mix of uses	No change
Growth Area 2 (Southern Parkway)	Nominate as Urban Release for rezoning in Short-Term for low density residential	No change
Growth Area 3 (Burrawan Street)	Nominate as Urban Release for rezoning in Short-Term for low density residential	No change
Growth Area 4 (Fairview West)	Nominate as Urban Release for rezoning in Short-Term for low density residential	No change
Growth Area 5 (Cape Hawke Drive)	Nominate as Urban Release for rezoning in Long -Term for low density residential	Nominate as Urban Release for rezoning in Medium -Term for low density residential
Growth Area 6 (Bert's Farm)	That it NOT be nominated as an Urban Release Area	No change
Tuncurry		
Growth Area 1 (Landcom)	Noted that it is N/A as the State would process it	That Council acknowledge that this land is an Urban Release Area to be rezoned by the State Government under a State Environmental Planning Policy
Gloucester		
Growth Area 1 (Lavers Street)	Nominate as Urban Release for rezoning in Short-Term for low density residential	No change
Growth Area 2 (Cemetery Road)	Nominate as Urban Release for rezoning in Long-Term for industrial purposes	No change
Taree		
Growth Area 1 (Edinburgh Drive)	Nominate as Urban Release for rezoning in Short-Term for low density residential	No change
Growth Area 2 (Kanangra Drive)	Nominate as Urban Release for rezoning in Long-Term for low density residential	No change
Growth Area 3 (former Peter's Dairy Factory)	Nominate as Urban Release for rezoning in Long-Term for low density residential	No change
Cundletown		
Growth Area 1 (Northern Gateway Stage 2)	Noted that it is N/A as it is a current Planning Proposal awaiting gazettal	Remove all references from document as it has been gazetted.

Growth Area 2 (Taree Regional Airport)	Nominate as Urban Release for rezoning in Short-Term for employment opportunities associated with the airport	No change except to re-number as Growth Area 1
Growth Area 2 (Lansdowne Road)	Nominate as Urban Release for rezoning in Short-Term for employment opportunities associated with the airport	No change except to identify opportunity as an 'air-park' or employment opportunities associated with the airport.
Taree South		
Growth Area 1 (Glenthorne Road/Eriksson Lane)	Noted that it is N/A as it is a current Planning Proposal nearing completion	Identify as an Urban Release Area to be rezoned in the Short-Term, with acknowledgement as a current rezoning likely to be gazetted soon.
Growth Area 2 (The Bucketts Way East)	Nominate as Urban Release for rezoning in Long-Term for additional employment land	No change
Diamond Beach		
Growth Area 1 (Tourist Precinct)	Nominate as Urban Release for rezoning in Short-Term for medium density residential	No change
Growth Area 2 (Diamond Beach Road/Old Soldiers Road)	Nominate as Urban Release for rezoning in Short-Term for low density residential	No change
Growth Area 3 (Old Soldiers Road Realignment)	Nominate as Urban Release for rezoning in Short-Term for large lot residential	No change
Red Head		
Growth Area 1 (14 Red Head Road)	Nominate as Urban Release for rezoning in Short-Term for low density residential	No change
Growth Area 2 (180 Diamond Beach Road)	Nominate as Urban Release for rezoning in Short-Term for low density residential	No change
Growth Area 3 (16 Meers Drive & Lot 3 Hope Street)	Nominate as Urban Release for rezoning in Medium-Term for low density residential	That Lot 3 Hope Street be identified as an Urban Release Area to be rezoned in the Medium-Term but that 16 Meers Drive be identified as a separate Urban Release Area to be rezoned in the Short-Term.
Blackhead		
Growth Area 1 (438 Blackhead Road and 21 Greenview Drive)	Nominate as Urban Release for rezoning in Medium -Term for low density residential	Nominate as Urban Release for rezoning in Short -Term for low density residential

Tallwoods		
Growth Area 1 (Redefining the village centre)	Nominate as Urban Release for rezoning in Short-Term to provide a defined village centre with supporting adjacent zones including public open space outcomes associated with achieving sports fields	No change
Growth Area 2 (205 Blackhead Road)	Nominate as Urban Release for rezoning in Long-Term for low density residential	No change
Harrington		
Growth Area 1 (812 & 822 Harrington Road)	Nominate as Urban Release for rezoning in Medium-Term for low density residential	No change
Growth Area 2 (Glacken Street)	That it NOT be nominated as an Urban Release Area	No change
Growth Area 3 (High Street)	That it NOT be nominated as an Urban Release Area	No change
Old Bar/Wallabi Point		
Growth Area 1 (Red Gum Road)	Nominate as Urban Release for rezoning in Long-Term for low density residential	No change
Growth Area 2 (Lot 50 Shantull Drive)	Nominate as Urban Release for rezoning in Medium -Term for low density residential	Nominate as Urban Release for rezoning in Short -Term for low density residential
Hawks Nest		
Growth Areas 1 & 2 (North Hawks Nest)	Nominate as Urban Release for rezoning in Long-Term for low density residential	No change except that the constraints, mapping and opportunities have been updated to indicate that the land on the western side of Mungo Brush Road needs to be dedicated to NPWS as part of any trade-off for development potential on the eastern side of the road, in line with the Commissioners recommendations.
Tea Gardens		
Growth Area 1 (Myall River Downs)	Nominate as Urban Release for rezoning in Short-Term for low density residential	No change except to expand mapping to include the black boxed area on the submission map, making it clear that only a strip of residential zoning will be considered in exchange for extinguishing the paper subdivision and rezoning the remainder of the lots environmental.
Growth Area 2 (Myall Way)	Nominate as Urban Release for rezoning in Long-Term for low density residential	No change

Growth Area 3 (Parry's Cove Marina)	Nominate as Urban Release for rezoning in Short-Term for a mixed use outcome supporting a marina and supporting businesses and boating facilities as well as other water recreational activities	No change except to correctly map marina location
Tinonee		
Growth Area 1 (Edge Road/Bull Hill Road/The Bucketts Way East)	<ul style="list-style-type: none"> - That 4 & 24 Ridge Rd and 81 Beecher St be excluded - That the land on the southern side of The Bucketts Way be in a separate Urban Release Area for R5 zoning in the Medium-Term - That the remainder of land be rezoned for low density residential in the Medium-Term. 	No change
Wingham		
Growth Area 1 (Lot 11 Wingham Road)	Nominate as Urban Release for rezoning in Medium-Term for low density residential	No change
Growth Area 2(Murray Road & Skyline Drive)	Nominate as Urban Release for rezoning in Long-Term for low density residential	No change
Bulahdelah		
Growth Area 1 (Lee Street)	Nominate as Urban Release for rezoning in Long-Term for village expansion	No change
Growth Area 2 (both sides of the Pacific Highway)	That it NOT be nominated as an Urban Release Area	No change
Cooperbrook		
Growth Area 1 (Lot 7 Bangalow Road)	Nominate as Urban Release for rezoning in Long-Term for village expansion	No change
Green Point		
Growth Area 1	That it NOT be nominated as an Urban Release Area	No change
Karuah		
Growth Area 1	That it NOT be nominated as an Urban Release Area	No change
Lansdowne		
Growth Area 1 (Central Lansdowne Road)	That it NOT be nominated as an Urban Release Area	No change

Nabiac		
Growth Area 1 (Showground Lane)	That it NOT be nominated as an Urban Release Area	No change
Growth Area 2 (Cowper Street & Evergreen Close)	That it NOT be nominated as an Urban Release Area	No change
Growth Area 3 (Pacific Highway – South)	That it NOT be nominated as an Urban Release Area	No change
Growth Area 4 (Pacific Highway – North)	Nominate as Urban Release for rezoning in Long-Term to recognise existing employment businesses and provide additional industrial opportunities	No change
Stroud		
Growth Area 1 (Boundary Street)	Nominate as Urban Release for rezoning in Long-Term for village expansion	No change

Hallidays Point

There were a significant number of submissions from Hallidays Point and even though this document is only a minor review of growth areas it is pleasing to see such interest in strategic level documents.

Although there are a significant number of nominated Urban Release Areas in Hallidays Point, particularly in the Short-Term (due to a high demand and shortage of supply), rezoning of these sites cannot immediately commence. The NSW Rural Fire Service has objected to further rezonings in this locality until a strategic bushfire assessment is undertaken, which we understand relates to having a viable alternate second access (Old Soldier's Road).

In light of this staff have taken the initiative to commence a Hallidays Point Settlement Strategy and separate biodiversity assessments, particularly in regard to investigating important corridors and the Koala and Squirrel Glider populations. This work is expected to take 12 months, provide a number of community consultation opportunities and to answer some key questions in regard to the future of the area in regard to biodiversity, bushfire and any final development opportunities.

Following completion of this work we would expect to be in a position to accept Planning Proposals for Urban Release Areas for Hallidays Point in accordance with the timing within the document. The exception to this would be the Diamond Beach tourist precinct rezoning which could proceed earlier as it is only converting one urban zone to another.

MidCoast Housing Strategy

The Housing Strategy adopted by Council in December 2020 included Potential Urban Land (referred to as Potential Residential Land in the draft document) identified from previous strategies without any review as to whether it was likely that these sites would be rezoned in the future. This was included in order to ensure that people reading the draft strategy were aware that nearby areas may be rezoned in the future for additional residential supply.

The adoption of the MidCoast Urban Release Areas Report will mean that there are Potential Urban Land areas in the Housing Strategy that are no longer supported, or that differ in shape and properties affected. In light of this, this report recommends that the Housing Strategy be updated to show the Urban Release Areas that will be adopted by Council.

CONSULTATION

Exhibition occurred between 25 May and 1 July 2021. All landowners within growth areas identified in the document, whether recommended for inclusion as future Urban Release Areas or not, were notified of the exhibition. A media release was also issued.

The Have Your Say page on Council's website for this exhibition had 761 unique visitors, with 1,086 visits to the page. 41.3% of these visitors came directly to Council's website, 28.9% came from social media outlets such as Facebook and LinkedIn, 27.9% were redirected from another website and only 1.9% used a search engine such as Google.

Sixty four (64) submissions were received as a result of exhibition (see Attachment C). The issues raised in each submission have been summarised, commented on by staff and a recommendation made as a result (see Attachment B). This has informed in the final version of the document prepared for adoption by Council (Attachment A).

COMMUNITY IMPACTS

Nomination of urban release areas to then be endorsed by DPIE will provide certainty for our community and developers over what land can be considered for rezoning in the future and in what timeframe. This sets a clear expectation for all as to how our settlements will change and evolve over time.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

This report is in alignment with the MidCoast 2030 Shared Vision, Shared Responsibility – Community Strategic Plan 2018-2030 action to *'Ensure growth and new development complements our existing natural assets, cultural assets and heritage sites'*.

TIMEFRAME

Adoption by the current Council, prior to the caretaker period, is sought for this document. This will enable endorsement to be sought by DPIE in August/September, without substantial delays experienced before we could be in a position to consider accepting new Planning Proposals to meet current demand for additional residential land supply, particularly in areas such as Forster and Hallidays Point.

There will be a reasonable lead-time for a number of applicants in regard to undertaking studies and particularly those in the Hallidays Point area while the Hallidays Point Settlement Strategy is being prepared. Council staff will work with landowners identified for rezoning in the short-term to better anticipate future applications, undertake initial master planning with those wishing to lodge applications and work with DPIE on streamlining processing and reducing timeframes for the rezoning of land.

RISK CONSIDERATION

Reviewing potential growth areas (whether from old strategies or more recent documents), enables developers to invest wisely in the rezoning of land that is likely to be supported by Council and DPIE. A developer is likely to spend \$200,000 to \$1.2m to rezone land (plus purchase or costs associated with land options) and providing more certainty on the likelihood of applications proceeding limits this risk. It also limits the risk to Council of dedicating resources to processing applications that are not likely to proceed and instead putting those resources to applications that have considerable merit in proceeding.

Having adopted and endorsed urban release areas will ensure the timely release of land to meet demand and limit the economic risk to our community. It will also limit the reputational risk to Council of not having a clear direction for future land releases that can be readily understood by our community, developers and the State Government.

RECOMMENDATION

1. That the MidCoast Urban Release Areas report as shown in Attachment A be adopted and referred to the NSW Department of Planning, Industry and Environment for endorsement.
2. That the MidCoast Housing Strategy be amended to reflect the Urban Release Areas as shown in Attachment A.

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6. DRAFT RURAL STRATEGY

Report Author **Alexandra Macvean - Senior Land Use Planner**

File No. / ECM Index **SPR02/02; Rural Strategy**

Date of Meeting **28 July 2021**

Authorising Director **Paul De Szell - Director Liveable Communities**

SUMMARY OF REPORT

This report seeks Council's support for the public exhibition of the Draft Rural Strategy, which has been prepared as part of the strategic planning framework to inform preparation of a new MidCoast Local Environmental Plan. The draft Strategy provides a framework for rural, environmental and waterway zones across the MidCoast.

The report also documents the Paper Subdivision Analysis Report, prepared to inform the Draft Rural Strategy. This report will be available during exhibition of the Draft Rural Strategy.

SUMMARY OF RECOMMENDATION

That:

1. Council endorse the public exhibition of the Draft Rural Strategy provided in Attachment A to this report.
2. Council endorse implementation of the Communication and Consultation Strategy provided in Attachment B to this report.
3. Council note the Rural Strategy Overview and Paper Subdivision Analysis Report, which will be available during the public exhibition of the Draft Rural Strategy.
4. At the end of the public exhibition process, community and stakeholder feedback be reported to Council and a final version of the MidCoast Rural Strategy be presented to Council for adoption.

FINANCIAL/RESOURCE IMPLICATIONS

Merger funds were allocated to the preparation of the Rural Strategy. City Plan Strategy & Development, with sub-consultants Aroura R&D and MJD Environmental were engaged to prepare a draft Rural Strategy in 2016. The project was placed on hold in 2018 and recommenced in 2020 following completion of the Urban *Zoning In* exhibition program.

Since recommencement in 2020, review, updating and completion of the Rural Strategy program has been undertaken by the Land Use Planning team of MidCoast Council.

LEGAL IMPLICATIONS

Council is required to undertake a public exhibition process prior to the adoption of a land use strategy that will inform the preparation of local environmental planning instruments.

ATTACHMENTS

- A: Draft Rural Strategy
- B: Communication and Consultation Strategy *Zoning In on the Future* (Rural Lands)
- C: Rural Strategy Overview
- D: Paper Subdivision Analysis Report

Due to the size of Attachment A this has been circulated in electronic format only to Councillors and Senior Staff, however this Attachment is publicly available on Council's website.

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

BACKGROUND

The Rural Strategy commenced in 2016 as the MidCoast "Rural Economic Diversity Strategy". The scope and program were subsequently placed on hold in response to the launch and undertaking of the MidCoast "Regional Economic Development Strategy" by the NSW Government in 2018.

The program remained on hold during the Urban *Zoning In* program, which included finalisation and exhibition of the Manning Health & Taree CBD Precinct Plan, Housing Strategy, Employment Zones Review, Infrastructure Zones Review and Recreation Zones Review for urban areas of the MidCoast.

The Infrastructure Zones Review and Recreation Zones Review documents were noted as having ongoing relevance to rural areas and will also form part of the public exhibition of the Rural Strategy.

The Rural Strategy was reviewed in January 2020 to incorporate learnings from the Urban *Zoning In* program; and recommenced in February 2020 with:

- a clear focus on the analysis of challenges and opportunities within the rural, environmental and waterway zones of the MidCoast;
- clarity regarding the recommendations of the Strategy and those to be directly translated into the MidCoast Local Environmental Plan and Development Control Plan programs; and
- an expanded scope of work, to ensure an online mapping platform was available to landowners and the community, to illustrate the land use zone and development standards being proposed.

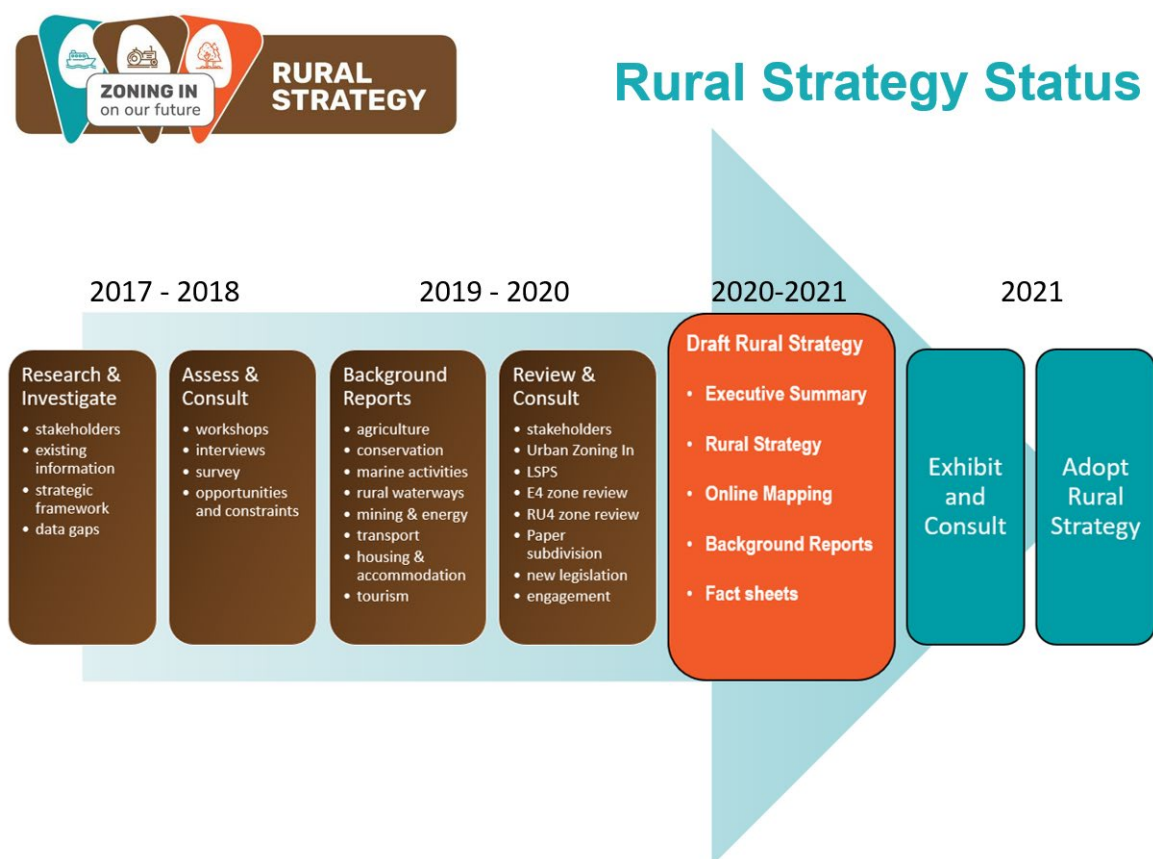
DISCUSSION

The Draft Rural Strategy been prepared over several years, with key stages of consultation as follows:

1. Preliminary research and investigation work undertaken by Council's consultancy team which included: the identification of locally specific issues by engaging with landholders, stakeholders, Council, agency and the MidCoast community to inform the preparation of Rural Issue Papers. The Papers were presented to Council in November 2018 and remain available as an attachment to the Council business paper.
2. Rural Issue Papers preparation, distribution and consultation with landholders, stakeholders and the MidCoast community at workshops and drop-in sessions: to confirm that the preliminary issues, opportunities and constraints have been appropriately identified and considered, prior to the preparation of the Draft Rural Strategy.

3. Preparation of draft Background Reports and consultation with inter-divisional Council teams and other key State agencies on key findings and recommendations. Identification of additional work required in response to feedback at workshops and information sessions: E4 Environmental Living Snapshot Report, RU4 Primary Production Small Lot Snapshot Report, and the Paper Subdivision Analysis Report.
4. Reflection on the Urban *Zoning In* consultation program, feedback and submissions to Local Strategic Planning Statement exhibition and incorporation of new and amended legislation, National, State and regional plans and policies into Background Reports. Identification and consultation with and Councillors and Council officers, on the: strategic and long-term recommendations; and plan-making recommendations for the new MidCoast Local Environmental Plan and Development Control Plan, of the Draft Rural Strategy.

The flowchart below provides an overview of these stages of research and consultation.



The rural issues significant to land use planning across the waterways, rural and natural areas of the MidCoast presented in 2018 have been adjusted and expanded through this process:

- Rural Housing was expanded to include **Housing and Accommodation**, in consideration of submissions received in response to the Housing Strategy and associated R5 Large Lot Residential report exhibited during the Urban *Zoning In* program; and an increase in manufactured home estate proposals in rural areas of the MidCoast. Additional research was undertaken on:
 - rural lifestyle areas within the E4 Environmental Living zone and RU4 Primary Production Small Lot zone; and
 - the development or conservation potential of Paper Subdivisions - where urban-sized allotments exist in a rural or environmental zone and do not have dwelling entitlements.
- Rural Industries & Agriculture has been reprioritised in response to new State planning legislation and local environmental plan provisions relating to **Agriculture and Rural Industries**.
- Mining and Quarrying was amended to **Mining and Energy**, in response to the Rocky Hill mine decision and release of new State renewable and alternative energy policies.
- **Marine Activities** remains the same, but with recognition that coastal hazards and environments have elevated identification and assessment requirements as a result of the Coastal Management SEPP (2018).
- **Land-Based Conservation** remains the same, but has additional scope and relevance given other Council projects including but not limited to the Greening Strategy and Biodiversity Framework; and feedback on the Recreation Zones Review during the Urban *Zoning In* exhibition.
- **Rural Tourism** has been reviewed in response to draft State planning legislation relating to agribusiness and agritourism; and recent increases in visitation across the MidCoast.
- **Rural Waterways** has been reviewed and expanded to reflect recent water scarcity issues within the MidCoast; renewed focus on the protection of water resources; and Catchment Management Programs.
- **Rural Transport** has been reviewed and expanded in response to the road funding program undertaken by MidCoast Council; ongoing challenges associated with providing and maintaining a regional and local road network suitable for increased freight and tourism activity across and through the local government area; and feedback on the Infrastructure Zones Review during the Urban *Zoning In* exhibition.

CONSULTATION

In order to develop a new MidCoast Local Environment Plan and Development Control Plan several strategies, reviews and plans have been developed in consultation with staff, relevant State departments, key stakeholders and the community.

Each of these documents will be publicly exhibited during one of the key stages of consultation:

1. *Urban Zoning in on our Future* consultation program - involved exhibition of the Housing Strategy, Manning Health & Taree CBD Precinct Plan, Employment Zones Review, Infrastructure Zones Review and Recreation Zones Review documents.
2. *Zoning in on our Future (Rural Lands) Communication and Consultation Strategy* - exhibition of the Rural Strategy, amended Infrastructure Zones Review and Recreation Zones Review documents.
3. *Zoning in on our Future* – the final stage will involve the public exhibition of a draft MidCoast Local Environment Plan and Development Control Plan.

The *Zoning in on our Future (Rural Lands) Communication and Consultation Strategy* outlines at a high level how we will be talking to our community about land use planning across our rural landscape, and any changes that may impact on where they live and how we will seek their feedback.

Given the volume of information provided within the Draft Rural Strategy and associated background reports, an Overview document has been prepared to highlight the key initiatives of the Rural Strategy. The Rural Strategy Overview is attached to this report and will be available during public exhibition of the Strategy.

COMMUNITY IMPACTS

Completion of the Rural Strategy is aimed at providing a clear and consistent framework for land use, conservation and development across the rural, natural areas and waterways of the MidCoast.

Implementation of the Strategy recommendations through the MidCoast LEP and DCP are expected to provide environmental, social and economic benefits to the communities and residents of the MidCoast.

The communication and consultation program will therefore provide an important opportunity to: gain feedback from the community on the short and long-term recommendations in the Strategy; involve the community in the process; and provide a sense of ownership of the outcomes.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The Rural Strategy program is complex and diverse and as a result, reflects many of the key values, objectives and outcomes of the MidCoast Community Strategic Plan:

WE VALUE... our unique, diverse and culturally rich communities

We are a diverse community that works together to care for all our members

- Acknowledge, celebrate and empower our local Aboriginal communities.
- Empower our towns and villages to retain and celebrate their unique identity, while working towards a shared community vision.

We will embrace the uniqueness and creativity of our communities

- Support communities to identify priorities for ensuring they are sustainable into the future.
- Support the preservation and uniqueness of our history and cultural heritage in our towns, villages and significant places.

WE VALUE... a connected community

It is safe and easy to get around our region

- Plan for, provide and maintain a safe road network that meets current and future needs.

WE VALUE... our environment

We protect maintain and restore our natural environment

- Value, protect, monitor, and manage the health and diversity of our natural assets, wildlife and ecosystems.
- Ensure climate change risks and impacts are understood and managed.
- Protect, maintain and restore water quality within our estuaries, wetlands and waterways.
- Improve the capacity of industry and the community to achieve the best possible outcomes for the natural environment.
- Ensure our natural assets are maintained to a standard appropriate to their use.

We manage resources wisely

- Sustainably manage our waste through reduction, reuse, recycling and repurposing.
- Proactively manage our resource consumption.

We balance the needs of our natural and built environments

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

WE VALUE... our thriving and growing economy

Our region is a popular place to visit, live, work and invest

- Develop and promote our region as an attractive visitor destination offering products and experiences that meet the needs of our visitors and residents.
- Provide an environment to grow and strengthen local businesses and attract new business.

Our villages and business precincts are vibrant commercial, cultural and social hubs

- Support and encourage the development and attraction of strategic events.
- Ensure strategies and processes recognise, maintain and support sustainable economic growth.
- Use existing knowledge, expertise and technology to develop businesses based on new ways of thinking.

We encourage greater rural and agricultural economic diversity

- Encourage the diversification and sustainability of agribusiness through the utilisation of sustainable farming practices, new technologies and innovation.

WE VALUE... strong leadership & shared vision

We make opportunities available for the community to inform decisions that shape our future

- Provide clear, accessible, timely and relevant information to support and inform the community.
- Improve community understanding of how decisions are made for the local area.
- Empower community members to participate in decision-making by providing a broad range of engagement opportunities.

TIMEFRAME

It is intended that consultation on the draft Strategy will commence in August 2021.

Consultation will provide opportunities for community members and key stakeholder to access the information, discuss the Rural Strategy initiatives, seek additional information if required and make submissions.

Community and stakeholder feedback will be reported to Council and a final version of the Rural Strategy will be presented to Council for adoption before the end of this year.

RISK CONSIDERATION

Consultation at this stage reduces the risk of proceeding with the preparation of planning controls for the MidCoast that are inconsistent with community expectations.

Delays will impact on the implementation programs for the MidCoast LEP and DCP.

RECOMMENDATION

That:

1. Council endorse the public exhibition of the Draft Rural Strategy provided in Attachment A to this report.
 2. Council endorse implementation of the Communication and Consultation Strategy provided in Attachment B to this report.
 3. Council note the Rural Strategy Overview and Paper Subdivision Analysis Report, which will be available during the public exhibition of the Draft Rural Strategy.
 4. At the end of the public exhibition process, community and stakeholder feedback be reported to Council and a final version of the MidCoast Rural Strategy be presented to Council for adoption.
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7. DEVELOPMENT CONTROL PLAN – KOLODONG PRECINCT

Report Author Richard Pamplin – Principal Landuse Planner (Projects and Planning Contributions)

File No. / ECM Index DCP 03/02

Date of Meeting 28 July 2021

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

The purpose of this report is to inform Council of an application received for a Development Control Plan for the Kolodong Precinct (Residential Estate) and to seek community input into the draft Plan.

SUMMARY OF RECOMMENDATION

That the draft Development Control Plan amendment to the Greater Taree Development Control Plan 2010, L13 Kolodong Precinct (as shown in Attachment A), be placed on public exhibition for a period of 28 working days and that the results of the consultation process be reported back to Council.

FINANCIAL/RESOURCE IMPLICATIONS

Nil - this is a user-pays application lodged in accordance with Council's Fees and Charges and is being managed by an independent planning consultant engaged by Council at the proponent's cost in accordance with Council's policy for applications.

LEGAL IMPLICATIONS

The DCP is being processed in accordance with the *Environmental Planning and Assessment Act 1979* and associated *Environmental Planning and Assessment Regulation 2000*.

ATTACHMENTS

A: Draft Amendment to Greater Taree DCP 2010 dated 10 July 2021 - L13 Kolodong Precinct

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

BACKGROUND

The subject site is located in the Kolodong Precinct, fronting Kolodong Road and Wingham Road, Taree.

The site has been rezoned R1 General Residential and E2 Environmental Management under the Greater Taree Local Environmental Plan 2010 (GTLEP 2010) and is identified as an Urban Release Area under Part 6 of the GTLEP 2010, thereby needing a site specific Development Control Plan (DCP) prior to development consent being issued or development onsite occurring.

To this end a DCP application has been lodged by the Cameron Brae Group and as a separate process to this strategic planning work, the applicant has additionally lodged a Development Application for Stage 1 of the site.

This report to Council is prepared only in respect of the proposed DCP provisions and to seek public exhibition of the amended DCP.

Clause 6.3 of LEP

Clause 6.3 of the Greater Taree LEP 2020 states:

6.3 Development control plan

- (1) *The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.*
- (2) *Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.*
- (3) *The development control plan must provide for all of the following—*
 - (a) *a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,*
 - (b) *an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,*
 - (c) *an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,*
 - (d) *a network of passive and active recreational areas,*
 - (e) *stormwater and water quality management controls,*
 - (f) *amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,*
 - (g) *detailed urban design controls for significant development sites,*
 - (h) *measures to encourage higher density living around transport, open space and service nodes,*
 - (i) *measures to accommodate and control appropriate neighbourhood commercial and retail uses,*
 - (j) *suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.*
- (4) *Subclause (2) does not apply to any of the following development—*
 - (a) *a subdivision for the purpose of a realignment of boundaries that does not create additional lots,*

- (b) *a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environmental protection purpose,*
- (c) *a subdivision of land in a zone in which the erection of structures is prohibited,*
- (d) *proposed development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.*

The Kolodong Precinct DCP is required to be consistent with this LEP clause. The subject DCP satisfies this LEP provision in that it includes:

- A staging plan, movement hierarchy, landscaping strategy, passive and active recreation opportunities are provided, together with quality stormwater management, detailed consideration of key environmental constraints and the provision of urban design controls.
- The DCP specifically seeks to encourage well located medium density opportunities, walking and cycling and the suitable dedication and ongoing management of significant ecological land.

Primary issues to be addressed in the DCP

Following a review by Council's independent town planning consultancy, All About Planning Pty Ltd and an internal review of the document by staff, key issues were identified which confirmed the need for amendment of the submitted DCP and associated map/DCP figures. These issues are summarised below:

○ ***Precinct Plan- Figure 13.2***

Amendments to the overarching Precinct Plan have been made to reflect required changes to the Parks and Public Domain proposal and engineering advice regarding access to Kolodong Road. All DCP Figures were updated due to these changes.

○ ***Open Space/walk/cycle***

Parks and Public Domain – Figure 13.5

Council's team confirmed support for extension of the proposed shared pathway/bicycle network within the Kolodong Precinct, comprising off-road shared cycle and footpaths of a minimum 2.5m width. An expanded shared pathway network is now proposed which maximises internal linkages within the subdivision site, including to the western area and which also connects to the external boundaries of Kolodong Road and Wingham Road.

○ ***Roads/traffic upgrades***

The Movement Network Plan, Figure 13.4 has now been adjusted to reflect Council's confirmed requirement for provision of only temporary access points to Kolodong Road for proposed Stages 2 and 3 of the subdivision, as below:

- Temporary access (left in/left out) to/from stage 2 will only be required if they develop first and have no access through stage 1.
- Temporary access (left in/left out) to/from stage 3 will only be required if they develop first and have no access through stage 1 and 2.

A Street Tree Species Planting Schedule has also been added to the DCP to ensure consistency of landscaped outcomes over the various stages of the Precinct's development.

○ ***Environmental & buffers to agricultural land***

Options for achieving a successful rural/urban interface were considered. A 20m deep dwelling setback buffer is preferred and which it is considered will achieve an appropriate physical and visual transition but not result in additional costly ongoing maintenance costs for Council.

○ ***Staging Plan – Figure 13.9***

The staging plan details in the DCP have been updated to confirm the following upfront road work requirements of Council:

To be constructed as part of Stage 1:

- Roundabout at intersection of Wingham/Kolodong Rd's
- Roundabout on Kolodong Rd providing access into Stage 1
- Sewer Pump Station
- Sealing of Kolodong Rd south of the school to Neals Lane to a rural road standard
- Upgrade of Kolodong Rd between the 2 roundabouts to a sealed 11m collector standard with kerb and guttering on both sides, but maximising the retention of roadside trees

To be constructed as part of Stage 2

- Temporary access onto Kolodong Rd which will later be turned into an internal subdivision cul-de-sac

To be constructed as part of Stage 3

- Temporary access onto Kolodong Rd which will later be turned into an internal subdivision cul-de-sac
- Left in/left out access onto Wingham Rd

The updated DCP has been amended to address these issues and is included as Attachment A.

PUBLIC EXHIBITION & CONSULTATION

It is intended to exhibit the draft Kolodong DCP for a 28 working day period during August-September and to hold an onsite drop-in consultation session during this period (COVID permitting), where interested persons can speak one-on-one with Council staff and our planning consultants to gain a better understanding of the proposed DCP.

Landowners within a wide distribution area will receive a letter advising of the exhibition and recommending that they read the document and consider attending the drop-in session and whether to lodge a submission.

The document will be available on the Have Your Say page on Council's website and advertised widely. The wider community will be encouraged to be informed about what may happen in the future in their area and to consider whether to lodge a submission.

COMMUNITY IMPACTS

During the rezoning of this site it was evident that there is concern from existing residents over existing and anticipated additional traffic congestion around the Taree Christian College on Kolodong Road and safety concerns with turning right onto Wingham Road.

The draft DCP details how road upgrades that will be undertaken by the developers will assist in improving traffic flow and safety. However, it should be noted that any new residential development will increase the number of vehicle movements used on access roads in that locality and in turn, impacts upon current residents.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

This report is in alignment with the MidCoast 2030 Shared Vision, Shared Responsibility – Community Strategic Plan 2018-2030 action to *'Ensure growth and new development complements our existing natural assets, cultural assets and heritage sites'*.

TIMEFRAME

A decision by the current Council, prior to the caretaker period, is sought to place the draft DCP on exhibition. This will enable it to be exhibited in August-September and then reported back to the new Council for adoption in October/November.

A development application for subdivision has been lodged over Stage 1 in the draft DCP. While this application can be assessed by staff, it cannot be determined until Council has adopted the draft DCP.

RISK CONSIDERATION

By having a clear DCP that sets expectations for future development of the site the risk to the community, nearby residents and businesses, and future purchasers is minimised.

RECOMMENDATION

That the draft Development Control Plan amendment to the Greater Taree Development Control Plan 2010, L13 Kolodong Precinct (as shown in Attachment A), be placed on public exhibition for a period of 28 working days and that the results of the consultation process be reported back to Council as soon as practically possible.

8. BULAHDELAH HIGHWAY SERVICE CENTRE PLANNING AGREEMENT REFERENCE GROUP MEETING NOTES

Report Author Aaron Kelly – Land Use Planner
File No. / ECM Index PA 24
Date of Meeting 28 July 2021
Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report presents the meeting notes of the Bulahdelah Highway Service Centre Planning Agreement Reference Group meeting held on 17 May 2021.

SUMMARY OF RECOMMENDATION

That the Bulahdelah Highway Service Centre Planning Agreement Reference Group meeting notes of 17 May 2021 (Annexure A) be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

DISCUSSION

The Bulahdelah Highway Service Centre Planning Agreement Reference Group (Reference Group) was established by resolution of Council at its Ordinary Meeting on 23 September 2020. Membership of the Reference Group was endorsed by Council at its 24 March Ordinary Meeting.

The Reference Group will meet on a regular basis to discuss and identify a prioritised package of proposed improvements to Bulahdelah that may be carried out with the funds to be allocated as part of a Planning Agreement associated with a current Planning Proposal for a highway service centre at the northern Bulahdelah interchange. These improvements could include, but are not limited to recreational vehicle facilities, business improvement packages and streetscape improvements.

CONSULTATION

Meeting agendas and draft notes are distributed to all Reference Group members.

COMMUNITY IMPACTS

Community Reference Groups form an important part of Council's interaction with community members and key stakeholders. This reference group is identifying and prioritising a list of potential improvements to Bulahdelah that will offset any potential adverse impacts that a highway service centre will have on the business community. Members will also be encouraged to be part of community consultation undertaken to finalise this list.

BUDGET IMPLICATIONS

Nil

RECOMMENDATION

That the Bulahdelah Highway Service Centre Planning Agreement Reference Group meeting notes of 17 May 2021 (Annexure A) be noted.

ANNEXURE

A: Bulahdelah Highway Service Centre Planning Agreement Reference Group meeting notes for 17 May 2021



Meeting notes

Bulahdelah Highway Service Centre Planning Agreement Reference Group

Date	17 May 2021	Time	6pm
Venue	Bulahdelah School or Arts Hall – Crawford Street, Bulahdelah	Note-taker	Aaron Kelly
Present	Cr Karen Hutchinson, Cr Kathryn Smith, Paul De Szell, Donna Hudson, Richard Pamplin, Arthur Baker, Kevin Carter, Dale Bradshaw, Barbara Gordon, Allan Freihaut, Judy Dixon, Helen Dafter, Nicola Stockdale, Gary Ekert, Richard Pamplin, Aaron Kelly		
Apologies	Nil		

Meeting items

Item	Key points/actions
1	Acknowledgement of Country
2	Introduction and Roundtable – All A roundtable introduction was carried out which included each of those present what they most liked about Bulahdelah. Common themes included: <ul style="list-style-type: none">• Bulahdelah has outstanding natural beauty• Bulahdelah has excellent potential in that it is well located as a popular tourist stop and has under-developed facilities and attractions• Bulahdelah is resilient, and has rebounded well since the Pacific Highway bypass• Bulahdelah is experiencing increased visitor numbers with extended stays
3	Presentation by Donna Hudson – Governance Procedures and Terms of Reference Donna Hudson, MidCoast Council's Governance Liaison and Projects Coordinator distributed an induction kit highlighting the reference group responsibilities
4	Presentation of the Bulahdelah Highway Service Centre – Aaron and Richard MidCoast Council staff Aaron and Richard gave a presentation that explained the process of what has led to the establishing of the reference group and general information about the Bulahdelah Highway Service Centre Planning Proposal.

	<p>General questions from the Reference Group were taken relating to the Planning Agreement process and the roles of the Reference Group, Council and proponent of the highway service centre in the funding of Bulahdelah improvements.</p>
5	<p><i>Roundtable presentation of the reference group members 3 ideas for Bulahdelah improvements</i></p> <p><i>Each member of the reference group was encouraged to present their 3 main ideas for the prioritisation of improvements to Bulahdelah.</i></p> <p><i>Summary of Themes</i></p> <p><i>Car Parking</i></p> <ul style="list-style-type: none"> • Parking a universal issue for all those present: <ul style="list-style-type: none"> ○ Can the concrete barriers preventing parking along Stroud St be removed? ○ Want timed parking to encourage vehicle change-over throughout the day rather than all day parking by business owners and employees. ○ A new all day carpark – possibly on the land the Visitor Information Centre is on as it has sufficient space for a carpark to be built, though would need to be filled due to flood/drainage issues. ○ Disabled parking options should be considered ○ More parking for caravans and camper trailers in Stroud Street and Crawford Street ○ New carpark on other side of the bridge for cars and caravans next to house boats <p><i>Allum/Bulahdelah Mountain</i></p> <ul style="list-style-type: none"> • Alum Mountain was recognised by most as being a drawcard for Bulahdelah and very underutilised: <ul style="list-style-type: none"> ○ Geo-tourists an opportunity – 1 of top 100 sites in Australia ○ Largest deposit of Alunite above ground in the World – opportunity ○ Previous Alum mining – heritage opportunity ○ Significant Aboriginal cultural heritage site – opportunity ○ 87 varieties of rare orchids present on the cliffs (conflict between rock climbing and plants) ○ Rock climbing – well known as highly technical climb – sensitively done this could be a great opportunity ○ Walking trails – with signage so people don't get lost - this is a great opportunity <p><i>Note: Multiple stakeholders – Local Aboriginal Land Council, National Parks & Wildlife Service, Crown Lands, Council, user groups – difficult to manage, cost and plan for - however worth pursuing</i></p> <p><i>Signage</i></p> <ul style="list-style-type: none"> • Want improved signage on highway with images of mountain etc • Wayfinding signage needed so people can find groups of business and points of interest e.g. service stations, bowling club, caravan parks, trails etc • Beautification of signage

	<p><i>CBD</i></p> <ul style="list-style-type: none"> • Free public Wifi • Remove some carpark and replace with eating areas (with free Wifi) so that people can go to bakery etc and then eat in main street – consolidate so you can eat in town on common tables <p><i>Myall River</i></p> <ul style="list-style-type: none"> • Foreshore stabilisation works – both northern and southern sides • Foreshore boardwalk (Karuah provided as example) – or long jetty on town side • Skywalk over river • River walk <p><i>Footpaths/cycleways</i></p> <ul style="list-style-type: none"> • There are missing links that need to be completed – need to unite town • Lack of cycleways • Self-guided heritage walk with interpretive info • Footpath under bridge to courthouse <p><i>Parks and recreation areas</i></p> <ul style="list-style-type: none"> • Shade structure for playgrounds – both Wade Park and Alum Park • More play equipment for both parks • Large outdoor chess set (Wade Park) • Land at tourist info centre with seating landscaping etc. upgrade • Rectify drainage issues on sports fields – not able to be used in wet and on gala days <p><i>South River Park</i></p> <ul style="list-style-type: none"> • Toilet facilities <p><i>Community solar power hub</i></p> <p><i>Lighting</i></p> <ul style="list-style-type: none"> • Solar lighting in Stroud and Meade Streets <p><i>Promotion of local area</i></p> <ul style="list-style-type: none"> • Highlighting natural attractions • Promote Bulahdelah as a destination
6	<p>For next meeting</p> <ul style="list-style-type: none"> • Council staff will provide estimated costings for preliminary ideas where possible for the next meeting • Council staff will present to the Reference Group some activities to further refine some of the ideas raised

Next meeting

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9. BULAHDELAH HIGHWAY SERVICE CENTRE – VOLUNTARY PLANNING AGREEMENT

Report Author	Richard Pamplin – Principal Land Use Planner (Projects and Planning Contributions)
File No. / ECM Index	PA 24
Date of Meeting	28 July 2021
Authorising Director	Paul De Szell – Director Liveable Communities

SUMMARY OF REPORT

The purpose of this report is to inform Council of a letter of offer from the proponent of the Bulahdelah Highway Service Centre Planning Proposal to enter into a Voluntary Planning Agreement with Council to offset any potential initial adverse impacts that their proposed development may have on the Bulahdelah business community.

SUMMARY OF RECOMMENDATION

1. That the draft Voluntary Planning Agreement as shown in Attachment A to this report between MidCoast Council and Linfield Property Nominee Pty Ltd & NGP Investments (No. 2) Pty Limited be exhibited for a period of 28 working days in accordance with the requirements of the *NSW Environmental Planning and Assessment Act 1979*.
2. That should no objections be received during the exhibition period of the draft Voluntary Planning Agreement, that the Voluntary Planning Agreement be adopted as exhibited and registered on the property affected.
3. That the General Manager be delegated the function of authorising the Voluntary Planning Agreement.
4. That should objections be received during the exhibition period of the draft Voluntary Planning Agreement, or changes are proposed to the document (other than editorial), that this matter be reported to Council for its consideration.

FINANCIAL/RESOURCE IMPLICATIONS

The Voluntary Planning Agreement (VPA) is proposed to be concurrently exhibited with the Planning Proposal, which is being processed as a user-pays application under Council's Fees & Charges.

Funds collected under the VPA (should the development proceed [\$500,000]), will need to be allocated in future budgets to spend on items that fall under the spending categories included in the VPA.

LEGAL IMPLICATIONS

The VPA is being processed in accordance with the *Environmental Planning and Assessment Act 1979* and associated *Environmental Planning and Assessment Regulation 2000*.

ATTACHMENTS

A: Draft Bulahdelah Highway Service Centre Voluntary Planning Agreement

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

BACKGROUND

On 20 March 2020 Council received an altered Gateway Determination from the NSW Department of Planning, Industry and Environment (DPIE), permitting the Bulahdelah Highway Service Centre Planning Proposal to proceed. This reversed a previous decision of DPIE not to permit the Planning Proposal to proceed.

The proponent appealed the original decision of DPIE which was then referred to the NSW Independent Planning Commission for review. The Commission handed down its review on 31 January 2020 recommending that DPIE reverse its decision.

The amended Gateway Determination advised that the Commission's report, the proposed VPA and a Heritage Impact Assessment (HIA) on the Alum Mine and Bulahdelah Mountain be undertaken and included in the Planning Proposal when exhibited.

The HIA has recently been completed and the Planning Proposal is being finalised by Council's planning consultant for this application, prior to exhibition. The outstanding matter is to formalise the VPA, which must be exhibited concurrently with the Planning Proposal.

DISCUSSION

A letter of offer dated 8 July 2021 has been received from the proponent (see Annexure A) which follows the intent of the original and on-going conversations with Council staff on this matter.

The proponent has offered to pay Council \$500,000 to mitigate the initial potential adverse impacts that their proposed highway service centre may have on the Bulahdelah business community.

These funds are to be spent by Council on items that will benefit the Bulahdelah township and the Bulahdelah business community. These funds must be spent on items that fall under the following categories:

1. public domain improvements, to items such as streets/roads, parks and foreshore areas (e.g. lighting, landscaping, seating, signage);
2. general business assistance available to all Bulahdelah businesses (e.g. marketing, merchandising, website advice/tutorials);
3. RV-friendly town improvements (e.g. a designated RV parking area).

In addition, the proponent also agrees to provide for local promotions within the highway service centre, either in the form of an area for advertising/brochures or via digital means.

This offer is seen as a genuine attempt to offset any potential initial adverse impacts of their proposed development. It is important to remember that such agreements are voluntary, that we have a willing proponent and that the VPA will be placed on the title of the land and hence be an obligation on any future landowner.

Terms

A draft VPA has been drafted by our Coordinator Property & Legal Services and is included as Attachment A to this report.

A part payment of \$50,000 is payable within 2 months of the Instrument Change (rezoning gazettal) with the balance subject to CPI and payable prior to the issue of the first Occupation Certificate associated with the Highway Service Centre. The initial payment is a 'good faith' payment based upon Council's processing of the Planning Proposal, whereas the remaining payment is not payable until just prior to occupation, as the impact will not occur until after it commences operation.

The VPA also includes an Explanatory Note (as an attachment) required for public exhibition which is intended to be a plain English summary of the document. The proponent has agreed to the wording of both.

Bulahdelah Reference Group

A Reference Group has been formed with representatives from the Bulahdelah community to identify and prioritise a list of improvements for Bulahdelah stemming from the need to offset potential initial adverse impacts from the proposed HSC.

The Reference Group has been intentionally separated from the VPA process as it was not appropriate from a governance perspective to have the two directly linked. The Reference Group process will separately come up with a list of prioritised improvements for Bulahdelah, some of which may be beyond the scope of the VPA to fund. It is also highly likely that the list of improvements will far exceed the funds available from the VPA.

This should not be seen as a negative – the VPA funding will be instrumental in achieving identified priority improvements and Council and the community can then work towards achieving the remaining items, whether by grants or future budget allocations.

CONSULTATION

It is intended to exhibit the draft VPA for a 28 working day period during August-September concurrently with the Planning Proposal, as required under the Gateway Determination provided by the State.

Depending upon COVID restrictions at the time, an onsite drop-in consultation session is planned during this period where interested persons can speak one-on-one with Council staff and our planning consultant to gain a better understanding of the Planning Proposal and VPA.

It is likely that there will be significant interest within the Bulahdelah community on the proposed HSC and it is our intention to ensure that residents are informed of the exhibition and provided with the opportunity to speak to staff and consider whether to lodge a submission.

COMMUNITY IMPACTS

The Bulahdelah Chamber of Commerce has been supportive of the proposed HSC and the employment opportunities that it will provide for locals.

Council has supported the Planning Proposal for a HSC at Bulahdelah, which will predominantly service south-bound highway traffic, on the understanding that while the economic impact on the Bulahdelah business community as a whole could not be quantified, it is likely to be temporary in nature and something that can be offset. This VPA provides the means to offset this potential initial negative impact and is considered reasonable.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

This report is in alignment with the MidCoast 2030 Shared Vision, Shared Responsibility – Community Strategic Plan 2018-2030 value of ‘Our villages and business precincts are vibrant commercial, cultural and social hubs’.

TIMEFRAME

A decision by the current Council, prior to the caretaker period, is sought to enable the concurrent exhibition of the VPA and PP prior to the Gateway Determination lapsing on 20 September 2020.

If objections to either are received then they will be reported back to Council for a decision (most likely in October), but a Gateway extension is more likely if exhibition has already been undertaken.

RISK CONSIDERATION

There is a risk that Council can be seen as taking cash for a result in relation to processing this rezoning, but this risk is substantially minimised by the NSW Independent Planning Commission having reviewed this Planning Proposal (following an appeal by the proponent when a Gateway Determination was initially refused by the State). The Commission determined that it was appropriate for the State to issue a positive Gateway permitting the Planning Proposal to proceed and they were supportive of the developer’s offer to enter into a VPA with Council in regard to offering a monetary amount that could be spent by Council within Bulahdelah to benefit the business community.

RECOMMENDATION

1. That the draft Voluntary Planning Agreement as shown in Attachment A to this report between MidCoast Council and Linfield Property Nominee Pty Ltd & NGP Investments (No. 2) Pty Limited be exhibited for a period of 28 working days in accordance with the requirements of the *NSW Environmental Planning and Assessment Act 1979*.
2. That should no objections be received during the exhibition period of the draft Voluntary Planning Agreement, that the Voluntary Planning Agreement be adopted as exhibited and registered on the property affected.
3. That the General Manager be delegated the function of authorising the Voluntary Planning Agreement.
4. That should objections be received during the exhibition period of the draft Voluntary Planning Agreement, or changes are proposed to the document (other than editorial), that this matter be reported to Council for its consideration.

ANNEXURE

A: Letter of offer to enter into a Voluntary Planning Agreement with Council

LINDFIELD PROPERTY NOMINEE PTY LTD & NGP INVESTMENTS (NO 2) PTY LIMITED

Registered Office:
Level 2 Advanx Building
10 Neild Avenue
Rushcutters Bay NSW 2011
Tel: 02 9360 8577
Fax: 02 9360 8487
ABN: 76 811 462 481

Please address all correspondence to :
GPO Box 4333
SYDNEY NSW 2001

8 July 2021

Attention: General Manager
MidCoast Council
2 Bripi Way
TAREE NSW 2430

Proposed Voluntary Planning Agreement relating to Planning Proposal PP_2018_MCOAS_004_00

We, Lindfield Property Nominee Pty Ltd (ACN 602 225 061) as The Trustee for Lindfield Property Unit Trust (ABN 29 593 301 066) and NGP Investments (No. 2) Pty Ltd (ACN 001 495 343), offer to enter into a Voluntary Planning Agreement (VPA) with MidCoast Council to pay Council \$500,000 to mitigate initial potential adverse impacts that our proposed highway service centre may have on the Bulahdelah business community. These funds are to be spent by Council on items that will benefit the Bulahdelah township and the Bulahdelah business community. These funds must be spent on items that fall under the following categories:

1. public domain improvements, to items such as streets/roads, parks and foreshore areas (eg, lighting, landscaping, seating, signage);
2. general business assistance available to all Bulahdelah businesses (eg, marketing, merchandising, website advice/tutorials);
3. RV-friendly town improvements (eg, a designated RV parking area).

In addition, we agree to provide for local promotions within the highway service centre, either in the form of an area for advertising/brochures or via digital means. No binding obligations of any kind will arise until the conclusion, and execution by the parties, of the VPA.

Signed by
**LINDFIELD
PROPERTY
NOMINEE
PTY LTD**
(ACN 602 225
061) under
s.127(1) of the
*Corporations
Act 2001*


sign
the signatory states that he or
she is the sole director and
sole secretary of the company

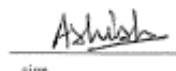
Peter Steven
Kampfner
full name

Signed by
**NGP
INVESTMENTS
(NO. 2) PTY
LIMITED (ACN
001 495 343)**
under s.127(1) of
the *Corporations
Act 2001* (Cth)


sign

DIRECTOR
office (director or
secretary)

DANIEL THOMAS
full name RYAN


sign

SECRETARY
office (director or
secretary)

ASHISH TIRTHANKAR
full name

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10. GLENTHORNE EMPLOYMENT AREA PLANNING PROPOSAL AND DEVELOPMENT CONTROL PLAN

Report Author Aaron Kelly – Land Use Planner

File No. / ECM Index PP 04

Date of Meeting 28 July 2021

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

This report provides the results of the community consultation undertaken on the Draft Glenthorne Employment Area Planning Proposal (the Planning Proposal) and associated Draft Glenthorne Employment Area Development Control Plan (DCP) which occurred between 31 March 2021 and 10 May 2021.

The report recommends that Council adopt the Planning Proposal and the DCP as amended following exhibition and seek finalisation of this rezoning.

SUMMARY OF RECOMMENDATION

That:

1. Council note the submissions received in response to the exhibition of the Glenthorne Employment Lands Draft Planning Proposal and associated Draft Development Control Plan provisions as shown in Attachment C.
2. Council adopt the Glenthorne Employment Area Draft Planning Proposal as shown in Attachment A.
3. Council allow further amendments to the Planning Proposal prior to the making of the LEP to include any changes from outstanding State agency referrals.
4. Council make a request to the Office of the Parliamentary Counsel to draft the legal instrument to give effect to the Planning Proposal as Council is the Planning Proposal Authority.
5. Council adopt draft amendment Part L12 of the Greater Taree Development Control Plan (DCP 2010) being the Glenthorne Employment Lands DCP as shown in Attachment B and that this become effective upon notification on Council's website.

FINANCIAL/RESOURCE IMPLICATIONS

The Draft Planning Proposal and associated Draft Development Control have been assessed on a user-pays basis. The costs of required studies and consultant fees have been borne by the applicant.

LEGAL IMPLICATIONS

The Planning Proposal process has been undertaken in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Environmental Planning and Assessment Regulation 2000.

In accordance with the clause 21(2) of the *Environmental Planning and Assessment Regulation 2000*, Council must publish notice of its decision on its website within 28 days after the decision is made to approve the amendments to the Development Control Plan. Council must also publish a notice if it is decided not to proceed with the amendment, and this notice must include Council's reasons for the decision.

ATTACHMENTS

- A: Draft Glenthorne Employment Area Planning Proposal, as amended following exhibition
- B: Draft Glenthorne Employment Lands Area DCP Part L12, as amended following exhibition
- C: Submissions
- D: Department of Planning & Environment (DPIE) Biodiversity Conservation Division (BCD) - public agency responses dated 13 May 2021 and 3 June 2021
- E: MidCoast Council responses to DPIE BCD dated 26 May 2021 and 7 July 2021

Due to the size of Attachment A this has been circulated in electronic format only to Councillors and Senior Staff, however this Attachment is publicly available on Council's website.

Attachments B, C, D & E have been circulated to the Councillors and Senior Staff, however these attachments are publicly available on Council's website. The copy of Attachment C on the website has had the personal information redacted to protect the privacy of the members of the public providing submissions.

BACKGROUND

The draft Planning Proposal involves:

- changing the land use zone from the RU1 Primary Production Zone to a combination of B6 Enterprise Corridor and IN1 General Industrial zones with environmentally sensitive areas in the E2 Environmental Conservation Zone
- applying a maximum building height of 8.5m to the proposed B6 Enterprise Corridor zone, noting that no existing maximum height of building standard currently exists for the land
- removing the minimum lot size within the IN1 and B6 zones and applying a 2ha, 8,000m² and 1.5ha minimum lot size to various proposed E2 Environmental Conservation zoned land to allow the opportunity for future dedication. Note that a 40ha minimum lot size standard currently exists on the land.

Location and ownership

This planning proposal relates to four parcels of land (the land) in Glenthorne, south of Taree. The subject land includes:

- Lot 50 DP 863972 (51 Glenthorne Road) being 6.42ha and owned by Michael and Heather Barrett.
- Lot 2 DP 573214 (55 Glenthorne Road) being 4.05ha and owned by Edward Gersbach. Preliminary advice from Mr Gersbach in 2019 indicated an objection to being included in the proposed rezoning. Council has received correspondence on behalf of Mr. Gersbach dated 24 May 2021 agreeing to be included in the Planning Proposal.
- Lot 2 DP 827097 (50 Eriksson Lane) being 12.94ha and owned by Michael and Heather Barrett.
- Lot 20 DP 836884, known as Eriksson Lane and owned by MidCoast Council.

The subject land is located approximately 1.7km south of Taree and adjoins the existing Manning River Drive Employment Precinct. It is intended that the subject land will be the last addition to the precinct in the foreseeable future (to the east) as it provides the last area of land suitable for employment zones in this area.

The land has site-specific locational advantages, being in close proximity to the Pacific Highway, with existing road infrastructure in place to allow efficient vehicle movements in and out of the land without significant alterations to the current road network. In addition, there are high volumes of local traffic passing the land each day, providing a unique opportunity to capitalise on local trade and consolidate Taree South as an employment precinct.

The location of the subject land is shown in Figure 1.

The subject land is currently zoned RU1 Primary Production, with all lots currently used for extensive agriculture. The subject land contains two minor streams in the south and a third order stream in the north (Stitts Creek), with scattered native and exotic vegetation. It has a gently undulating topography primarily draining to the north-east. A dwelling is located on each lot.

To the west the subject land adjoins the B6 Enterprise Corridor, B5 Business Development and IN1 General Industrial zones within the Manning River Drive Employment Precinct. To the north and east the subject land adjoins RU1 Primary Production land used for extensive agriculture and rural lifestyle properties. To the south the subject land adjoins the RU5 Village zone of Purfleet on the opposite side of Manning River Drive. The Manning River Drive / Pacific Highway interchange is located approximately 350m east of the subject land. At its closest point the Manning River is located approximately 1.1km to the north.

Existing formal public access to the subject land is available from both Eriksson Lane and Glenthorne Road, with Eriksson Lane being only 660m in length and providing access to 50 and 55 Eriksson Lane, 235 Glenthorne Road and 79 Glenthorne Road. Glenthorne Road provides access to a number of rural properties and is approximately 2.8km long, providing access to properties down to the edge of the Manning River.

Reason for the Rezoning

The subject site has been identified for rezoning since the draft Manning Valley Local Strategy (MVLS), dated 27 May 2016.

A key goal of the MVLS is to 'grow the local economy', by offering accessible and affordable options for new businesses. One of the high-level priorities in the MVLS is the provision of a commercial and industrial hub within the Manning River Drive precinct, which is recognised in the MVLS as a key economic precinct. It has high volumes of passing traffic.

The subject land has good access to the Pacific Highway and brings natural locational strengths to activate the creation of new employment opportunities, particularly in the provision of:

- truck and passenger vehicle related retail.
- transport related accommodation/hospitality (bringing flow-on effects to tourism).
- transport related servicing and manufacturing and
- technical services, logistics and manufacturing enterprises.



Figure 1: Glenthorne Employment Area

Development Control Plan

The delivery of the planning proposal will enable a coordinated extension to the Manning River Drive Employment Precinct. Future land subdivision and/or development upon newly created lots will be carried out in accordance with a site-specific Development Control Plan (DCP). The DCP will provide principles for road layout, principles for providing quality-built form, ensure conservation of sensitive areas, ensure adherence to Water Sensitive Urban Design (WSUD) principles and indicative staging in accordance with the requirements of clause 6.3 of the GT LEP 2010. This is a requirement for any urban release area.

The Draft Development Control Plan for the Glenthorne Employment Area, being the insertion of Chapter L12 amending the Greater Taree DCP, is included in Attachment B.

DISCUSSION

Community consultation was originally undertaken between 31 March 2021 and 10 May 2021. A total of 8 submissions were received on the Planning Proposal. These submissions are provided in Attachment C.

Submission issues

Of the eight (8) submissions received, the following concerns were raised:

- Concern for the amenity of a significant gateway into Taree resulting from industrial / commercial development

Comment

It is considered the subject site provides an opportunity for an attractive gateway entrance to town and provisions of the Development Control Plan (DCP) which will be in place for the site will ensure that particular attention is given to landscaping and gateway signage along Manning River Drive.

- Costs incurred by the community from the current proposal and any subsequent development over the site

Comment

The subject Planning Proposal for the Glenthorne Employment Lands rezoning and all associated costs have been borne on a use pays basis. No costs to the ratepayer are attributed to the preparation and assessment of the Planning Proposal.

Any costs of development over the site will be borne by the landowner/applicant for each development application including for any new roads.

- The increase in size of the release area for rezoning since the draft Manning Valley Local Strategy 2016

Comment

It is agreed with the submission that the rezoning area is larger than that identified in the 2016 Manning Valley Local Strategy. It is considered that a logical extension of the rezoning the subject site is appropriate through the remaining portion of Lot 2 DP 827097 due to both its adjacent proximity to the existing Manning River Drive Employment Lands Precinct in addition to the opportunity to leverage off the sites proximity to the Pacific Highway.

- The need for additional industrial and commercial land given that much industrial/commercial land in Taree is undeveloped

Comment

The MVLS, in addition to a number of supporting documents, illustrate the subject land has good access to the Pacific Highway and brings natural locational strengths to activate the creation of new employment opportunities, particularly for transport and logistics and services.

While it could be argued that Taree does have a significant amount of undeveloped employment land stock that could be developed, the subject site is considered to have key location strengths which set it apart from other employment land areas.

- Concerns that large sections of the proposed rezoning area are flood prone as evidenced in the recent flooding event. Concerns that flooding impacts will be exacerbated by additional uncontrolled run-off from development over the site.

Comment

It is noted that the exhibited Planning Proposal included parts of the industrial land zoning that were within the Flood Planning Level (FPL [1% AEP] + 500mm freeboard]).

Discussions with the Department of Planning and Environment (DPIE) Biodiversity and Conservation Division (BCD) as a result of public agency consultation of the Planning Proposal have resulted in an adjustment of the commercial and industrial zone boundary lines to be clear of the FPL. All resultant areas within the site under the FPL have been allocated in the E2 Environmental Conservation zone.

Stormwater run-off from development over the site will be controlled by various measures such as on-site detention storage at the development application stage.

- The site is primarily an environmental and residential area and the proposal is detrimental to surrounding amenity for which future development will incur light spillage, noise and traffic impacts. The Traffic impacts caused by the proposed rezoning are unacceptable given that Manning River Drive seems to be at capacity and that there are many undeveloped lots in the area that will contribute to this problem.

Comment

The site is located adjacent to a busy road and mainly industrial/business uses, with a rural/environmental interface on its eastern side.

It is considered that any potential impacts to residential amenity will be considered at the development application stage for any new development over the site. Any new development will be subject to the amenity provisions with Part K (Industrial Development requirements) of the Greater Taree Development Control Plan in addition to the proposed local area plan provisions as part of the draft Development Control Plan required as part of the Planning Proposal.

Overall, it is considered the rezoning plan provides adequate separation that will substantially avoid land use conflicts with any development that may eventuate over the site.

Traffic impacts of the proposed rezoning have been considered as part of a consultant traffic report and such impacts on the local traffic network have been assessed by Council and are considered to be acceptable.

- An extension of the Precinct as “Employment Lands” is misleading in that it will not employ many people who could otherwise be employed in agricultural small lot enterprises in the same area. Loss of agricultural land and opportunity for small acreage rather than commercial/industrial land

Comment

Statutory authorities have defined industrial and commercial land collectively as “employment lands” for several years.

Council supports small lot agricultural enterprises. It is not considered that the subject land represents a loss of suitable agricultural land that reduces this opportunity in the general area.

- Impacts on the Taree town centre in that commercial/industrial development could be located in the town centre.

Comment

Due to its key location and strengths it is considered that the subject rezoning provides different opportunities for businesses that would not normally locate with the town centre.

- Understands a service station is proposed and questions the need for another one, particularly considering a service station exists at the service centre. Comments on service station over-supply. Would also compete with existing businesses in town. Council should conduct a survey of existing service station users to encourage them to visit town.

Comment

This rezoning is not for a particular use. Uses such as a service station will be permissible in the business and industrial zones proposed, however, business competition is not a planning consideration and hence the number of service stations present in a location is not ultimately considered in the development application process.

- Concerns the rezoning and ecological report does not adequately identify provisions to protect Koalas. Concerns include:
 - Further development will disrupt wildlife corridors and create safety risks for wildlife as a result of increased traffic.
 - There has been recent sighting of koalas in the area
 - The proposed concept road from Glenthorne Road would necessitate removal of several koala food trees
 - Recommending koala warning signage and speed limit reductions to 50km/hr in Glenthorne Road

Comment

The draft Development Control Plan has been amended as a result of exhibition to strengthen the requirements of a Vegetation Management Plan for any development that occurs as part of each stage. These mechanisms will aim to ensure that any vegetation removal is off-set throughout the site.

The additional changes to the extent of the E2 Environmental Conservation zonings throughout the site will also seek to enhance opportunity for additional linkages and retention and establishment of koala food trees.

The draft Development Control Plan has been amended to strengthen the provisions for the requirement to install traffic calming measures for koala safety as a result of development, which also extend into Glenthorne Road.

It is noted that additional detail for statutory assessment under SEPP (Koala Habitat Protection) 2020 would also be required at the development application stage. It is noted that future development applications for subdivision or large-scale development would require separate and site-specific Biodiversity Assessments.

- The Gateway entrance needs to be carefully planned and designed to capture the region and the connection the Biripi peoples have with the region similar to the artwork in Purfleet.

Comment

Agreed. The proposed Development Control Plan for the site has provisions for the design and detail of gateway entrance signage and landscaping to ensure it captures specific detail of the region and connection to the Biripi people. Such gateway signage and detail will require the submission of a Development Application with which such detail will be assessed by Council.

- Objection to Lot 2 DP 573214 being included as part of the proposal given the landowner did not want to be involved in the process. This land has a significant area of high value koala food trees as core habitat. Should be retained “as is”.

Comment

Council has received correspondence on behalf of the landowner of Lot 2 during public exhibition of the proposal advising that the landowner of Lot 2 has no objection to being included the proposed rezoning.

It is noted that a high value portion of the site with koala food trees has been identified to the rear of this property and this area is proposed to be rezoned to the E2 Environmental Conservation zone accordingly. The DCP provisions relating to Vegetation Management Plans will both protect and enhance this area should this site be developed as part of stage 3 of the development.

CONSULTATION

Community Consultation

Community consultation was undertaken between 31 March to 10 May 2021

The following was undertaken as part of the consultation:

- an advertisement in the local newspaper (Manning River Times);
- a media release;
- providing information about the proposal at Council’s Administration Building and on Council’s website;
- a number of informal meetings with community members to discuss the proposal;
- a mail out to surrounding landowners advising of the proposal;

A total of eight (8) submissions were received as outlined in the Discussion section of this report.

Public Authority consultation – Department of Planning and Environment (DPIE) Biodiversity Conservation Division (BCD)

As required by the Gateway Determination, The Department of Planning & Environment Biodiversity and Conservation Division (BCD) was consulted on the Planning Proposal.

DPIE BCD responses dated 13 May 2021 and 3 June 2021 refer (Attachment D) in which they provided comments on biodiversity & flooding and flood risk.

Council’s response to these concerns occurred by emails dated 26th May and 7 July (Attachment E).

As a result of this correspondence, the following has occurred:

- All proposed E3 Environmental Management zoned areas are now proposed to be in the E2 Environmental Conservation zone recognising the Endangered Ecological Communities under Biodiversity Conservation Act within the site.
- The area of the E2 Environmental Conservation zones has significantly increased so as to have no industrial or commercial zoned land beneath the flood planning level for the site (1% AEP + 500mm freeboard)
- Vegetation Management Plan mechanisms in the draft Development Control Plan for the site satisfy DPIE BCD in terms of offsetting the impacts to koala habitat.
- Further detail has been provided to the Department as per the methodology used by the biodiversity consultants for targeted threatened species surveys within the site and none have been identified.

An amended response from DPIE BCD is *currently outstanding*. It is anticipated that an amended response will be received that satisfies DPIE BCD's most recent comments and these comments will be incorporated into an amended Planning Proposal.

Public Authority consultation – Department of Primary Industries (DPI)

As required by the Gateway Determination, the Department of Primary Industries (DPI) was consulted on the Planning Proposal.

In their response dated 21 April 2021 DPI agriculture has noted that Biophysical Strategic Agricultural Land is located 350m north of the proposal area. DPI recommended that during detailed precinct design consideration should be given to the need for vegetated buffers to reduce impact on the adjoining and adjacent agricultural land.

It is considered that such buffer has been applied to most northern extent of the site in the E2 Environmental Conservation zone which has been applied over Stitts Creek.

Public Authority consultation – New South Wales Rural Fire Service (NSW RFS)

As required by the Gateway Determination, the New South Wales Rural Fire Service was consulted on the Planning Proposal.

The response from NSW RFS is *currently outstanding*. Preliminary advice has indicated that NSW RFS have no objections to the Planning Proposal.

It is anticipated that Council will receive a response from the NSW RFS and these comments will be incorporated into an amended Planning Proposal.

Public Authority consultation – Transport for NSW

As required by the Gateway Determination, Transport for NSW (TfNSW) was consulted on the Planning Proposal.

The response from TfNSW is *currently outstanding*. Preliminary advice has indicated that TfNSW have no objections to the Planning Proposal provided Council is satisfied the surrounding road network safely and efficiently accommodate the rezoning and associated future land use. Of particular interest to TfNSW is the impact on the Pacific Highway and potential queuing.

It is anticipated that Council will receive a response from TfNSW and these comments will be incorporated into an amended Planning Proposal.

Taree Airport

Consultation was undertaken with the MidCoast Council, as Manager of the Taree Airport, by letter dated 21 April 2021.

In its response dated 8 July 2021, MidCoast Council showed no objection to the subject Planning Proposal given that the site is outside the influence of the airport Obstacle Limitation Surface (OLS) path (110-190m) and the ANEF (Australian Noise Exposure Forecast) 25+ contour.

COMMUNITY IMPACTS

As outlined in the discussion section (and Attachment C) a number of concerns were raised regarding the proposal.

The main issues identified by the community relate to:

- The amenity of a significant gateway into Taree;
- Costs incurred by the community from any development over the site;
- The increase in size of the release area for rezoning since the draft Manning Valley Local Strategy 2016;
- The need for additional industrial and commercial land in Taree;
- Flooding and stormwater drainage impacts of any development over the site;
- The detrimental impacts to the amenity of nearby residential uses as a result of the rezoning and any subsequent development;
- Loss of agricultural opportunities as result of the rezoning from the land;
- Impacts on the Taree town centre in that commercial/industrial development could be located in town;
- Concerns over a proposed service station being placed on the site as an initial development and the over-supply of service stations in the area and competition with existing businesses;
- Concerns over koala habitat and safety of koalas in a critical koala habitat area
- The design of any gateway entrance;
- The objection to the inclusion of Lot 2 DP 5783214 being included in the rezoning despite the landowner's objection and due to the significant high values koala food trees to the rear of this lot.

It is considered the majority of concerns raised by the submissions have adequately been addressed in the following manner:

- As requested by the Department of Planning and Environment (DPIE) Biodiversity and Conservation Division (BCD), the zoning and zone boundaries have resulted in an amended zoning plan which:
 - All environmental zones within the Planning Proposal are now proposed to be allocated to the E2 Environmental Conservation Zone rather than the E3 Environmental Management zone which originally applied to a number of drainage reserves. This zoning will ensure adequate protection and enhancement of these areas.

- The area allocated to the subsequent E2 Environmental Conservation zoned land over the site has increased as a result of DPIE BCD's comments in that all industrial and commercial zoned land must be above the Flood Planning Level (1% AEP +500mm freeboard) for the site
- Significant amendments have been made to the associated Development Control Plan for the site as it relates to:
 - Gateway signage and landscaping
 - Mechanisms, such as Vegetation Management Plan provisions, for the protection, enhancement and maintenance of areas to be in the proposed E2 Environmental Conservation zone ensuring the retention and enhancement of koala food tree areas and areas of identified koala habitat.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The Draft Glenthorne Employment Lands Planning Proposal and associated Draft Development Control Plan is aligned to MidCoast 2030: Shared Vision, Shared Responsibility (CSP) in “we balance the needs of our natural and built environments” as it will:

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

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

TIMEFRAME

The Department of Planning and Environment (DPIE) stipulate timeframes for which to complete Planning Proposals in a Gateway Determination. The Amended Gateway Determination for the subject Planning Proposal requires that the amendments to the LEP, and therefore also the associated draft Development Control Plan, be finalised by 30 July 2021.

RISK CONSIDERATION

There are minimal risks associated with the making of the LEP as a result of the Draft Planning Proposal and the adoption of the associated Draft Development Control Plan.

RECOMMENDATION

That:

1. Council note the submissions received in response to the exhibition of the Glenthorne Employment Lands Draft Planning Proposal and associated Draft Development Control Plan provisions as shown in Attachment C.
2. Council adopt the Glenthorne Employment Area Draft Planning Proposal as shown in Attachment A.
3. Council allow further amendments to the Planning Proposal prior to the making of the LEP to include any changes from outstanding State agency referrals.
4. Council make a request to the Office of the Parliamentary Counsel to draft the legal instrument to give effect to the Planning Proposal as Council is the Planning Proposal Authority.
5. Council adopt draft amendment Part L12 of the Greater Taree Development Control Plan (DCP 2010) being the Glenthorne Employment Lands DCP as shown in Attachment B and that this become effective upon notification on Council's website.

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11. MANNING RIVER ESTUARY AND CATCHMENT MANAGEMENT PROGRAM

Report Author Louise Duff – Catchment Coordinator

File No. / ECM Index Land & Environment Court Appeals

Date of Meeting 28 July 2021

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

The Manning River Estuary and Catchment Management Program (ECMP) aspires to protect and improve the ecological health of the Manning Estuary and its catchment, and in doing so support the social, cultural and economic values of the region.

The Manning River ECMP including annexures was placed on public exhibition for a 6-week period from 3 June to 13 July 2021. A total of 25 submissions were received from stakeholder agencies and the community which are summarised in this report.

The exhibited documents have been amended in response to feedback from the community and are now presented to Council for adoption.

SUMMARY OF RECOMMENDATION

That the Manning River Estuary and Catchment Management Program for MidCoast Council be adopted.

FINANCIAL/RESOURCE IMPLICATIONS

Development of the program was assisted with funds from the NSW Government through its Coast and Estuary program.

Implementation of all actions across the ten-year program is estimated at \$19,274,750. A cost-sharing budget is provided in section 9.4.1 of the Business Plan included in the document, with funds distributed between Council, Hunter Local Land Services and the NSW Government through its Coast and Estuary Program. This budget has been developed through consultation with Hunter Local Land Services, with whom Council has a Memorandum of Understanding. The guidelines of the NSW Government's Coast and Estuary grant program, which will match Council funding at a rate of two dollars (NSW Government) to one (Council), have also been considered. Full details of the proposed financial arrangements are set out in the document's Business Plan, Section 9.

The total co-contributions in the budget forecast are \$5,896,583 from Council (through the environmental rate), \$4,145,000 from Hunter Local Land Services (part-funded through the NSW Marine Estate Management Strategy) and \$9,233,167 from the NSW Government Coast and Estuary Program.

Grants will be sought to off-set Council's contribution. Based on previous experience, the project team anticipates winning co-investment from the Australian Government, the NSW Environmental Trust, the Department of Primary Industry's Fish Habitat Action Grants, Transport for NSW's Boating Now program. The Natural Systems team is also investigating novel funding mechanisms such as Blue Bonds, in partnership with The Nature Conservancy and HSBC bank.

The Manning River Estuary and Catchment Management Program's Business Plan acknowledges that grant programs are contestable and the NSW State Government's investment in coastal and catchment management depends on the policy framework, which is subject to changes which may be unforeseen, especially across a ten-year timeframe. The Business Plan makes clear that actions have been included in good faith that the funds will be secured, and if funding allocations change, the program will be scaled back in response to budget constraints.

LEGAL IMPLICATIONS

The Manning River ECMP has been prepared under the Coastal Management Act 2016 (CM Act). The CM Act provides for the integrated management of the coastal environment of New South Wales consistent with the principles of ecologically sustainable development, for the social, cultural and economic wellbeing of the people of the state. It requires all Councils to prepare Coastal Management Programs that will sustainably manage coastal assets and the marine estate for the people of New South Wales.

The CM Act requires local councils to give effect to their CMPs through some aspects of the Integrated Planning and Reporting (IP&R) framework established in the Local Government Act 1993 (LG Act) and through the preparation of planning proposals and development control plans under the Environmental Planning and Assessment Act 1979 (EP&A Act).

It provides for public authorities to have regard to CMPs to the extent that they are relevant to exercising their functions, and in particular, to have regard to the Coastal Management Manual, the CMP and the objects of the CM Act when preparing, developing or reviewing plans of management.

The associated State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP) implements the objectives of the Coastal Management Act 2016 from a land use planning perspective.

The CM SEPP defines the coastal zone as covering four coastal management areas:

- Coastal wetlands and littoral rainforests areas.
- Coastal vulnerability area
- Coastal environment area
- Coastal use area

In the Manning catchment, the estuary, river and tributaries to the tidal limit are covered by the SEPP, from Lansdowne in the north and Wingham in the west to Old Bar in the south, hence our decision to prepare the ECMP under the Coastal Management Act.

The Manning River Estuary and Catchment Program consists of the main document at Attachment A and the set of annexures available on the business hub and Council's web site. The ECMP has been prepared to meet the mandatory requirements of the Coastal Management Manual, which provides guidance pursuant to the Coastal Management Act 2016 (CM Act). It sets out the procedures to follow when preparing, developing, adopting, implementing, amending and reviewing, and contents of, a coastal management program (CMP).

Lindsay Taylor Lawyers (on behalf of Council) have reviewed the draft document against the mandatory requirements on 17 May 2021 and their recommendations have been incorporated into the Manning River ECMP provided at Attachment A.

According to Part B of the Coastal management Manual, "the Program should contain sufficient information to stand alone as a framework for sustainable management of the coastal zone for the coming 10 years," hence a ten-year time frame is presented.

ATTACHMENTS

- A: Manning River Estuary and Catchment Management Program
- B: Summary of Submissions
- C: Submissions

Attachments A, B & C have been circulated to the Councillors and Senior Staff, however these attachments are publicly available on Council's website. The copies of Attachments B & C on the website have had the personal information redacted to protect the privacy of the members of the public providing submissions.

A set of supporting documents was prepared to underpin the Manning River Estuary and Catchment Program. These documents are annexures to the ECMP and will be submitted to the NSW Government for certification. The annexures which were included in the public exhibition and are available on Council's "Have Your Say" web page.

BACKGROUND

The Manning River (Djarri Bila) is the lifeblood of our community. From the mountains to the sea, (Balgarrabirang-Gurrwa-gu), freshwater to saltwater (Bathu-garibang-Girambit-gu) - the river connects our landscape and our community. The estuary is important for oyster-growing, fishing, tourism and recreation. Up-river the Manning and its tributaries provide water for drinking, stock and irrigation. Our community loves the cool water and beautiful scenery, feeling a cultural and spiritual connection to the river. These values all depend on healthy ecosystems and clean water.

MidCoast Council has worked together with stakeholders to develop the Manning River Estuary and Catchment Management Program (Manning River ECMP) (Attachment A) and annexures. It sets out a ten-year action program for Council, our community and partner organisations to improve the health and resilience of the Manning River and estuary. It will take a whole-of-catchment approach.

DISCUSSION

Summary of Submissions

The draft Manning River ECMP and Annexures were presented to Council on 2 June 2021 and placed on public exhibition for 6 weeks commencing 3 June 2021 to seek community feedback in addition to that already obtained through an extensive engagement process to support development of the plan. The documents were made available on Council's website and a video was produced in-house to promote the exhibition of the documents and Council's commitment to looking after the river and estuary we love.

A total of 25 submissions were received from members of the MidCoast community and several community groups, with 19 expressing broad support for Council's approach.

The exhibited Manning River ECMP has been amended to reflect this feedback, and the revised document is provided as Attachment A.

The major themes for submissions are discussed below. Further detail can be found in Attachment B, which provides a summary of the submissions received, the staff response and amendments made to the ECMP.

All submissions in full are available at Attachment C.

Letters of Agreement from Lead and Supporting Agencies

Letters of agreement have been received from three of the four agencies nominated as action leads: Transport for NSW, Hunter Local Land Services and the Biodiversity Conservation Trust.

Crown Lands were involved in shaping the Manning River ECMP and staff have been advised that a letter of support will be forthcoming. The NSW National parks and Wildlife Service will also be a key supporting agency on conservation reserves and have pledged their support.

- Each of the lead and supporting agency submissions offered "in principle support."

The Transport for NSW - Maritime submission noted the need for Council, TfNSW-Maritime and the Marine Estate Management Authority to work together and integrate their programs.

Co-ordination of the policies and activities of government and public authorities relating to the coastal zone and the proper integration of their management activities is an object of the Coastal Management Act (Section 3 J).

The Manning River ECMP governance structure will be reviewed after the Council elections, when the Reference Group is reconstituted and a recommendation to establish an ECMP Working Group is considered. This governance structure will facilitate collaboration and integration between lead agencies involved in coastal and catchment management affecting the estuary.

Letters of support from community interest groups

Four community interest groups provided submissions, each of which offered broad support for the program and/or the consultation process as shown below.

- Manning River Action Group (President John Caldon): *"In broad terms we congratulate the Council on the propose program."*
- Mid Coast 2 Tops Landcare (President Robyn Lamond): *"We have welcomed consultation on the development of this estuary and catchment program for the Manning River ... Landcare looks forward to working with Council, to engage with land managers and the community on strategies to support a healthy river system in the Manning Valley."*
- Friends of Browns Creek (President Bill Dennis): *"The work you have done is commendable ...you and your team deserve to be congratulated."*
- Gloucester Environment Group (President John Watts): *"GEG supports the Council's efforts to introduce a comprehensive Program to both protect and enhance what the ECMP describes as the lifeblood of our community."*

Letters of support from individuals

Of the remaining 17 submissions from individuals, 7 wrote in support of the submission from Manning River Action Group. Submissions from other individuals not aligned to this group offered support on matters including the evidence-based approach, engagement with community representatives and the whole-of-catchment approach.

Entrance modifications

In addition to the TfNSW submission mentioned above, three community submissions commented on the modifications proposed to create a permanent opening for the north entrance. Of these, one was submitted by the Manning River Action Group and endorsed by seven additional letters of support. The content of this submission and Council's response is provided below.

A further two individuals commented on this issue, one expressing concern regarding potential impacts on shorebirds and marine biodiversity, and the other calling for scientific investigation into the potential environmental impacts of such infrastructure before any decisions are made.

The Manning River Action Group has campaigned for many years to provide a permanent safe and navigable entrance to the Manning River, attracting significant support. They commend establishment of the NSW Government's Manning River Taskforce which is investigating options to improve safety and navigability of the Manning River entrance.

The submission received from the Manning River Action Group expresses “very serious concern” regarding Manning River ECMP Section 6.9 Issue Snapshot - Entrance Modifications.

The group is concerned that the potential risks of entrance modification as outlined in section 6.9 “*may well suggest to the NSW Government that the Council is no longer supportive of the Taskforce*”.

The submission requests that Council deletes the outline of risks from Section 6.9 and replaces it with text quoted directly from the Taskforce report regarding establishment of the Taskforce, its composition and scope, and Council’s resolution to support the Taskforce processes.

ECMP Amendments: In response to the submission from Manning River Action Group, the full passage from the Taskforce report has been added to Section 6.9 as requested. This provides valuable context to the Issue Snapshot.

Manning River Action Group has also been added as a stakeholder to Issue Snapshot - Entrance Modifications (Section 6.9).

The outline of risks has not however been deleted. This is because the Manning River ECMP has been prepared under the NSW Coastal Management Act 2016. The NSW Government’s Coastal Management Manual sets out the requirements of the ECMP. These provisions include a mandatory requirement to identify coastal management issues affecting the areas to which the program applies (NSW Coastal Management Manual Part A section 15.1.a).

The Manual requires inclusion of a snapshot of issues which should outline “current and future threats and risks to coastal ecosystems, biological diversity, ecosystem integrity, water quality and estuary health” (NSW Coastal Management Manual Part B section 4.2.3).

Including the outline of risks for entrance modification in Section 6.9 fulfils this requirement. It should be noted however that the recommendations of the Taskforce have been integrated into the ECMP in full, by including them as Actions 2.05 and 2.06 in Section 7. The submission received from TfNSW – Maritime “supports the inclusion of Management Actions 2.05 and 2.06 in the ECMP and confirms that these actions are now underway.” The submission confirms that “TfNSW Maritime look forward to working with Council in relation to these Management Actions.”

Irrigation, extraction and drought

Three submissions raised concerns about irrigation and water extraction.

One submission proposed increasing allowances for domestic water harvesting and allowing water licenses to be traded. Two submissions raised concerns about the significant impact of water extraction exacerbating low flows during the drought, impacting on biodiversity and ecosystem health.

The pressure of water extraction on ecosystem health is examined in more detail in Annexure L – Issue Analysis of the ECMP. MidCoast Council does not have jurisdiction to manage water extraction and licenses. The NSW Government’s Water Sharing Plan (2009) regulates license allocations for town use, farms, irrigators and industry, and reserves environmental water for the overall health of the river and aquifer.

ECMP Amendments: additional information on water governance was added to Section 6.8 (modified flow) regarding the management responsibilities of the Department of Primary Industries and water licensing through the Water Sharing plan. Impacts of drought on water quality strengthened. Annexure L – Issue Analysis discusses this issue in more detail.

Stormwater pollution

Two submissions expressed concern about stormwater pollution. Friends of Browns Creek have worked for many years to improve the water quality, ecosystem health and the public amenity of Browns Creek. Their submission noted concern that Browns Creek contributes significant pollution to the Estuary, as evidenced during the recent flood event. They call for reinstatement of water quality monitoring in the creek and mention the need to carefully manage future development and maintain Gross Pollutant Traps. A second submission expressed concern about the state of Wingham Wetlands, which was constructed to reduce stormwater pollution and requires refurbishment. Maintenance of Gross Pollutant Traps and refurbishment of Wingham Wetlands are addressed in Action 2.07, with budgets allocated through the Stormwater Levy.

ECMP Amendments: A monitoring site in Browns Creek has been added to the Water Quality Report Card program, and the importance of the Brown's Creek catchment as a priority area has been added to actions 1.04 (litter source control) and 2.09 (revise the Greater Taree Urban Stormwater Management Plan).

Erosion and Sediment Control

Two submissions discuss Action 2.10, which involves a study to prioritise estuarine riverbank areas and subsequent stabilisation works.

Transport for NSW – maritime welcomes independent, site specific and evidence-based studies of bank erosion and notes that funds will need to be confirmed for any actions arising from the study.

The second submission from a recreational fisherman draws attention to the use of fallen timber for bank revetment as an alternative to rock, noting the benefits to fish habitat of this method.

The Practice Notes for Action 2.10 (Annexure J) note that Council and Hunter Local Land Services will undertake the bank erosion study using an assessment tool which is being developed by DPI-Fisheries with funding assistance from TfNSW. The budget includes a sum of \$75,000 for the study, and a further \$1.2 million allocated to bank stabilisation. Council's contribution is \$25,000 with the remainder funded through the Marine Estate Management Strategy and our delivery partner Hunter Local Land Services. The assessment tool prioritises reaches for bank stabilisation and identifies best practice methods for each site, with fallen timber habitat methods recommended at appropriate sites.

Council's project team welcomes collaboration with TfNSW - Maritime on the bank assessment study.

Other amendments

Full details of all amendments made in response to submissions can be found in Attachment B. The project team also undertook a final revision as follows:

- Land Use Planning (Sections 8.1.6 and Appendix 6): added statements recommended by Council's lawyer to clarify how Council's Land Use Planning framework is used to ensure development meets the objectives of the NSW Coastal Management State Environmental Planning Policy 2018.
- Agriculture (Sections 2.3.3 - farmer consultation and 6.7 agricultural impacts): highlighted the positive effort of many farmers to manage environmental impacts and the valuable role farmers play in our community life and economy.
- Business Plan (Section 9.4): added an explanation of the budget schedules to improve clarity.
- Research Program (Section 11.3): the list of scientific research projects has been expanded to match the more comprehensive program previously exhibited in Annexure L – Issue Analysis. Research is conducted through partnerships with academic institutions as opportunities arise.

- Annexure J – Management Actions with Practice Notes: local knowledge and suggestions on *how* to implement the actions were provided in submissions and community group consultations. These were included in the Practice Notes.
- Stakeholders: the listings of stakeholders in Section 6 (Issue Snapshot) and Section 7 (Action Program) have been updated to reflect feedback from stakeholders.
- General edits to improve grammar, clarity and readability.

CONSULTATION

The Natural Systems project team engaged with Council staff, stakeholders and community representatives to ensure the Manning River Estuary and Catchment Management Program reflected local knowledge and concerns. In all, over 300 people were involved in development of this program. Groups we consulted included:

The Manning River ECMP Reference Group: a formally appointed committee of Council with 15 members made up of 10 community representatives, 4 government agency representatives and the CEO of the Purfleet-Taree Land Council. Community members were recruited via an advertising campaign and represent beef, dairy and oyster farmers, Landcare, Coastcare, recreational fishing and broad community interests.

Government Agencies represented on the Reference Group include:

- Hunter Local Land Services
- Department of Planning, Industry and Environment (DPIE)– Water Floodplains and Coast team
- DPIE – National Parks and Wildlife Service
- Transport for NSW – Maritime

The ECMP Reference Group was established on 11/12/2019 and is co-chaired by Councillors Roberts and Smith. Five meetings were held with minutes presented to Council for adoption.

The ECMP Technical Advisory Group: an informal group with meetings held as needed. Members represented a range of Council teams, government agencies and academic institutions. The Technical Advisory Group had four meetings from 14/11/2018 – 7/5/2020.

CMP Delivery Partners: Within Council there are many teams with programs aligned to the objectives of the Manning River ECMP. State government agencies and non-government organisations will also be involved in delivery of this program and had valuable local knowledge to contribute.

In July-August 2020, we held a series of 12 discussion groups for delivery partners to analyse issues developed for the CMP. In February-March 2021 a further 9 workshop sessions were held to firm up management actions and establish realistic targets.

Consultation with First Nations People: the CEO of the Purfleet-Taree Local Aboriginal Land Council (LALC) was engaged to consult with the Biripi community. Over all 48 Aboriginal people were surveyed across the catchment area, including members of the PTLALC and its Board, the Taree Indigenous Development Enterprise, local members of the Aboriginal Education Consultative Committee, an Aboriginal commercial fishing family and other Biripi community representatives.

Council's Aboriginal Community Development Officers, the Manning Aboriginal Community Working Group and the Hunter Local Land Services' Senior Aboriginal Liaison Officer were also consulted.

Community and industry groups: groups consulted included the NSW Farmers Association, Women in Dairy group, MidCoast- 2 Tops Landcare, Friends of Browns Creek, Gloucester Environment Group and the Manning River Turtle Conservation Group.

Farmers: Nick Bullock from NBA Consulting was engaged to consult farmers about the barriers and drivers for catchment management practices, and how Council and other agencies can support farmers to adopt best practice.

Public consultation: Between 29 August and 11 December 2019, the CMP project team hosted a participatory public consultation on the theme of community values. Nine consultation events were held from the top to the bottom of the catchment, attracting 251 participants.

Public exhibition: the project team hosted drop-in consultations at Taree Library, the Wingham Country Women's Association Rooms and Gloucester Library. The draft Manning River Estuary and Catchment Management Program and a promotion video were presented on Council's "Have Your Say" web page, with an on-line form for submissions.

All submissions received during the public exhibition, along with the project team's response, have been documented in Attachment B.

The Manning River ECMP Stakeholder Consultation Report (Annexure B) provides an overview of the feedback that guided development of the draft Manning River Estuary and Catchment Management Program.

COMMUNITY IMPACTS

The MidCoast community has a strong attachment to the Manning River, which provides water for drinking, stock, irrigation, oyster farming and recreation. Generations of Gathang-speaking First Nations people have been engaged in the river through fishing and swimming. They hold knowledge of those places along the river with special meaning. It is important for them to maintain spiritual and close connection to the water.

The Manning River ECMP will enable community members to build knowledge, understanding and skills to look after the river we love.

The ECMP is a key tool for establishing a ten-year program to meet our community's aspirations for a healthy river that supports our agricultural and tourism industries, oyster growing and recreation for health and well-being.

It presents opportunities for mobilising existing partners such as Hunter Local Land Services and MidCoast 2 Tops Landcare, community and industry groups and landholders to help look after this valuable natural asset.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

Protection of the natural environment was nominated as one of five core values identified in the MidCoast Community Strategic Plan in 2016. The draft Manning River ECMP aligns with this community value.

In Councils Delivery Program (2018-21) and Operational Plan (2020-21), development of the Manning River ECMP contributes to Strategy 7.3: "Protect, maintain and restore water quality with our estuaries, wetlands and waterways." It fulfils focus reference 7.3.2 "Develop a Manning River Coastal (catchment and estuary) Management Plan (CMP)"

TIMEFRAME

36 actions to manage the Manning River estuary and its catchment have been identified over a ten-year term as required by the Coastal Management Act. An implementation schedule is provided in the document.

RECOMMENDATION

That the Manning River Estuary and Catchment Management Program provided in Attachment A be adopted.

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12. DRAFT BIODIVERSITY FRAMEWORK – REVIEW OF SUBMISSIONS

Report Author **Mathew Bell – Senior Ecologist**
File No. / ECM Index **S0156-000392**
Date of Meeting **28 July 2021**
Authorising Director **Paul De Szell - Director Liveable Communities**

SUMMARY OF REPORT

The Biodiversity Framework is a toolkit of actions and activities for Council to consider and apply in partnership with stakeholders and the community to maintain and enhance the condition and function of the natural environment.

The draft Biodiversity Framework was placed on public exhibition for a 6-week period from 30 April to 8 June 2021. A total of 16 formal submissions were received which are summarised in this report. In addition, 98 contributors participated in the consultation through on-line surveys.

The exhibited Framework has been amended in response to feedback from the community and is now presented to Council for adoption.

SUMMARY OF RECOMMENDATION

That Council adopts the Biodiversity Framework for MidCoast Council provided in attachment A.

FINANCIAL/RESOURCE IMPLICATIONS

While there are no immediate financial implications in adopting the Biodiversity Framework, the implementation of the actions in the Framework will require the allocation of funding and staff resources. Implementation is achieved through partnerships and funding of other actions through existing budgets, existing programs and through the Environmental Rate, biodiversity offsets and future grants.

LEGAL IMPLICATIONS

Nil - The Biodiversity Framework is a strategy document only.

ATTACHMENTS

- A: Biodiversity Framework
- B: Summary of Submissions and Exhibition Comments
- C: Submissions
- D: Results from On-line Surveys and Comments

Attachments A, B, C & D have been circulated to the Councillors and Senior Staff, however these attachments are publicly available on Council's website. The copies of Attachments B, C & D on the website have had the personal information redacted to protect the privacy of the members of the public providing submissions.

BACKGROUND

Biodiversity is a term used to describe the variety of living things in the environment. The MidCoast Region contains important natural assets which support biodiversity.

A healthy and biodiverse environment underpins the economy of the region and the way of life of residents and visitors. The MidCoast community values our natural environment. “*Our environment*” is one of five (5) core values in the MidCoast Community Strategic Plan. Biodiversity and the environment provide ecosystem services, such as water quality protection and carbon sequestration, and a healthy environment supports industries such as tourism, agriculture, forestry and fishing that employ a significant number of people in the region. The natural environment of the MidCoast region underpins economic growth and development appeal. Biodiversity is also of cultural value to local Aboriginal people through their enduring connection to Country.

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

To achieve our communities’ vision, we have substantial and valuable opportunities to contribute to the management of biodiversity and the environment.

Council staff have prepared a Biodiversity Framework (Attachment A). Extensive early phase community consultation was undertaken during the preparation of the Framework and the results of that consultation informed the content of the document.

DISCUSSION

The Draft Framework was presented to Council in April 2021 and placed on public exhibition for 6 weeks from 30 April to 8 June 2021 to seek community feedback.

The document and information sheets were made available on Council’s website and a video was produced in-house to promote the exhibition. The exhibition was advertised in print and on-line media. Four (4) drop-in sessions were delivered by Council staff to the community, at Taree, Forster, Gloucester and Hawks Nest. The Framework was hosted on Council’s website via a Have Your Say page.

Summary of Submissions

A total of 16 formal submissions were received from members of the MidCoast community. Of these, 7 were formal (written) submissions and 9 were emailed submissions. Each of the submissions is provided in Attachment C.

In addition, 98 contributors participated in the online surveys. Of these, 40 were full surveys and 58 were quick surveys. The reports generated from the online surveys are provided in Attachment D, as well as the raw comments from contributors.

A summary of the submissions / surveys, including the comments made, is provided in Attachment B, along with the corresponding staff response.

A total of 182 comments were received across a range of themes. The following themes attracted at least five (5) comments in the submissions and comments in online surveys:

High level of community support for the Biodiversity Framework

The results of the exhibition demonstrated a very high level of community support for the adoption of the Biodiversity Framework. 18 comments provided a positive commentary of Council's preparation of the Framework.

Further, from the combined results of the two on-line surveys:

- When asked "*how important is it to you that MidCoast Council manages biodiversity assets in your region*", 97% of respondents said it was very important or important, and only 1% said it was not important.
- When asked "*how important overall is the draft Biodiversity Framework to you*", 97.5% of respondents said it was very important or important and 0% said it was not important.

This indicates that there is a very high level of community support for the adoption of the Biodiversity Framework.

Very low levels of community objection to the Biodiversity Framework

The statistics above demonstrate that there was a very low level of community dissatisfaction expressed during the public exhibition of the Biodiversity Framework.

Of the 114 separate submissions and on-line surveys, only 5 of these (4.3%) raised a specific objection to the Biodiversity Framework. Some of the reasons used to object to the Framework adoption are unrelated to the issues that the document seeks to address. The reasons for the objections are discussed below:

- One objection considered that the Biodiversity Framework disadvantages and is biased against rural landholders and it was inappropriate that the Framework was exhibited prior to the Rural Strategy. It suggested it will direct environmental zoning of land and was developed without adequate input from farmers. It suggested that the survey was weighted in favour of environmentalists. Further, it noted that farmers are expected to bear most of the cost of Council's biodiversity aspirations and that farms and forestry are important parts of the community.

The Biodiversity Framework now includes specific commentary to address this. Council values the role of farmers in our community, works in partnership with farmers and always respects farmer's existing land use rights and their right to farm.

The Framework is not a mechanism that will change the zoning of farming or forestry lands. The Framework recognises "*right to farm*" principles and the contribution that farmers make to our region. The Framework supports and assists the productivity and economic sustainability of farmers. Council has had a long history of these partnerships. The Framework will not impinge upon or reduce the ability of farmers to do business nor shift the cost of biodiversity outcomes to farmers. Engagement, activities and projects with farmers will always be on an opt-in / voluntary basis under this Framework. The Framework does not burden or restrict people's land uses or add levels of bureaucracy or cost to landholdings. The Framework actions are positive.

Farmers were equally engaged during the consultation process. 33 of the 98 respondents to the on-line surveys (34%) identified themselves as "*rural landholders*".

- One objection was based on the suggestion that there had been inadequate Aboriginal community involvement in the formulation of the Framework. Consultation and engagement were extended to the Aboriginal community during the development and public exhibition of the Framework and commentary received from the Aboriginal community has been used to formulate key actions.
- One objection related to the suggestion that Council was not required to be involved in community biodiversity management and that self-management was effective. The Biodiversity Framework is a roadmap and strategic plan. It will rely on voluntary engagement and opt-in by stakeholders and the community. The Framework will enhance the current management of biodiversity without burdening landholders with specific enforced restrictions or impediments.

The following objections are based on matters to which the Biodiversity Framework does not influence or relate to:

- One objection was based on a suggestion that Council does not support the communities' objections to state-significant quarry and mine developments and does not provide adequate support for the operational management of a Council Reserve at Stroud Road. State-significant development assessment is a regulated process that is outside the scope of the Biodiversity Framework. The operational management of individual reserves and the history of Council decision-making for that Reserve is not a matter of the Biodiversity Framework.
- One objection was based on the Council's activities at The Bight Cemetery. The management of The Bight Cemetery is not related to the Biodiversity Framework.

The objections have been addressed by the amended Biodiversity Framework or are related to issues with which the Framework has no influence.

Funding

Five of the submission / survey comments related to funding for the implementation of the Framework. No changes were made to the text of the Framework in relation to this. Actions will be delivered by Council as resources are sourced or are available.

Urgency of the situation

Nine of the submission / survey comments suggested that the document did not adequately recognise the urgency or seriousness of the situation in relation to biodiversity decline or did not provide a response that was commensurate with that threat.

The Framework presents the measured, valid and appropriately positive actions of Council in the context of the wider effort by other levels of government, non-government organisations, business and the community.

Readability

Eleven submission comments were provided in relation to the readability of the Framework, including typographical or grammatical errors, appearance, use of jargon and accurate titles of organisations. The Framework has been edited to address the issues of readability.

Protection of native bushlands

Five submission comments were provided in relation to the need for enhanced protection of native bushlands. No changes to the text of the draft Biodiversity Framework were made as the document provided satisfactory consideration of bushland, through the identified actions, including the Greening Strategy.

Tighter controls on development

Nine submission comments called for tighter controls on development. However, no changes to the exhibited document are proposed. Development is regulated by Council under the NSW planning framework, which has procedures for the protection and management of threatened species and important native vegetation.

Changes in response to submissions

The following amendments have been made in response to the submissions / survey comments received during the exhibition period:

- Commentary has been provided to make it explicit that the Framework will not direct or change the zoning of farming lands.
- Commentary has been provided that the Framework recognises “*right to farm*” principles, does not shift costs of biodiversity actions to farmers and only engages with farmers on an opt-in / voluntary basis.
- The Framework has been amended to reference the United Nations declaration that 2021 – 2030 is the Decade for Ecosystem Restoration.
- The wording of Targets 1 – 3 of s3.2 and s6.2 have been slightly amended for accuracy and clarity.
- The structure of s3 of the Framework has been re-arranged for readability and to better identify the vision and goals of the Framework. This has included amendment of the vision in line with the adopted MidCoast Community Strategic Plan and Delivery Program and Operational Plan.
- The Framework has made it clear that it will be subject to interim reviews every four years as part of the Integrated Planning and Reporting Framework.
- In lieu of providing specific targets and a monitoring, evaluation and reporting (MER) framework in this version of the Framework, the document makes it clear that targets and a MER plan will be developed during the initial implementation of the plan and adopted after the first interim review.
- Amendments or additions have been made relating to the following Themes, Activities and Actions:
 - Theme 1 highlights and emphasises Councils partnerships with various agencies and interest groups.
 - The timing of Actions 1.2.1, 1.4.2, 2.3.5 and 3.2.2 have been adjusted.
 - Activity 1.2 reflects on the value of engaging with farmers and the value of promoting bushland restoration activities.
 - Action 1.3 references Gloucester Environment Group.
 - Action 1.4.1 reflects that volunteer activities in Council Reserves need to be supervised and subject to adopted plans.

- Action 2.2.1 (secure additional land for Council Reserves) has been added to reflect that the community values additions of land to the Council Reserves scheme.
- Action 2.2.4 (collaborate with the NSW Government to identify or add land to the reserve system) has been added to reflect the NSW Government's engagement with Council in reserve establishment and to address community priorities.
- Activity 2.3 provides for enhancements to the Land for Wildlife scheme.
- Action 2.4.1 refers to Indigenous Protected Areas in plural rather than singularly.
- Activity 3.1 notes that Council should be vigilant in works involving soil disturbance to manage weeds
- Activity 3.2 has been amended to reference the need for enhanced controls and policies on free-ranging domestic dogs and cats and reflect the increasing negative impacts of feral deer expansion into urban and peri-urban areas.
- Existing Action 3.4.2 was a duplicate of Action 3.4.1 and was deleted. A new Action 3.4.2 was added to reflect that Council will consider the implementation of roadkill mitigation or avoidance measures at roadkill blackspot areas.
- Activity 3.7 includes condition assessment is included as part of vegetation community mapping.
- Activity 3.7 has been amended to reflect support for the identification and delivery of walking and cycling tracks in natural areas / landscapes and improving access to the coast for the community.
- Action 4.3.1 was amended to include condition assessment and weed mapping in local vegetation community mapping.
- Action 5.1.2 has been amended to include The Bucketts locality for Conservation Action Plan.
- Activity 5.3 has been amended to reference partnership with the Gloucester Environment Group in the management of grey-crowned babbler at Gloucester.
- Action 5.3.2 was added to ensure that Council reports on the implementation of existing threatened species strategies (such as the Gloucester grey-crowned babbler plan and the Forster squirrel glider plan).
- Activity 6.1 notes that all future development should have ecologically sensitive interfaces with adjoining natural areas.
- Action 6.1.2 was added to incorporate standard biodiversity assessment in all planning proposals.
- Activity 6.2.2 was amended to remove the word significant. Significant development is already subject to the state-based offsetting scheme. Considering further offsetting requirements on such would be unnecessary duplication. Instead, the word local has been added to consider the value of local offsets for developments that are below the biodiversity offset scheme threshold entry level.
- Activity 6.5 has been amended to reflect that additional emphasis will be made to identify and protect existing trees on development sites, where possible, in recognition of their landscape and habitat value.

- Activity 6.5 has been amended to include reference to Council’s Draft Vegetation Management Policy.
- The Framework reflects that threatened species have legal protection, but this is not the same as actual protection.
- The Framework better references Council’s working partnership with Coastcare and Landcare groups throughout the document.
- The Framework has been substantially improved through edits for readability and accuracy. This has addressed language, typographical and grammatical errors and errors in names of organisations.
- s3.2 has been amended to reflect that the Gloucester Bucketts and surrounds is a priority focus area for koala recovery and conservation.
- The grey-headed flying-fox has been added to the list of priority focus species for the Framework (given their ecological roles and the preparation of draft Flying-fox camp management plans).

CONSULTATION

Consultation for the Biodiversity Framework has been undertaken in accordance with a Biodiversity Framework Engagement Plan, which references the IAP2 Public Participation Spectrum and the ADKAR model.

Extensive, active public consultation was undertaken during the conceptualisation and development of the Draft Biodiversity Framework. This occurred during April 2020 and November 2020. The results of these consultations are provided in the Biodiversity Framework (s3).

Presentations have been delivered by staff at two previous Councillor workshops in December 2020 and April 2021 to discuss the development of the Biodiversity Framework and to seek approval for the public exhibition of the Framework.

The Framework was placed on public exhibition for 6 weeks from 30 April to 8 June 2021 to seek community feedback.

COMMUNITY IMPACTS

The Biodiversity Framework is not a regulatory instrument. Rather it is a toolkit of activities and actions, developed with the community and stakeholders to foster engagement, partnerships and voluntary action for biodiversity management and conservation in the MidCoast region.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The development of the Biodiversity Framework aligns with Council’s Community Strategic Plan goal that “*we protect maintain and restore our natural environment*”. The Biodiversity Framework is the roadmap to assist Council protect, maintain and restore the natural environment.

The Biodiversity Framework is a listed project of the Delivery Program and Operation Plan:

Strategy 7.1: Value, protect, monitor and manage the health and diversity of our natural assets, wildlife and ecosystems

7.1.2	Develop and implement a Biodiversity Framework for the MidCoast LGA.
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TIMEFRAME

The actions for biodiversity management and conservation have been identified and prioritised under short-medium- and long-term timeframes within the Framework. The Framework is a 10-year plan, with mid-term reviews in line with the review of the Delivery Program and Operational Plan framework (every four-years).

RECOMMENDATION

That the Biodiversity Framework for MidCoast Council provided in Attachment A be adopted.

13. MIDCOAST GREENING STRATEGY

Report Author Michael Griffith - Land Use Planner
File No. / ECM Index SPR 07/02
Date of Meeting 28 July 2021
Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

The draft MidCoast Greening Strategy (the Strategy) sets out how we manage and enhance tree canopy cover and green spaces across the MidCoast. The Strategy provides a forward-thinking plan of action and a platform for gathering evidence to inform our long-term approach to greening.

Community consultation on the Strategy occurred between 17 May and 24 June 2021. This report reviews the thirty-six (36) submissions received and recommends changes to the exhibited Strategy in response to the submissions.

SUMMARY OF RECOMMENDATION

That the amended MidCoast Greening Strategy as shown in Attachment A be adopted and published on Council's website.

FINANCIAL/RESOURCE IMPLICATIONS

The preparation of the Strategy and community consultation was undertaken within the existing Land Use Planning budget.

While there are no immediate financial implications in adopting the MidCoast Greening Strategy, the implementation of the actions in the Strategy will require the allocation of funding and staff resources. The implementation of actions will be funded within the existing budgets, through the Environmental Rate, biodiversity offsets and future grants.

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

- A: MidCoast Greening Strategy (as Amended)
- B: Submissions
- C: Summary of submissions

Attachments A, B & C have been circulated to the Councillors and Senior Staff, however these Attachments are publicly available on Council's website. The copies of Attachments B & C on the website have had the personal information redacted to protect the privacy of the members of the public providing submissions.

BACKGROUND

Council considered a report in relation to the harmonisation of Tree Preservation Controls across the MidCoast at its Ordinary Meeting on 26 September 2018. At this meeting it was resolved to remove all tree and vegetation controls.

Following this resolution, the community expressed concern in relation to the potential loss of vegetation across the region. A number of workshops were held between staff and Councillors to discuss principles and concepts around vegetation management, and how best to protect the MidCoast landscape.

It was acknowledged that no single project or program can enable us to manage and enhance all of our landscapes. Rather it is a complex web of legislation, programs, controls and strategies that interlink to enable this to happen and this in itself is a challenge. A Greening Strategy was proposed for the MidCoast to provide an over-arching approach to manage and enhance tree canopy cover and green spaces.

At the Strategic Committee Meeting of Council on 12 May 2021, Council resolved to place the draft MidCoast Greening Strategy on public exhibition. This report outlines the consultation undertaken on the draft Strategy.

DISCUSSION

The draft Strategy was exhibited from 17 May to 24 June 2021 during which time thirty-six (36) submissions were received. Submissions received during the public exhibition period have been used to inform the finalisation of the Strategy. The exhibited MidCoast Greening Strategy has been amended based on feedback and the amended Strategy is provided as Attachment A.

Summary of submissions

Attachment B contains copies of the thirty-six (36) submissions received during the exhibition period. Of the 36 submissions, 80% were considered in support (29) and 20% were considered in partial support (7), raising areas for improvement. Attachment C provides a summary of the submissions, a response to each of the topics raised and identifies where changes to the Strategy are proposed. These changes have been incorporated into the amended Greening Strategy provided in Attachment A.

The thirty-six (36) submissions received were made up of three (3) submissions from community groups, and thirty-three (33) submissions from individuals. Below is a brief discussion on the submissions. This discussion should be read in conjunction with the submission summary provided in Attachment C.

In general, a large portion of the submissions were looking for the Strategy to provide the solutions or guidance on a range of topics including climate change, clearing for development and offsets. Key topics raised in the submissions related to:

- **funding** - concern over no net increase in funding for implementing the Strategy's initiatives,
- **review** - the Strategy should be reviewed more frequently, and progress should be monitored,
- **MidCoast LEP and DCP** - suggestions were provided as to the content that could be included in the proposed MidCoast Local Environmental Plan and Development Control Plan,
- **education programs** - suggestions were provided for education programs that Council could investigate and implement,
- **removal of vegetation** - the community has concern over the environmental impacts of new developments in particular and developers need to be made to follow the rules and offset their impact,

- **offsetting opportunities** - the need to replace trees and vegetation that are removed by both Council and developers.

Changes in response to submissions

A number of changes have been made to the exhibited Strategy in response to the feedback provided in the submissions. These changes include:

- **expanding action 2.2** - to provide contact details on Council's website for other government agencies that administer vegetation controls,
- **amendments to the offsets section** - to better acknowledge that offsets can be used when the impacts of a development are unavoidable and effort should first be made to prevent or reduce the impacts prior to using offsets,
- **amendments to Principle 2** - to show that significant trees or tracts of mature vegetation can take over 100 years to reach maturity.

CONSULTATION

Community consultation was undertaken from 17 May to 24 June 2021 and involved:

- notices in the local newspapers, media releases, and Facebook notifications,
- a radio interview on 2RE Radio, and
- information was available on Council's 'Have Your Say' website, with 849 visits.

Drop-in appointments

Drop-in appointments were held at Hallidays Point, Gloucester and Taree. The appointments provided an opportunity to discuss the draft Greening Strategy with the attendees.

Council staff from the Natural Systems, Land Use Planning and Community Spaces, Recreation and Trades teams facilitated the appointments. This ensured that a broad range of staff were available to answer any questions and provide on the spot advice. From the appointments, it was clear that many people just wanted the opportunity to talk to staff about what suitable trees they can plant on their land, what help from Council is available and to raise concerns about other issues like weed management.

Customer enquiries

As a result of some customer enquiries to discuss the Strategy, we have been able to help landowners plant trees and manage weeds. Council staff were able to put the landowners in contact with staff from our Natural Systems team to see what assistance Council could provide. This is a great outcome from the consultation, to plant more trees with landowners that want to make a difference and leave a positive legacy for future generations.

Informal meetings

Council staff from the Land Use Planning and Natural Systems teams met with six representatives of Gloucester Environment Group on 11 June 2021 in Gloucester. The discussion focused on understanding how the targeted approach was developed for the draft Vegetation Management Policy and an overview of other projects being undertaken by Council including the draft Greening Strategy, draft Biodiversity Framework and draft Manning River Catchment and Estuary Management Program 2021-2031.

COMMUNITY IMPACTS

The Strategy is a pivotal tool for expressing the desired greening outcomes for the MidCoast. It will guide greening initiatives across the region, enabling the community to understand how we can work together to achieve our greening vision. This will provide transparency for the community and is a positive outcome.

This Strategy presents opportunities for Council to continue to establish effective partnerships with community organisations, the NSW Government, businesses and the broader community to support the realisation of the Strategy. Partnerships are key to the delivery of the greening initiatives and projects.

It is important that as a part of the implementation of the Strategy, there is also effective ongoing community education on the benefits of greening our landscape. There are a number of existing community groups that are already actively involved in the management of vegetation and the environment and this is an opportunity that can be built on.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

Advancing the principles in the Greening Strategy contributes to achieving the community's vision, set out in MidCoast 2030: Shared Vision, Shared Responsibility (the Community Strategic Plan). This Vision is:

We strive to be recognised as a place of unique environmental and cultural significance. Our strong community connection, coupled with our innovative development and growing economy, builds the quality of life we value.

The Community Strategic Plan includes objectives for the restoration and maintenance of our environment, managing resources wisely and balancing the needs of our natural and built environment. The 2020 Customer Satisfaction Survey reaffirmed that the natural environment is a priority for our community. Lifestyle, natural environment and location were the most valued aspects of living in the MidCoast. Implementation of the Strategy will contribute to achieving the vision for the MidCoast and enhance the liveability and natural setting enjoyed by our community.

While the Strategy is not specially identified in the Delivery Program (2018-2022) and Operational Plan (2021-2022), it interacts with a number of projects identified like the Biodiversity Framework.

RISK CONSIDERATION

There is a risk to Council's reputation with the wider community if it does not adequately set out a future vision for greening the MidCoast and implement the key actions of the Strategy.

RECOMMENDATION

That the amended MidCoast Greening Strategy provided in Attachment A be adopted and published on Council's website.

14. VEGETATION MANAGEMENT POLICY

Report Author Michael Griffith – Land Use Planner

File No. / ECM Index SPR 07/02

Date of Meeting 30 July 2021

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

The draft Vegetation Management Policy (the Policy) sets out a consistent and targeted process for regulating the removal and pruning of trees and vegetation in specific areas of the MidCoast. The Policy applies to private land within the MidCoast that has ecological and landscape/amenity values.

Community consultation on the Policy occurred between 17 May and 24 June 2021. This report reviews the thirty-eight (38) submissions received and recommends changes to the exhibited Policy in response to these submissions.

SUMMARY OF RECOMMENDATION

That:

1. The amended Vegetation Management Policy provided in Attachment A be adopted.
2. The adopted Vegetation Management Policy become effective no sooner than 8 weeks after the resolution of Council to adopt the Policy.
3. The exhibited Vegetation Management Development Control Plan provisions for the *Gloucester Development Control Plan 2010*, the *Greater Taree Development Control Plan 2010* and the *Great Lakes Development Control Plan* as shown in Attachment B be adopted.
4. Within 28 days after the decision to adopt the Vegetation Management Development Control Plan provisions, a notice of Council's decision to amend the Development Control Plans and the date that they come into effect is published.
5. The current Tree Preservation Controls in Part 12 of the *Great Lakes Development Control Plan* remain in effect until the exhibited Vegetation Management Development Control Plan provisions for the *Great Lakes Development Control Plan* come into effect.
6. The fee for replacement planting for Vegetation Management permits be exhibited for 28 working days, and a further report be submitted to Council detailing and addressing any feedback received.

FINANCIAL/RESOURCE IMPLICATIONS

The preparation of the Policy, Development Control Plan amendments and community consultation was undertaken within the existing Land Use Planning budget.

LEGAL IMPLICATIONS

The amendment process for the Development Control Plans has been undertaken in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000* and the *Environmental Planning and Assessment Act 1979*. The Vegetation Management Policy has been prepared pursuant to Part 3 of the *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*.

In accordance with the clause 21(2) of the *Environmental Planning and Assessment Regulation 2000*, Council must publish notice of its decision on its website within 28 days after the decision is made to approve the amendments to the Development Control Plans. Council must also publish a notice if it is decided not to proceed with the amendment, and this notice must include Council's reasons for the decision.

Currently, if a person removes a tree in contravention of the Tree Preservation Controls of the *Great Lakes Development Control Plan*, they are in breach of the *Environmental Planning and Assessment Act 1979*. Breaches of the proposed Vegetation Management Policy would also be a breach of the *Environmental Planning and Assessment Act 1979*.

ATTACHMENTS

- A: Amended MidCoast Vegetation Management Policy
- B: Exhibited MidCoast Vegetation Management Development Control Plan provisions
- C: Submissions
- D: Summary of consultation and submissions

Attachments A, B, C & D have been circulated to the Councillors and Senior Staff, however these Attachments are publicly available on Council's website. The copies of Attachments C & D on the website have had the personal information redacted to protect the privacy of the members of the public providing submissions.

BACKGROUND

Council considered a report in relation to the harmonisation of Tree Preservation Controls across the MidCoast at its Ordinary Meeting on 26 September 2018. At this meeting it was resolved to remove all tree and vegetation controls.

Following this resolution, the community expressed concern in relation to the potential loss of vegetation across the region. A number of workshops were held between staff and Councillors to discuss principles and concepts around vegetation management and how to best protect the MidCoast landscape. A Greening Strategy was proposed for the MidCoast to provide an over-arching approach to manage and enhance tree canopy cover and green spaces. A key action of the draft Greening Strategy is a targeted Vegetation Management Policy.

At the Strategic Committee Meeting of Council on 12 May 2021, Council resolved to place the draft MidCoast Vegetation Management Policy and the draft Vegetation Management Development Control provisions on public exhibition. This report outlines the consultation undertaken in relation to these documents.

DISCUSSION

The draft documents were exhibited from 17 May to 24 June 2021, and thirty-eight (38) submissions were received. The submissions have been used to inform the finalisation of the documents. The exhibited MidCoast Vegetation Management Policy has been amended based on feedback (refer to Attachment A). There are no changes proposed to the exhibited Vegetation Management Development Control Plan provisions (refer to Attachment B).

Summary of submissions

Attachment C provides a copy of the thirty-eight submissions received during the exhibition.

Attachment D provides a summary of the consultation and submissions. Of the thirty-eight submissions, 50% supported the Policy, 26% while 24% provided partial support (e.g. provided suggestions on how the Policy could be amended). analysis of where the submissions came from is in Attachment D.

The summary of submissions (Attachment D) submissions under topics, provides a response and appropriate recommends changes to the Policy. changes have been incorporated into the amended (Attachment A).

Of the thirty-eight (38) submissions, four (4) submissions were from community groups, and thirty-four (34) submissions were from individuals.

Key topics raised in the submissions and recommended changes to the Policy are outlined below. This discussion should be read in conjunction with the submission summary in Attachment D.

1. *The targeted approach*

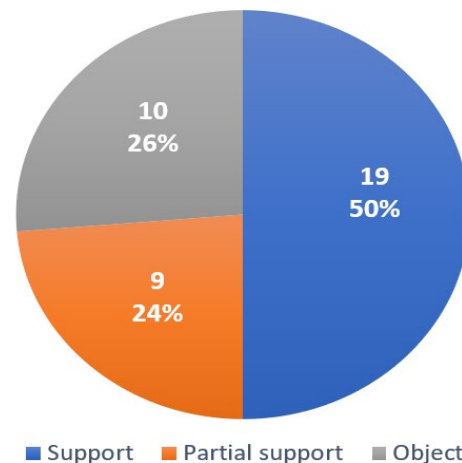
There were two key points raised regarding the targeted application of the Policy. Firstly, that the area covered by the Policy should be extended over more locations. Secondly, that the Policy is being imposed on landowners that are doing the right thing and impacts on landowners' rights.

The Policy aims to maintain important ecological or landscape/amenity values by retaining existing vegetation on privately owned land. As a result, an assessment was undertaken to determine which locations contributed to these values.

In simple terms, the Policy applies to land where either one or a combination of the following values apply:

- *there is important habitat or environmental corridors through the targeted area that link to neighbouring bushland, State Forests or National Parks. For example, the Large Lot Residential zoned land at Old Bar links to Khappinghat National Park and sites in the Environmental Management zone at Boolambayte link to Myall Lakes National Park. Council's Natural Systems team used a combination of aerial photography, site visits and knowledge of fauna siting's to determine the importance of each site,*
- *the area is known habitat for fauna like koalas and squirrel gliders. For example, Hawks Nest, Tinonee and Smiths Lake,*

Submission summary



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- *locations with landscape character and amenity values. Some locations are renowned for their 'leafy' character, while others provide a vegetated landscape on entry into our towns and villages. Examples include Pacific Palms, Nahiab, Nerong and Bungwahl.*

Importantly, the Policy does not apply to:

- *land where other State Government vegetation controls apply. For example, rural zoned land administered by Hunter Local Land Services, areas mapped as 'Coastal Wetland' or 'Littoral Rainforest' in State Environmental Planning Policy (Coastal Management) 2018 or clearing of threatened species, ecological communities or protected plants as identified in the Biodiversity Conservation Act 2016,*
- *environmental lands in the hinterland where the slope of the land constrains the opportunity to clear the land,*
- *urban areas (e.g. Taree, Forster, Tuncurry, Gloucester) and Large Lot Residential areas that were either predominately cleared or had vegetation with marginal environment benefits. The proposed approach for these locations is to work with landowners through the Greening Strategy initiatives to increase vegetation coverage.*

When submitters raised the issue of extending the Policy, they often referred to areas that have been excluded for the above reasons. In some cases, submitters felt that a 'blanket' approach across all urban, Large Lot Residential and environmental zones should apply. A 'blanket' approach was not applied as it would be onerous and resource intensive; reducing the ability to protect areas where important vegetation is located.

Some submitters were concerned that they were being unfairly restricted for 'doing the right thing'. In many cases the vegetation is remnant vegetation that was evident on the site prior to subdivision. This natural landscape not only acts as environmental corridors or habitat, but also adds to the character of the area, which is why many people choose to live in these locations. Protection of the vegetation reinforces this important landscape feature for all residents in an estate.

Based on submissions, no changes are proposed to the locations where the Policy is intended to apply.

The areas subject to the Policy will be reviewed within 2 years to ensure we are meeting the Policy objectives and the vegetation outcomes are being achieved.

2. Compliance and enforcement

Submitters were concerned over Council's ability to ensure compliance and enforcement of the Policy. The current 'blanket' approach applied to the Great Lakes region is resource intensive, covering 10,100ha and 22,200 properties. The targeted approach across the MidCoast enables efforts to be focussed in areas where the vegetation contributes to the ecological or landscape/amenity values, covering around 12,410ha and 8,800 properties. Combined with an improved 3-step application process, it is considered that current resources can provide a higher level of compliance and enforcement of the Policy.

3. Offset planting

Submitters requested replacement planting for vegetation removed to ensure no net loss of vegetation. It is proposed to amend the Policy to enable conditions to be applied on permits to provide replacement planting to offset the vegetation removal.

If replacement planting on the property is not possible, the applicant can enter into an agreement with Council for replacement planting on public land subject to a fee. A fee of \$500 would cover the cost of supply, planting and maintenance to establish the tree. This offers an alternate arrangement for landowners.

This would be a new fee, as it is not included in the Council's Fees and Charges for 2021-2022. It is recommended that Council exhibit the proposed replacement planting fee for 28 working days. If the exhibited fee is adopted and included in Council's Fees and Charges, the Vegetation Management Policy would then be amended to include the following wording in the Policy content section:

"If tree(s) or vegetation replacement is not possible on the subject property (there is insufficient space on the property and the assessing permit officer agrees), the applicant may enter into an agreement with Council for replacement planting on public land. The agreement will outline the fee payable per tree, with that fee covering the actual cost of supply, planting and maintenance. The replacement planting will be in a suitable location determined by Council staff and could include a street tree in front of the property, within the street or suburb, or parks and reserves. The aim is to ensure the tree canopy cover is not diminished by replacing trees when they are approved for removal".

4. **Suggested amendments**

Constructive feedback was provided by local community groups like Koalas In Care and landowners to improve the clarity of the Policy. The recommended changes to the Policy include:

- **Policy objectives** - an objective has been added to make the intent of the Policy clearer being "identify existing vegetation and land for the purpose of maintaining ecological values or landscape character and amenity",
- **permit conditions** - provisions have been included to ensure exemptions and permits are displayed on the front boundary fence. This will enable neighbours to see that an exemption or permit applies. A 12-month expiry period will also be included as a condition,
- **monitoring** - inclusion of the requirement for the self-assessments to be lodged with Council to enable monitoring, compliance and enforcement if required,
- **assessment criteria** - amending the eighth assessment criteria to consider waterways to read as "Extent of any impact of the tree(s) or vegetation on waterways, soil stability, the water table or other natural features of the land or locality concerned",
- **Schedule 2 - Significant local trees** - additional tree species have been included for koalas and trees that are important to species like the Glossy Black Cockatoo,
- **Schedule 3 - Exempt species** - additional exempt species were updated based on discussions with our Weed Biosecurity, Natural Systems and Tree Management teams,
- **Schedule 4 - Exemptions** - to provide clarity on the exemptions, this new schedule provides more information on the exemptions that will be included in the self-assessment form.

Implementation of the Policy

Once endorsed, a number of administrative process are required to implement the Policy. This includes amending the three Development Control Plans, preparing the self-assessment form, application form and new information on Council's website to explain the Policy and links to other State Government sites that regulate vegetation management. An 8-week period (minimum) is required to enable effective implementation of the Policy.

The current Tree Preservation Controls in the *Great Lakes Development Control Plan* need to remain in effect until this date. This would ensure that there is a transition from the current controls to the proposed Vegetation Management Policy.

CONSULTATION

Community consultation was undertaken from 17 May to 24 June 2021 and involved:

- notices in the local newspapers, media releases, and Facebook notifications,
- a radio interview on 2RE Radio,
- 1,652 letters to landowners that are not currently covered by the Tree Preservation Order and identified for inclusion in the draft Vegetation Management Policy,
- drop-in appointments were held at Hallidays Point, Gloucester and Taree, and
- information was available on Council's 'Have Your Say' website, with 849 visits.

Attachment D provides a more detailed overview of the consultation undertaken and the summary of the submissions.

COMMUNITY IMPACTS

The Policy is a pivotal tool to protect significant vegetation across the MidCoast. The Policy seeks to provide a transparent and streamlined process. It is important that the Policy does not create unnecessary, lengthy or complicated administrative processes for applicants and Council staff - including associated costs for making and assessing applications. It is also important that the Policy is effectively enforced, and compliance undertaken where necessary.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The Vegetation Management Policy is a key action of the draft Greening Strategy. Advancing the principles in the draft Greening Strategy contributes to achieving the community's vision, set out in MidCoast 2030: Shared Vision, Shared Responsibility (the Community Strategic Plan). This Vision is:

We strive to be recognised as a place of unique environmental and cultural significance. Our strong community connection, coupled with our innovative development and growing economy, builds the quality of life we value.

The Community Strategic Plan includes objectives for the restoration and maintenance of our environment, managing resources wisely and balancing the needs of our natural and built environment. The 2020 Customer Satisfaction Survey reaffirmed that the natural environment is a priority for our community. Lifestyle, natural environment and location were the most valued aspects of living in the MidCoast. Implementation of the Greening Strategy and this Policy will contribute to achieving the vision for the MidCoast and enhance the liveability and natural setting enjoyed by our community.

While this Policy is not specifically identified in the Delivery Program (2018-2022) and Operational Plan (2021-2022), it interacts with other identified projects such as the Biodiversity Framework.

RISK CONSIDERATION

A risk of not having a Vegetation Management Policy would be a potential increase in vegetation removal and resultant loss in ecological and landscape/amenity values. The targeted Policy ensures there is a consistent approach to vegetation protection across the identified areas of the MidCoast.

A risk of applying the Vegetation Management Policy over new locations, is pre-emptive clearing prior to the Policy being implemented. The 'why' the Policy is needed and 'how' the Policy applies was explained through community consultation and can be reaffirmed on Council's website.

RECOMMENDATION

That:

1. The amended Vegetation Management Policy provided in Attachment A be adopted.
2. The adopted Vegetation Management Policy become effective no sooner than 8 weeks after the resolution of Council to adopt the Policy.
3. The exhibited Vegetation Management Development Control Plan provisions for the *Gloucester Development Control Plan 2010*, the *Greater Taree Development Control Plan 2010* and the *Great Lakes Development Control Plan* as shown in Attachment B be adopted.
4. Within 28 days after the decision to adopt the Vegetation Management Development Control Plan provisions, a notice of Council's decision to amend the Development Control Plans and the date that they come into effect is published.
5. The current Tree Preservation Controls in Part 12 of the *Great Lakes Development Control Plan* remain in effect until the exhibited Vegetation Management Development Control Plan provisions for the *Great Lakes Development Control Plan* come into effect.
6. The fee for replacement planting for Vegetation Management permits be exhibited for 28 working days, and a further report be submitted to Council detailing and addressing any feedback received.

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15. MIDCOAST COUNCIL FLYING FOX CAMP MANAGEMENT PLAN

Report Author Nick Colman – Environmental Project Officer

File No. / ECM Index S0100-000251

Date of Meeting 28 July 2021

Authorising Director Paul De Szell - Director Liveable Communities

SUMMARY OF REPORT

The *MidCoast Council Flying-fox Camp Management Plan* (the Plan) has been prepared to guide the future management of flying-fox camps within the MidCoast Local Government Area.

The draft MidCoast Council Flying-fox Camp Management Plan was placed on public exhibition for a 6-week period from 7 June to 15 July 2021. A total of 12 submissions were received from the community which are summarised in this report.

The exhibited Plan has been amended in response to feedback from the community and is now presented to Council for adoption.

SUMMARY OF RECOMMENDATION

That Council adopts the MidCoast Council Flying-fox Camp Management Plan.

FINANCIAL/RESOURCE IMPLICATIONS

While there are no immediate financial implications in adopting the Flying-fox Camp Management Plan, the implementation of the Plan will require the allocation of staff resources to continue community engagement, apply for flying-fox related grant funding, and coordinate the implementation of on-ground actions.

Applications for funding may require matching contributions from Council, which will be delivered via appropriate and approved funding sources, including the Environmental Rate.

The formal adoption of a Flying-fox Camp Management Plan is a requirement of government funding programs.

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

A: Draft Flying-fox Camp Management Plan

B: Summary of Submissions

C: Submissions

Attachments A, B & C have been circulated to the Councillors and Senior Staff, however these attachments are publicly available on Council's website. The copies of Attachments B & C on the website have had the personal information redacted to protect the privacy of the members of the public providing submissions.

BACKGROUND

The MidCoast LGA is home to over 93,000 people, many who live in growing communities along the coast.

Three species of flying-fox also inhabit the LGA, including the Black Flying-fox (*Pteropus alecto*), Grey-headed Flying-fox (*Pteropus poliocephalus*) and Little Red Flying-fox (*Pteropus scapulatus*). The Grey-headed Flying-fox is listed as a threatened species under the NSW *Biodiversity Conservation Act 2016* and the Australian *Environment Protection and Biodiversity Conservation Act 1999* due to recent population decline and unmanaged threatening processes.

Flying-foxes play an important role in dispersing seeds and pollinating flowering plants and are crucial to keeping native forests healthy. Because flying-foxes are highly mobile, seeds can be moved locally and over great distances. When seeds can germinate away from their parent plant, they have a greater chance of surviving and growing into a mature plant. Seed dispersal also expands the gene pool within forests. Mature trees then share their genes with neighbouring trees of the same species and this transfer strengthens forests against environmental changes.

Of the 18 known flying-fox camps within the LGA, the following five camps are located (or at least partially) on Council owned land, within or adjacent to residential areas:

- Karloo Street Reserve Camp
- Cocos Crescent Reserve Camp
- Pacific Palms Camp
- Smiths Lake Camp
- Hawks Nest Camp

With funding assistance provided through the NSW Department of Planning, Industry and Environment, Council engaged consultants, GeoLINK, to prepare a Flying-fox Camp Management Plan (Attachment A). The core objectives of the plan are to minimise the impacts of flying-foxes on the local residents, while conserving flying-foxes and their habitat.

DISCUSSION

A draft Flying-fox Camp Management Plan was presented to Council on 2 June 2021 and placed on public exhibition for 6 weeks from 7 June to 15 July 2021 to seek community feedback. The documents were made available on Council's website and promoted via media releases.

A summary of the submissions received during the public exhibition period including the issues raised and the corresponding staff response is presented in Attachment B.

Copies of the 13 submissions received from members of the MidCoast community, are provided in Attachment C with the majority re-affirming the difficulties of living near a flying-fox camp.

Summary of Submissions

The main issues raised in the submissions are discussed below under the following themes:

1. Difficulties of living in close proximity to a flying-fox camp

A high proportion of the submissions discussed the difficulty of living in close proximity to a flying-fox camp, with most of the submissions related to the Cocos Crescent Reserve camp. The majority of issues raised were regarding the noise and odour impacts posed by the flying foxes and the risk of disease. The Plan addresses these concerns by identifying a range of management options, to minimise the impacts of the camps on the community and to provide a reasonable level of amenity for residents surrounding the camps. The Plan also provides an educational platform to raise community awareness of the realities of disease risk and measures to reduce this risk.

2. Concern for the welfare of flying-foxes and support for the Plan

A number of submissions expressed concern for the welfare of the flying-fox and acknowledged the ecological role flying-foxes perform across the landscape. While further respondents showed support for the balanced nature of the Plan in balancing the needs of the community and the flying-foxes. Council acknowledges the ecological contribution and protected status of native wildlife within the Camp Management Plan. The Plan aims to enable the long-term conservation of flying-foxes, by ensuring that management is sympathetic to flying-fox behaviour and their biological requirements.

3. Concern raised over pressures of future development on flying-fox camp

One submission expressed concern that the Hawks Nest Flying-fox Camp includes private land, currently zoned E2 – Environmental Conservation, that may be developed in the future. While a small number of further submissions were concerned more generally over development applications in relation to harming flying-foxes.

The Flying-fox Camp Management Plan outlines the current footprint of the flying-fox camp and future development applications must address the impact on the flying-fox camp, particularly the Grey-headed Flying-fox due to its threatened species status under both State and Australian Government legislation. The potential developable land at this camp is zoned R2 Low Density Residential and R3 Medium Density Residential; and encompasses the secondary camp roost footprint (refer to Figure 22 of the Plan).

The Plan includes management actions aimed to reduce future flying-fox/human conflicts through appropriate land-use planning, including Development Control Plan (DCP) provisions to guide future development near flying-fox camps, including both greenfield and infill development. The DCP would include structural requirements or design guidelines for new buildings located in proximity to a camp to minimise the risk of future conflicts from flying-fox noise, odours and droppings. Greenfield development provisions would include appropriate urban design and landscaping provisions and ensure that adequate distances are maintained between future dwellings/sensitive receptors and existing or historical flying-fox camps across the LGA.

Other options include the possibility of including notations of flying-fox camps on Section 10.7 planning certificates and the potential to address flying-fox impacts under the Exempt and Complying provisions of Council's DCP.

4. Culling of flying-foxes (Black Flying-fox) / Relocating flying-fox camp

There are three species of flying-foxes recorded within the MidCoast LGA. All species are protected under the NSW *Biodiversity Conservation Act 2016*. The Grey-headed Flying-fox is also listed as threatened under State and Australian Government legislation.

Management options for the flying-fox camps have been grouped into three levels, of which culling would fall under Level 3:

- Level 1: *Routine camp management* which aims to manage the camp in-situ and manage issues without directly impacting the camp.
- Level 2: *In-situ camp management* which aims to retain flying-foxes at the camp, however, create separation between roosting animals and adjacent sensitive receptors.
- Level 3: *Disturbance or dispersal* which aims to stop flying-foxes roosting at the site.

The Plan's approach to managing the five (5) flying-fox camps in the LGA is guided by:

- current scientific information about flying-fox behaviour and ecology;
- learnings from managing other flying-fox camps located in eastern Australia; and
- each camp's unique situation.

The Plan proposes actions that do not have the potential to exacerbate issues, result in harm to flying-foxes, or create new flying-fox camps which may result in more severe human/flying-fox conflicts. Furthermore, due to the nomadic nature of flying-foxes dispersal or culling has been found not to be effective, achieving only a temporary solution as other individuals arrive. This is largely driven by the availability of food resources in the region and the species' broader range.

As a result, the Plan adopts a combination of Level 1 and Level 2 camp management actions only. This approach complies with the NSW Department of Planning, Industry and Environment (DPIE) guidelines (Flying-fox Camp Management Policy 2015) and seeks a form of intervention that is both low risk and low cost.

5. Target Issue: Subsidy for Noise, odour

One submission raised concerns about the potential excessive use of air conditioning to reduce the impact of noise and smell from flying-foxes, which results in increased electricity costs and energy consumption, and the generation of carbon emissions which contributes to climate change. Air conditioning is suggested as a property modification to alleviate noise and odour impacts for residents adjacent to the camp.

In response, the Flying-fox Camp Management Plan has been amended to include an action to investigate the installation of solar power and battery energy storage devices in association with air conditioning property modifications. Council's role would include informing the community about suitable property modification options and assistance with sourcing funding (including liaising with funding bodies in relation to grant funding opportunities).

6. Public Education

Three submissions raised the importance of flying-fox education programs that demonstrate the ecological role of flying-foxes and their positive influence across the landscape. The Plan provides information on the natural history of flying-foxes, rationale behind Level 1 and Level 2 management practices that seek to balance the ecological needs of the flying-fox – further ecological information on flying-foxes can largely be found in the appendices of the Plan.

7. Landscape Regeneration for fauna including the Flying-fox

A minor number of submissions supported actions that seek to acquire funding to remediate and promote flying-fox (and other species) habitat/ food resources across the landscape within the LGA. This action is supported by the Plan, for example, Section 6.6 of the Plan investigates the regeneration of the Wingham Foreshore Recreation Reserve for flying-foxes and other fauna. By promoting suitable habitat within the feeding range of our urban camps, it may lessen the overall need for the flying-foxes to utilise the urban camps – it will not reduce it completely.

8. Loss of wildlife within the Flying-fox camp and a need to redesign the camps to include parkland features i.e. footpaths

A submission commented on the loss of wildlife within the reserves. Flying-foxes are a native species and provide environmental/key stone services which are important to the local biodiversity consisting of both flora and fauna. Furthermore, the vegetation and habitat within the reserves are of high conservation and biodiversity value, which is discussed in the Plan. In regard to redesigning the reserves for urban purposes, the reserves have been zoned to protect these significant biodiversity values.

CONSULTATION

The draft Flying-fox Camp Management Plan was developed in consultation with key Council staff, especially in regard to on-ground works surrounding each camp.

Extensive effort has been made to engage with the community regarding the subject flying- fox camps to:

- understand the issues directly and indirectly affecting the community;
- raise awareness of flying-foxes within the community;
- correct misinformation and help allay fears; and
- seek ideas and feedback about possible future management options.

The types of engagement that have been undertaken include:

- promotion of contact details of responsible Council officer
- telephone conversations and emails to record issues and complaints
- media releases about the project (radio, print, social media)
- website pages and links
- flyers posted to landholders within 300m of the camps (February 2021)
- webinar information session (8 February 2021)

- community information booths at all five camps (9 and 10 February 2021, attended by approximately 74 people)
- direct contact with known community groups with an interest in each camp by phone and email
- an online survey (Flying-fox Engage) for all the subject camps (1 February to 12 March 2021).

The Flying-fox Engage survey was the main platform for recording community feedback on the proposed camp management options. A total of 139 valid survey responses were received. The survey found that the community consider it important that flying-fox camp management measures:

- reduce the impact of noise and odour from flying-foxes at the camp on nearby residents (67% of respondents considering this very or extremely important)
- reduce the impact of flying-fox excrement on the property of nearby by residents (68% of respondents considering this very or extremely important)
- do not move the flying-fox camp to other areas that may also be near residents or businesses (65% of respondents considering this very or extremely important)
- ensure the risk of disease transmission remains low (77% of respondents considering this very or extremely important)
- have a low financial cost to residents living near the camp (65% of respondents considering this very or extremely important)
- can be implemented quickly (61% of respondents considering this very or extremely important)
- provide a long-term solution (86% of respondents considering this very or extremely important)
- do not harm flying-foxes (58% of respondents considering this very or extremely important)
- do not degrade the natural or ecological values of the site (70% of respondents considering this very or extremely important)
- do not change the visual appeal or recreational opportunities currently undertaken at the site (58% of respondents considering this very or extremely important).

These community expectations were used to inform the development of the Flying-fox Camp Management Plan.

COMMUNITY IMPACTS

The Flying-fox Camp Management Plan seeks to reduce the impacts of flying-fox camps on the local community by providing support programs for neighbouring residents and through the implementation of combination of Level 1 and Level 2 management options as per the NSW Flying-fox Camp Management Policy (OEH 2015). The adoption of the Plan will enable Council to obtain the necessary planning approvals for on-ground works and seek government funding to implement the actions in the Plan.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The draft Plan is aligned with Strategy 7.1 of the Delivery Program & Operational Plan (2020-2021):

“Value, protect, monitor and manage the health and diversity of natural assets, wildlife and ecosystems”.

TIMEFRAME

The timeframe to enact the actions of the Flying-fox Camp Management Plan is five years.

RECOMMENDATION

That the MidCoast Council Flying-fox Camp Management Plan provided in Attachment A be adopted.

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16. DURALIE COMMUNITY FUND

Report Author Lyndie Hepple – Coordinator Community Development
File No. / ECM Index Duralie Coal, Community Funding
Date of Meeting 28 July 2021
Authorising Director Paul De Szell – Director Liveable Communities

SUMMARY OF REPORT

Developer contributions from Duralie Coal are utilised to fund community projects and initiatives in the community in which the mine operates. These funds are distributed through the Duralie Community Fund.

This report summarises the applications received through the 2020/21 funding round and recommends projects for funding.

SUMMARY OF RECOMMENDATION

That funding of \$83,288 be allocated to the two organisations recommended by the Assessment Panel, in accordance with the Duralie Community Fund Guidelines and as detailed in the report.

FINANCIAL/RESOURCE IMPLICATIONS

Community fund contributions from Duralie Coal have been quarantined and held in reserve.

LEGAL IMPLICATIONS

The payment of developer contributions towards the community fund is a condition of the Duralie Coal Mine Development Approval.

BACKGROUND

As a condition of the Development Approval for the Duralie Coal mine, a developer contribution is required by the mine operators to fund community projects in the area in which the mine operates. These funds are to be diverted into three distinct areas:

- Infrastructure,
- Environmental, and
- Community projects.

The Community Projects funding is administered in accordance with the *Duralie Community Fund Guidelines and Eligibility* document, which is available on Council's website.

A funding round was opened for 4 weeks on 24 May, with applications to be submitted by 18 June 2021. Applicants could apply for a maximum of \$50,000 for projects that deliver social, cultural, economic and or environmental benefits to the community, address identified community priorities, have broad community reach and are sustainable.

Six applications were received seeking \$207,288 to contribute to \$242,230 worth of community projects. Applications were assessed independently by two Council officers in order to determine how well they met the funding criteria prior to applications being distributed to the Assessment Panel and the Assessment Panel was advised of the average score of the pre-assessment process. The Panel met on Wednesday 7 July to consider the applications.

Projects recommended for funding are detailed below:

Applicant organisation	Project title	Description of project	Funding requested	Total project value
Stroud Community Lodge	SCL Community Exercise Hub	Provide exercise equipment and rehabilitation services for aged and disabled in the community	\$41,500	\$43,824
Stroud Road Community Hall and Progress Association Inc	Maintaining a Critical Community Asset	Rectify significant maintenance issues – repairs to decking, stairs, balustrades on external verandahs, repainting exterior of hall and replace piers damaged in June 2020 hailstorm	\$41,788	\$41,788
Total funding			\$83,288	

Projects not recommended for funding are detailed as follows:

Applicant organisation	Project title	Description of project	Funding requested	Reason for rejection
Craven Creek Music Association	The Craven Creek Music Festival	Assistance in staging classic music event at property in Rookhurst	\$5,000	Not eligible. Location of concert is outside the eligible area specified in the funding guidelines
Friends of St Johns Stroud Inc	St John's Heritage Restoration Project	Remediation of eroded brickwork, reconstruction of hall window and maintenance of other windows, and engagement of structural engineer with heritage qualifications to develop and action plan and advice on dealing with those cracks	\$19,000	Funding for heritage works can be applied for from the Stroud Heritage Conservation Trust. The maintenance component of the works is not eligible under the Guidelines.
Stroud Country Club	Stroud Country Club Upgrade	Provision of solar panels on the roof, enclosing outdoor verandah for all-year use, installation of accessible toilet, and essential upgrades to community bus	\$50,000	Not eligible. Property is privately owned. Budget incomplete, no quotes, plans or owners consent provided

Stroud Preschool- Stroud Neighbourhood Children's Cooperative	Children's All- Weather Learning Extension	Major building extension works to increase the all- weather learning space for children	\$50,000	Council officers previously advised the need for a DA and CC, Council consent (as the property owner) and heritage advice as the property is in the Heritage Conservation Area. The project has in-principal support from the Assessment Panel, but the applicant should be advised to apply for funding to obtain heritage advice, DA and CC fees before contemplating the works.
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TIMEFRAME

Applicants will be advised of the outcome of their applications immediately upon finalisation of the Minutes of the Council meeting, and instructions issued to the Finance section to enable payments to be made to successful applicants. Unsuccessful applicants will be advised of the reasons for the decision.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

Our unique, diverse and culturally rich communities

Support the strengthening of social connectedness through programs and partnerships

RECOMMENDATION

That funding totalling \$83,288 be allocated to:

- Stroud Community Lodge (\$41,500)
- Stroud Road Community Hall and Progress Association Inc (\$41,788)

in accordance with the Duralie Community Fund Guidelines as detailed in this report.

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17. DEVELOPMENT DETERMINATIONS MADE UNDER DELEGATED AUTHORITY – JUNE 2021

Report Author Paul DeSzell – Director Liveable Communities
File No. / EC Index Development Consent Issued Under Delegated Authority
Date of Meeting 28 July 2021

SUMMARY OF REPORT

This report outlines each of the development determinations which have been issued during June 2021 under delegated authority.

SUMMARY OF RECOMMENDATION

It is recommended that the information be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENT

A: Determinations made during June 2021

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

REPORT

109 development determinations were made during June 2021 under the authority delegated to me on 3 May 2018. Details of these determinations are contained in Annexure "A".

Should any Councillor have a query regarding the attached Annexure, please contact the Director Liveable Communities so that the appropriate documentation may be brought to the meeting for clarification.

RECOMMENDATION

That the information be noted.

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18. MATTERS CURRENTLY BEFORE THE LAND AND ENVIRONMENT COURT

Report Author Paul De Szell – Director Liveable Communities
File No. / ECM Index Land & Environment Court Appeals
Date of Meeting 28 July 2021

SUMMARY OF REPORT

This report both lists and provides an update on matters that are currently before the Land and Environment Court.

SUMMARY OF RECOMMENDATION

It is recommended that the information be noted.

FINANCIAL/RESOURCE IMPLICATIONS

As identified in Attachment 'A'

LEGAL IMPLICATIONS

As identified in Attachment 'A'

ATTACHMENT

A: List of matters currently before the Land and Environment Court

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

REPORT

This report both lists and provides an update on the matters that are currently before the Land and Environment Court. The information is provided for the consideration of Council.

RECOMMENDATION

It is recommended that the information be noted.

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DIRECTOR INFRASTRUCTURE AND ENGINEERING

19. MONTHLY CAPITAL WORKS PROJECT STATUS REPORT

Report Author Lorna Barber, Project Officer – Water Services
Greg Blaze, Coordinator Project Delivery - Transport

Date of Meeting 28 July 2021

Authorising Director Robert Scott, Director Infrastructure & Engineering

SUMMARY OF REPORT

This monthly report provides the status of major infrastructure and engineering projects and highlights potential issues with schedule, cost or impacts on delivery.

SUMMARY OF RECOMMENDATION

That the Monthly Project Status Report be received, and gateway reports endorsed.

FINANCIAL / RESOURCE IMPLICATIONS

Projects within the report are included in the 2020/21 Operational Plan. Funding for these projects are budgeted in either the Capital Works Plan, by grants or by Council's Road Maintenance Council Contract RMCC with Transport for NSW. Projects are currently progressing within their allocated budget unless noted otherwise.

ATTACHMENTS

- A: Transport & General - Project Status Report
- B: Water & Wastewater - Project Status Report
- C: Ready to Design Gateway – Nabicac Water Treatment Plant – Stage 2 Upgrade
- D: Ready to Implement Gateway – Solar Power Systems for Various Water Asset Sites

Attachments A-D have been distributed to the Councillors and Senior Staff, and are publicly available on Council's website.

DISCUSSION

A brief synopsis of the status of current major projects follows:

Transport & General Projects FY20/21

The following is a summary of the FY20/21 CWP:

- Completed – 37 projects (55%)
- In construction as at 30 June 2021 – 23 projects (35%)
- Construction not yet commenced – 7 projects (10%)

This result was achieved with a larger than ever before program of works and in a difficult year where significant disruptions were experienced through record breaking floods, wet weather and Covid related issues at various times during the year.

Of the 7 projects yet to commence construction, all of them are scheduled for commencement by Nov 2021. Delays have been experienced in relation to the abovementioned factors as well as the limited resources for design and project management. Recent organisational structure changes have strengthened these areas at the end of the financial year, together with the inclusion of greater consultant resources to meet the needs of the program. It should also be noted that our design and project management resource is not only focused on the current capital works program but also the initiation and planning phases for the larger projects in subsequent years programs where a lengthy design lead time exists.

Special Projects

- Nil to report.

Urban Rehabilitation

- Blackhead Road, Hallidays Point – finalisation of this projects was realised in June.
- McCullagh Lane Carpark, Wingham – Completion has been delayed due to flood recovery works. Asphalt works and the shade sails are programmed to be completed during July.
- Farquhar Street, Wingham – Works to be focussed on drainage between Bent Street and Primrose intersections initially whilst direction is being determined for Bent and Farquhar intersection. Water services have commenced relocations.
- York Street, Taree – Construction of a roundabout. Contractor is continuing works on-site and is programmed to be completed in August.
- Coorilla Street, Hawks Nest – preliminary reconstruction works commenced with main works to be undertaken in July.

Rural Rehabilitation

- Lansdowne Rd, Cundletown – Reconstruction of approx. 1km road pavement. Works originally programmed to commence in April, delayed due to focus on flood repair works. Works commenced mid-May and are progressing well.
- Waitui Rd, Hannam Vale/Waitui – Reconstruction of approx. 3km of road pavement. Stakeholder engagement commenced in April to resolve scope of works. Land access for investigation works and construction permit and land acquisition discussions continue and an REF is being prepared based on the results. This project now planned to be delivered by contract targeting October commencement.

Rural Construction

- Bombah Point Road, Bombah Point – Construction of a sealed road pavement. Works are programmed to start after completion of Coorilla Street.

Regional Rehabilitation

- Avalon Road, Dyers Crossing – Ditchfield Contractors commenced works in January, the project has been broken down into three stages. Stage 1 works have been predominantly completed and was the largest of the 3 stages. Construction of the remaining stages has commenced and will continue for the first quarter of the new financial year.
- Old Bar Road, Pampoolah – Asphalt works, linemarking and minor works were finalised early July.

- Manning River Drive, Taree – Stage 2 works under construction, extending the service road beyond the service station. Works are programmed to be completed in July.
- Isabella Street, Wingham – Reconstruction from Dennes to Primrose Streets. Contractor commenced works on-site in early June and is making good progress.
- The Bucketts Way, Tinonee – Durack Civil have progressed well and only tidy up works remain.
- The Bucketts Way, Stroud – The St Clairs project. Council's Stroud construction crew are currently finishing up on this project.
- The Thunderbolts Way, Tibbuc – Reconstruction and upgrade to road pavement. Road corridor works underway - retaining walls have been completed and works now progressing on drainage works. Forecast completion is September/October.
- Carsons Lookout, Mares Run/Baxters Ridge – road reconstruction commenced in late June, expected completion September.
- The Bucketts Way, Allworth – Quotes have been received for RFQ and the contract has been let. Works to commence in July.

Bridge Renewals

Fixing Country Bridges MOU has been finalised in June to coordinate delivery of bridges with Central Coast Council and Dungoh Shire Council. Bridge construction panel contract to be established.

- Fairbairns Bridge, Fairbairns Rd – Design and Construction (D&C) contract awarded November. Bridge completed, awaiting construction of new road approaches.
- Parsons Bridge, Bunyah Rd / Willina Rd – D&C contract awarded November, design has been completed. Side-track now in use and bridge work commenced.
- Cox Bridge, Caparra Rd – D&C contract awarded at March Council meeting. Design completed, RFQ issued for side-track construction, due for commencement in August.
- Little Tiri Bridge, Tiri Rd – D&C contract awarded at March Council meeting. Design has been completed. Construction commenced.
- Kilabakh Creek Bridge, Yarrat Rd – D&C contract awarded at March Council meeting. Design has commenced.
- Sheathers Bridge, Hannam Vale Rd – Construction tenders reported to this July 28 meeting.
- The Falls Bridge, Glenwarrin Rd – Design completed. Internal team will commence construction in September once concrete works finished at Farquhar St.

Other Internal Council Works

- Dredging Farquhar – due to recent flooding, contractor has delayed commencement

Panel Contract Utilisation

Minor Civil Works

- Allworth project contract let.
- David Street, Old Bar – Cycleway complete.
- Cox Bridge side track – RFQ issued.

Civil Consultants

- RFQ for survey required for 4 bridges out to panel.

Pre-cast Concrete Elements

- Nil to report.

Asphalt

- Nil to report.

Water & Wastewater general Summary for FY20/21

The following is a summary for the Water and Sewer Capital Works program for FY20/21:

- Adopted budget - \$22,218,000
- Final Expenditure - \$14,054,906
- Proposed Revotes - \$5,519,000

The current committed works in progress at the end of financial year was \$20,850,860. This includes the large contract for the Gloucester Water Reservoir and Mains Project being approximately \$17.5M.

Some delays were experienced in the larger projects with finalisation of concept and detailed design. These included the Gloucester Water Reservoir, Gloucester STP upgrade, Hallidays Point SPS 13 construction and Pacific Palms. The overall consistent wet weather and COVID situation has also resulted in delays in most projects and programs. Some critical projects previously delayed from the drought management response in 2019/20, were able to be completed in the past 12 months. These included the Bootawa 1A renewal, Forster SPS 18 generator and Lantana Crossing Transformer relocation.

Most asset renewals programs managed to complete the planned works to budget allocated. These included water and sewer mains renewals, sewer pumps, electrical and SCADA works plus the remote telemetry units (RTUs) renewals for water and sewer pump stations.

Water & Wastewater Asset Renewal Programs FY20/21

- Sewer Pump Renewals Program – Design review completed for 2 sites including Gloucester and Green Point with 4 pumps being installed across Old Bar and Taree.
- Sewer Pump Station Renewals Program – Well relining works continue at Forster.
- Sewer Pump Station RTU Renewals Program – Works completed at Old Bar and continuing across sites at Taree and Nabiac.
- Sewer Gravity Mains Renewals Program – Lining program this financial year has been completed.
- Sewer Treatment Plant Renewals Program – Works commenced across 3 new sites including Bulahdelah, Forster and Wingham.

- Water Mains Renewal Program – Works completed in Gloucester, Farquhar Street and Maitland Lane, Wingham, York Street Taree, as well as Blackhead Road and The Lakes Way. Works commenced at Park Street, Tuncurry.
- Water Treatment Plant Renewals Program – Works commenced Bootawa for dosing line replacement.
- Water Pump Station Renewals Program - Procurement of valves at Lantana Crossing underway.
- Water Pump Station RTU Renewals Program – RTU Upgrade at Elizabeth Beach Reservoir commissioned.
- Smart Meter Installation Program – Wiring of delivered retrofit meters ongoing with the bulk completed. Customer letters have been distributed to the residents of Stroud Road. Smart Meter Engagement Program with schools and businesses is ongoing with outpost meters arriving and being installed.

Water & Wastewater Major Capital Projects

- Sewer Pump Station Switchboard Renewals – Continued finalising preparation of standard drawing packages for switchboards. Continued finalising design packages for Tiona and Smiths Lake. Purchase orders for 4 sites issued. Design modifications initiated at Pacific Palms. Installation packages for Taree and Forster released to market.
- Sewer Treatment Plant (STP) Chemical Systems Upgrades – Chemical pipework continued at Tuncurry.
- Gloucester Reservoir & Associated Mains – Possession of site granted to head contractor. Contract preliminaries received. Site clearing and stripping commenced. Stockpile area for clean fill prepared.
- Gloucester Sewerage Treatment Plant Replacement – 90% Concept phase deliverables are being finalised including concept design report. Draft detailed design specification is undergoing review. Preliminary draft Review of Environmental Factors completed. Planning proposal for rezoning to allow construction has been completed. Negotiations with EPA to finalise effluent quality targets is ongoing.
- Hallidays Point Sewer Pump Station no.13 – Undertook tender post tender discussions with recommended contractor.
- Harrington Water Main Renewal – Negotiations with landowners for easement adjustment continued.
- Lantana Crossing Sewer Treatment Plant, High Voltage Transformer Renewal – Outage and injection testing completed. New transformer was reenergised/commissioning and left in service.
- Pacific Palms Sewage Treatment Plant, Stage 1 – Commenced concrete slab wall panels and continued wall slab form and reinforcement to Pond 1. Completed underdrain installation to Pond 2. Commenced blinding layer placement, rear guard water stops installation and base slab panel formwork, reinforcement and concrete placement.
- Asset Signage Renewals – Sign installation continued.
- Hawks Nest Sewer Treatment Plant, Upgrade Date 2 & 3 – Concept design continues. Issued request to the EPA for variation or removal of the licence limits. Preparation of Review of Environmental Factors in progress.
- Tea Garden's New Pump Station and Rising Main – Project start meeting with consultant held. Commenced route options identification.
- Comboyne Communication Tower, Construction and Implementation – Concept drawings updated and undergoing final review. Resistivity testing undertaken.
- Solar Power Systems – Sites to receive solar power systems rescoped. Released initial design/installation packages to market for quotation.
- Harrington Sewer Treatment Plant, Upgrade – EPA site visit conducted. Briefing document for design consultant panel prepared.

- Taree Sewer Pump Station 01 & 06, Switchboard Upgrades – Continued development of draft detailed Design Scope of Works. Started to Develop Risk Management Plan and Matrix. Updated Project Management Plan. Started to prepare concept technical note to confirm and define scope for design.
- Nabic Water Treatment Plant, Upgrade Stage 2A – Design Tender Selection Report prepared. Development of NRAR submission continues. Report prepared for procurement of Micro-Filtration Membrane Equipment.
- Forster Sewer Treatment Plant EAT 1 & 4 Blowers – Project has been initiated and design report has been distributed to stakeholders for review.
- Harrington Sewer Pump Station, Vacuum Station Odour Upgrade – Quotation for Review of Environmental Factors completed and ready to be released. Quotation for options investigations is being prepared.

CONSULTATION

The management and coordination of all aspects of infrastructure and engineering projects are undertaken in consultation with a range of internal and external stakeholders.

The internal stakeholders which have contributed to the preparation of this monthly report include:

- | | |
|----------------------------|-------------------------------------|
| - Transport Assets | - Operations (North and South) |
| - Projects and Engineering | - Response Operations & Maintenance |
| - Assets and Planning | - Water Management & Treatment |
| - Capital Works | - Finance |

COMMUNITY IMPACTS

Community impacts are considered and managed in accordance with communication plans tailored to individual projects. Regular reporting of progress and advanced notice of issues is coordinated through our Communications Team.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

These activities align with the following objectives of MidCoast Council’s Operational Plan:

Objective 2, Strategy 2.2, Focus Ref 2.2.2:

Ensure consultation on future capital projects that provide opportunities or impact upon individual qualities of towns / villages

Objective 4, Strategy 4.2, Focus Ref 4.1.1

Deliver maintenance programs within allocated budgets

Objective 6, Strategy 6.2, Focus Ref 6.2.5:

Implement the long term service delivery strategies and plans (incl. the Integrated Water Cycle Management Plan, Drinking Water Quality Management Plan and the Asset Class Management Strategy) for Water Services

Objective 9, Strategy 9.2, Focus Ref 9.4.2:

Incorporate streetscape considerations in road designs

TIMEFRAME

The timeframes associated with each infrastructure and engineering project are outlined in Attachments A and B.

BUDGET IMPLICATIONS

These activities are proceeding within existing financial and resource allocations. Projects listed within this report have been included in the 2020/21 Budget and future financial years' budgets.

RISK CONSIDERATION

The risks associated with each infrastructure project are identified and managed within individual project plans.

RECOMMENDATION

1. That the Monthly Project Status Report be received and noted.
2. That the Gateway Reports are endorsed, and the baseline budget and milestones are adjusted as required to reflect the planned budget and milestones at:
 - Nabitac Water Treatment Plant – Stage 2 Upgrade (*ready to design*)
 - Solar Power Systems (*ready to Implement*)

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20. WATER AND WASTEWATER MONTHLY PERFORMANCE REPORT – JUNE 2021

Report Author Robert Scott – Director Infrastructure & Engineering Services

Date of Meeting 28 July 2021

SUMMARY OF REPORT

The report provides key information on performance of our water and wastewater services.

SUMMARY OF RECOMMENDATION

That the Report for June 2021 be received and noted.

ATTACHMENTS

A: Water and Wastewater Monthly Performance Report – June 2021

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

BACKGROUND

The report provides a snapshot of water and sewerage performance metrics. This enables management to identify and take appropriate action on a timely basis.

DISCUSSION

Water usage has returned to average for June 2021. The wet weather earlier this year has resulted in water usage being below average for most months. Drinking water quality compliance remained high. There were no Critical Control Point exceedances during June 2021.

The volume of sewage treated is marginally higher than last year and slightly above the average for this time of year. This demonstrates that stormwater inflow and infiltration from rainfall will continue to impact our sewer systems even during light to moderate events. An infiltration reduction program has commenced with new resources committed to actively investigating and eliminating sources of infiltration.

The levels of recycled water use are well below average. This is expected with the level of rainfall experienced and the cooler conditions.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

This report aligns with;

- Strategy 6.2 - *Continue to develop a sustainable network of water, sewer and storm water systems to meet community needs and health and safety standards.*

- 3 Year Focus - 6.2.4 - *Deliver ongoing service quality and continuity with increasing efficiency and better performance for Water Services*

- Strategy 15.1 – *Provide clear, accessible, timely and relevant information to support and inform the community.*

- 3 Year Focus - 15.1.5 - *Maintain existing reporting capability in Water Services for capital projects and operations.*

RISK CONSIDERATION

The Risk and Compliance section specifically reports on treatment plant licence compliance, drinking water quality and any environmental impacts from sewage spills.

RECOMMENDATION

That the Water and Wastewater Monthly Performance Report for June 2021 be received and noted.

21. UNDERGROUNDING POWER IN URBAN PRECINCTS

Report Author Rhett Pattison, Manager Projects and Engineering

Date of Meeting 28 July 2021

Authorising Director Robert Scott, Director Infrastructure and Engineering Services

SUMMARY OF REPORT

This report seeks to remove the requirement to underground existing overhead power lines in conjunction with redevelopment of infill sites in central urban precincts in Forster/Tuncurry and Tea Gardens/Hawks Nest.

SUMMARY OF RECOMMENDATION

The recommendation will replace the previous resolution of the former Great Lakes Council so that it will be no longer required, as a condition of approval, that redevelopment of infill sites within the urban precincts of Forster/Tuncurry and Tea Gardens/Hawks Nest to underground existing overhead power lines.

Undergrounding of power in conjunction with subdivision and rezoning remains a requirement as specified in Development Control Plan relevant to that location.

FINANCIAL/RESOURCE IMPLICATIONS

No longer requiring the undergrounding of power as part of the development will allow removal of development conditions and save considerable time for both developers and Council staff that is currently spent negotiating a balanced outcome.

BACKGROUND

In 2019, a number of development applications were received and assessed within areas where Council had previously determined that undergrounding of power lines should occur. Issues have been raised by the development community which warrant a review of this matter for future development applications.

- The former Great Lakes Council passed a resolution in December 2005 as follows:
“That in conjunction with development applications, developers be required to replace overhead electricity cables with underground electricity cables in central urban precincts in Forster/Tuncurry and Tea Gardens/Hawks Nest as shown on the attached plans”.
A copy of the Council report with five plans showing areas for proposed undergrounding of power lines is included as Annexure A.
- Comments from development engineering staff note that since adopting the resolution, conditioning of developments in the nominated areas has not been easy to be consistent. It has resulted in regular arguments with developers and consultants as to the application of the resolution and a number of requests for modification of consent, with subsequent removal of the respective conditions.
- Consultant representatives of the development community in both Forster/Tuncurry and Tea Gardens/Hawks Nest have requested that Council not apply the conditions for undergrounding of power lines for developments, as they feel they are an unnecessary cost burden and restrictive to development in the area.

- The policy requires the lowering of all overhead wiring adjacent to the developments' street frontages. Essential Energy advice is that lowering of the 11Kv and 22Kv high voltage wires requires a length of over 500m to be feasible. Consequently, the developments have been conditioned to:
 - place the low voltage wires underground and
 - Conduits placed underground for the future undergrounding of the 11Kv and 22Kv wires with the conduits extending to the nearest power pole outside the property frontage/s.
(Note: All 66Kv overhead wires are left overhead.)
As the high voltage wires are left across the frontages of the development, developers see little merit in this requirement.
- To implement the resolution, it is difficult to distinguish between the scale of the development when applying the undergrounding requirement. In practice, Council staff (planners and engineers), have made determinations on when the policy will be applied based on their view of the scale of the development. This is not strictly in accordance with the resolution of the Council and caused further inconsistency and argument.
- Developers regularly complain that the cost of adhering to Council's undergrounding of powerlines resolution is prohibitive to development. This has led to a number of requests for Modification of Consent and removal of undergrounding conditions. There have also been negotiations between planners and engineers to remove these conditions before determination of the DA. For context, there have been some developments of \$500k value that by strictly applying the resolution would require a further \$500k for undergrounding power.
- Developers point to the lack of a genuine undergrounding strategy that is in existence from either the Council or Essential Energy. Without this strategy and a mechanism for funding the outcome (other than piecemeal redevelopment) there is a question over whether a desirable outcome is achievable, or financially viable.
- The resolution of Council has been in place for 15 years to date. The stated advantages of undergrounding of powerlines include aesthetics (improving the streetscape), reduction of power failures, network maintenance costs, electrocution and injuries from car accidents. Whilst these aims remain positive, a review of overhead powerlines remaining in the mapped areas shows that undergrounding powerline works have been carried out in very few developments.

CONSULTATION

Essential Energy were contacted and requested to provide comment on the undergrounding of powerlines, in conjunction with developments in mapped areas of the former Great Lakes LGA. A response was received (27 February 2020) that is summarised as follows:

- In principle Essential Energy has no objection to Council's resolution of undergrounding powerlines.
- Distribution level assets such as 11kV/22kV high voltage overhead are generally feasible to place underground, although it is accepted that these can also be kept as overhead electrical infrastructure as well.
- It is a better option for 66kV to be kept as overhead.
- Essential Energy noted that due to costs associated with underground electricity (which can be very expensive), it is their preference that each DA is reviewed on a case by case basis, as to

- Whether the existing overhead electrical infrastructure is fit for purpose.
- The feasibility to undertake the works.

Essential Energy gave no indication in their response that they had a strategy for undergrounding of their network, or that it was desirable for them to do so. A further email was sent to Essential Energy on 8 May 2020 specifically asking whether they have “a strategy for undergrounding of power lines in the MidCoast Council area”.

Essential Energy’s Head of Strategic Council Partnerships responded as follows: -

“Essential Energy is striving to put downward pressure on electricity prices for consumers, our investment in the network is based on providing appropriate reliability and managing risk at an acceptable level. It is cost prohibitive for Essential Energy to replace good quality overhead network with an underground solution.

In situations where council (or other 3rd parties) requests the overhead to be replaced with underground, the full cost is generally borne by the requestor”.

DISCUSSION

The resolution of the former Great Lakes Council in December 2005 for the undergrounding of powerlines, in conjunction with development applications, has not realised the result that was anticipated at the time of consideration.

With just the lowering of the low voltage wires and not the high voltage wires, the full benefit to the amenity of the development is not realised following the investment. Negotiation and revision of the relevant conditions based around the detailed requirements for each proposal is time consuming and costly.

The lack of a substantive strategy for undergrounding of powerlines either from Council or Essential Energy has led to an erosion of the application of the original resolution, and a strengthening of the developer’s argument for not undertaking these works. Essential Energy have noted that it is cost prohibitive to replace good quality overhead network with an underground solution, and as such all costs would go to the party requesting the undergrounding.

Whilst there are some aesthetics and safety benefits for the community for undergrounding of powerlines, the expected outcomes from this resolution have generally not been realised due to:

- The lack of a substantive strategy for undergrounding of powerlines either from Council or Essential Energy over time.
- Significant economic impact of the imposition on developments that is not commensurate with the value of the development.
- The practicability of undergrounding the overhead high voltage wiring across relatively short property frontages.
- The subsequent inconsistency in the application of the resolution to developments.

COMMUNITY IMPACTS

There will be an arguable loss of potential amenity and possible safety improvements within the urban precincts of Forster, Tuncurry, Tea Gardens and Hawks Nest as undergrounding of power will not be required by new developments.

RISK CONSIDERATION

Non frangible power poles that support the overhead electrical wires network will remain within the Urban Precincts of Forster, Tuncurry, Tea Gardens and Hawks Nest. Some of these power poles have some risk, though remote, of errant vehicles colliding with them. This needs to be weighed up with the lack of effectiveness to actually remove poles from the network.

RECOMMENDATION

That undergrounding of existing overhead power is no longer required as a condition of approval for redevelopment of infill sites, excluding subdivision and the development of rezoned land, within the urban precincts of Forster/Tuncurry and Tea Gardens/Hawks Nest as shown in the plans attached to resolution MIN No. 306 of the 13 December 2005 Ordinary Meeting of the former Great Lakes Council.

ANNEXURES:

A: Copy of 13 December 2005 Great Lakes Council Ordinary Meeting, Item D3 - Undergrounding Power in Urban Precincts.

ORDINARY MEETING

3296
13 DECEMBER 2005

Item: D3
Subject: Underground Power in Urban Precincts
Index: Roads – Overhead & Underground Utilities
Author: John Hulme – Transport/Development Engineer

SUMMARY OF REPORT:

Redevelopment in Council's major urban areas has given rise to issues relating to the placement of electricity cables underground.

SUMMARY OF RECOMMENDATION:

That, in conjunction with development applications, developers be required to replace overhead electricity cables with underground electricity cables in central urban precincts in Forster/Tuncurry and Tea Gardens/Hawks Nest as shown on the attached plans.

FINANCIAL/RESOURCE IMPLICATION:

Council may incur higher costs in future urban projects to underground electricity cables if it is not done with redevelopment.

Funding was sought in this years budget for Council's contribution to future projects.

POLICY IMPLICATIONS:

Council has no recorded policy regarding the placement of electricity cables underground, however there has been a long standing requirement in approvals for new urban subdivisions, that new electricity cables and telephone cables be placed underground. This requirement has been in place since the early 1980's.

Recently, Council staff have been imposing conditions of consent for undergrounding of electricity cables on redevelopment sites in central Forster.

LEGAL IMPLICATIONS:

The conditions of development consent are regulated by the Environmental Planning and Assessment Act and include consideration of provision of services to new development.

The Act requires consideration of safety and urban design when assessing development applications.

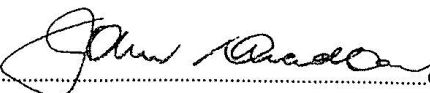
LIST OF ANNEXURES:

"A" – Locality Plans for underground electricity

REPORT

Recent requirements in development consents for undergrounding of electricity cables have been challenged by developers of major projects.

This is Page No. 14 of the Minutes of the ORDINARY Meeting of the Great Lakes Council held on 13 DECEMBER 2005, DIRECTOR ENGINEERING SERVICES REPORT

Page 19
Chairman

HISTORY

Undergrounding of electricity and telephone cables in new urban subdivisions has been a requirement of development consent for many years.

Council staff are now requiring undergrounding of existing aerial cables in urban redevelopment areas in Forster/Tuncurry and Tea Gardens/Hawks Nest.

Country Energy has agreed to these arrangements and in fact has commenced preparing its own strategy.

Advantages

As well as improving the streetscape, putting overhead cables underground will reduce power failures during storms, network maintenance costs, electrocution and injuries in car accidents with poles and general service failures.

Power failures affect buildings (lifts, doors etc), water pumps to high levels and sewer pumps, as well as industry and commerce.

Practice

Low Voltage Cables

Depending on electricity pole location relative to the site frontage, some lengths of cable will be able to be placed underground at the time of development. Where the pole location does not match the frontage, conduits can be placed while the site is disturbed and the developer can pay a contribution to the later relocation of the cables. Any developer will essentially be responsible for the cost of the adjustments on the site frontage. Services crossing roadways will need adjustments by under road boring.

High Voltage Cables

The developer will be required to place conduits underground for later use by Country Energy.

All arrangements and work will be in accordance with the requirements of Country Energy.

Comment: Director Planning & Environmental Services

The proposal to require underground power for new multistorey developments is supported. The improved safety, amenity and urban design outcomes far outweigh the costs associated with the proposal. Additionally, a planning nexus can be established that would allow the imposition of conditions requiring underground power.

Comment – Country Energy

Following discussions with staff from Country Energy, they have advised in writing that Country Energy is embarking on a long term plan to install electric cables underground in North Lane, Head Lane and Wallis Lane with a view to removing the existing overhead cables from the adjacent streets, being Head Street and Wallis Street.

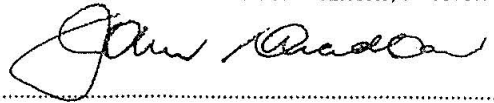


ORDINARY MEETING

RECOMMENDATION: DIRECTOR ENGINEERING SERVICES

That, in conjunction with development applications, developers be required to replace overhead electricity cables with underground electricity cables in central urban precincts in Forster/Tuncurry and Tea Gardens/Hawks Nest as shown on the attached plans.

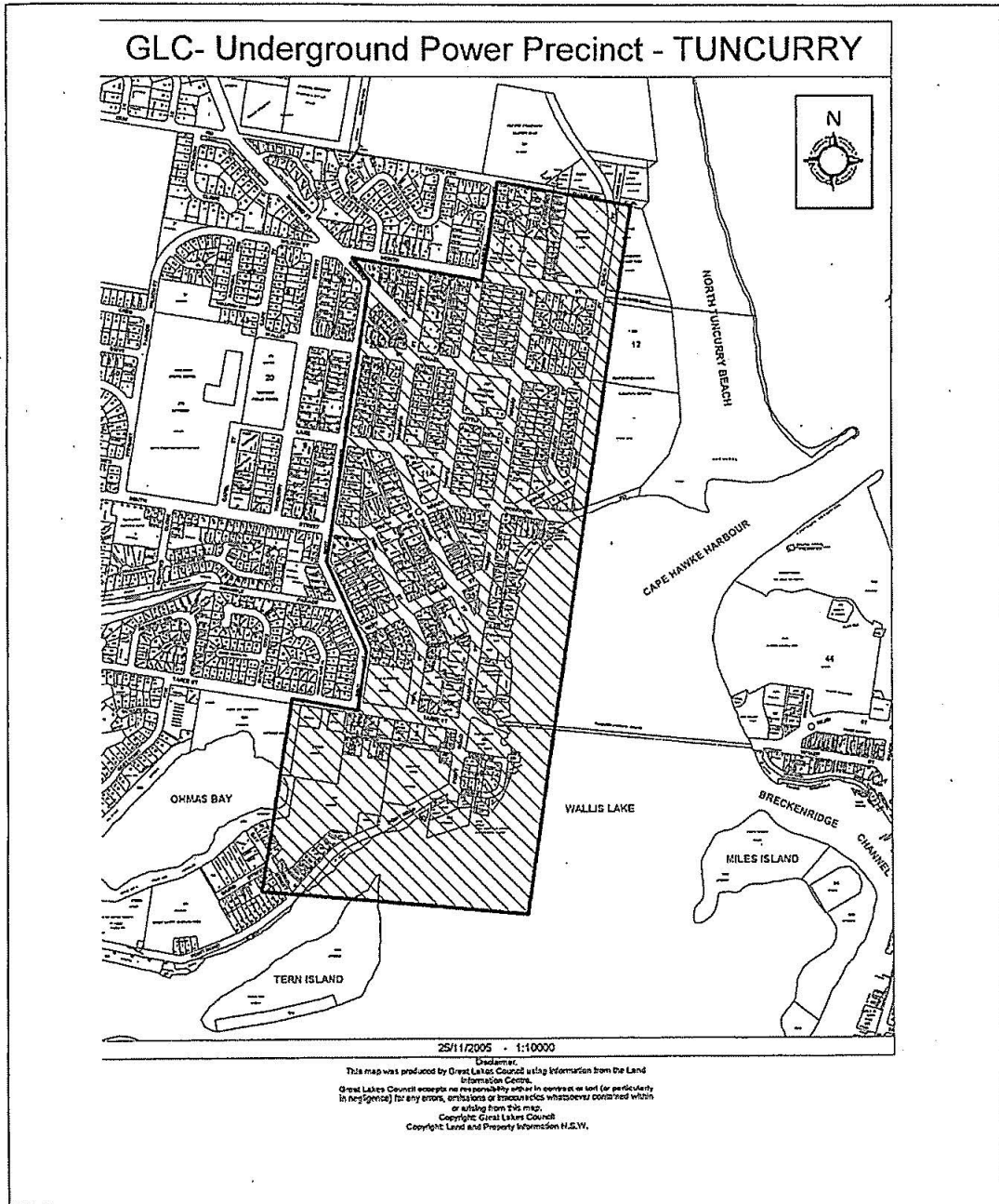
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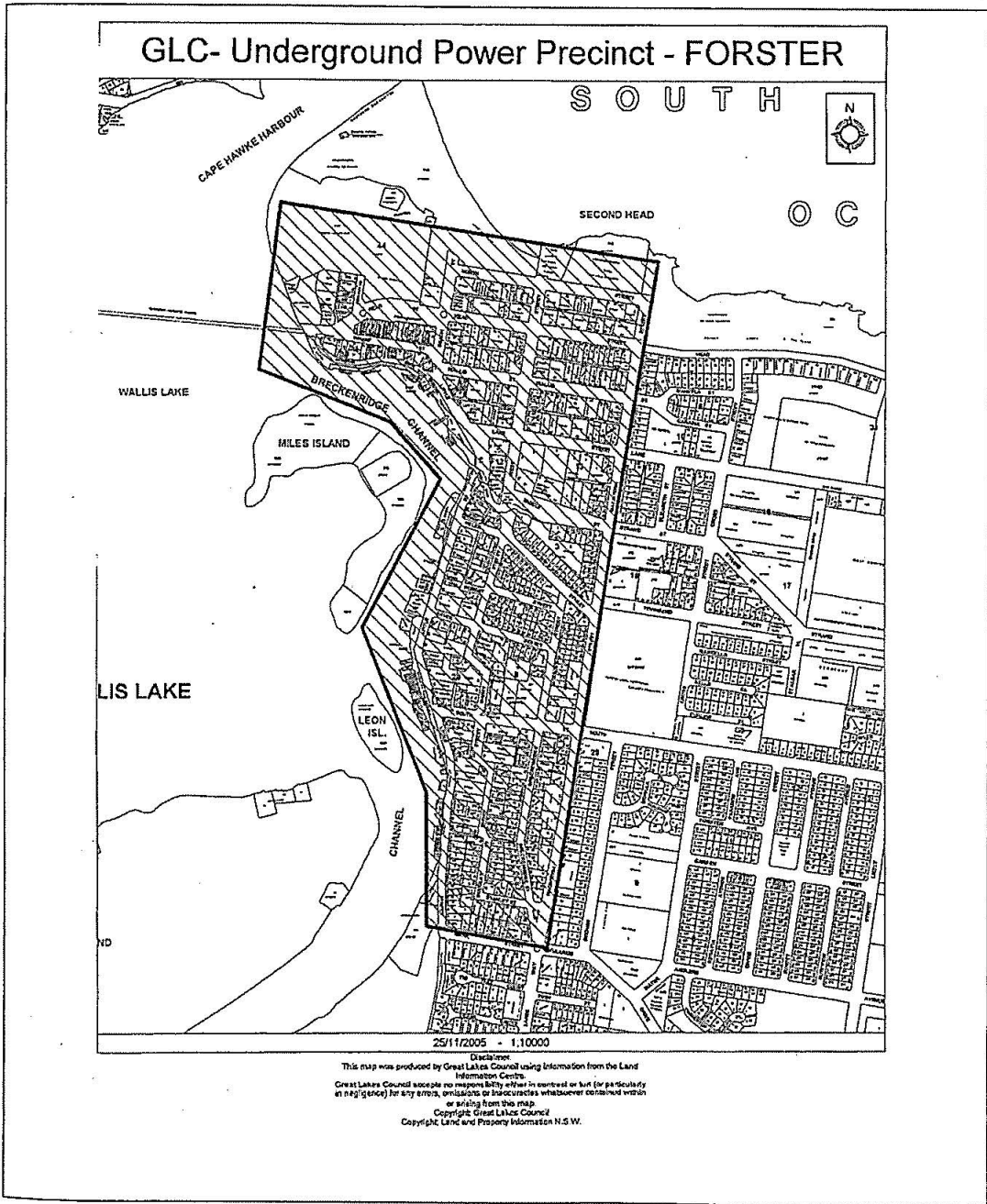


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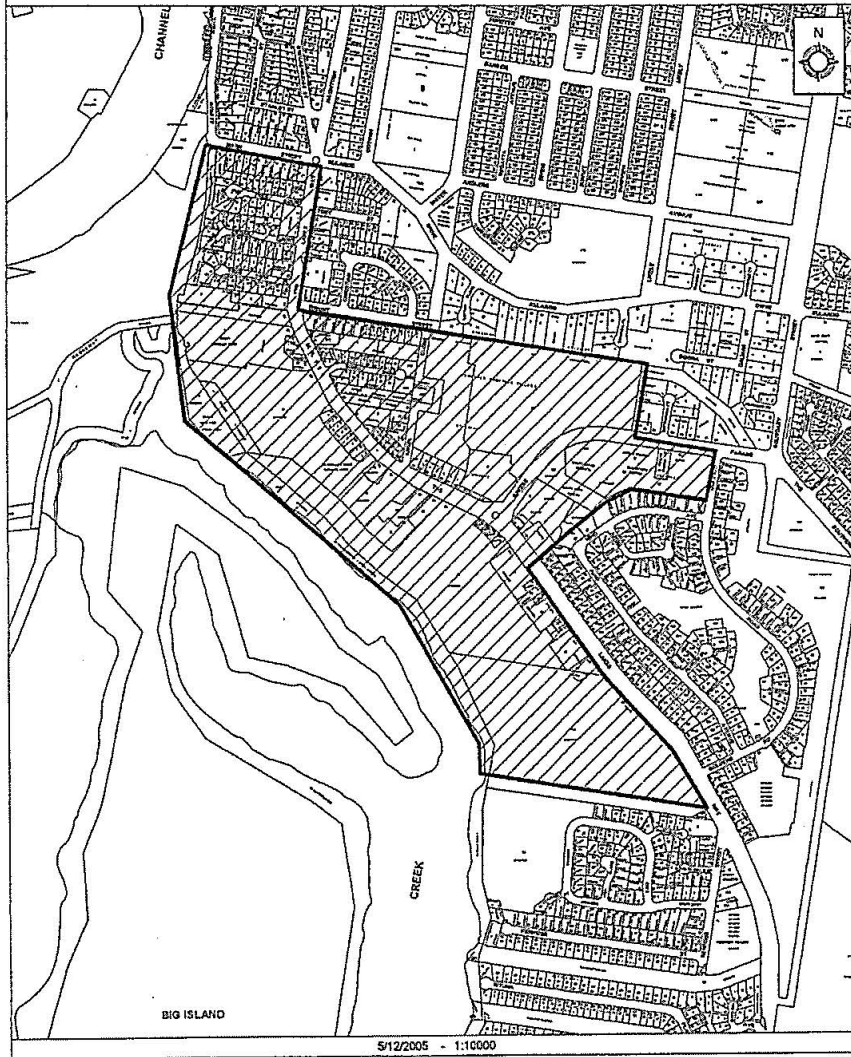
John Radford

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ANNEXURE A

GLC - Underground Power Precinct - FORSTER S.



5/12/2005 - 1:10000
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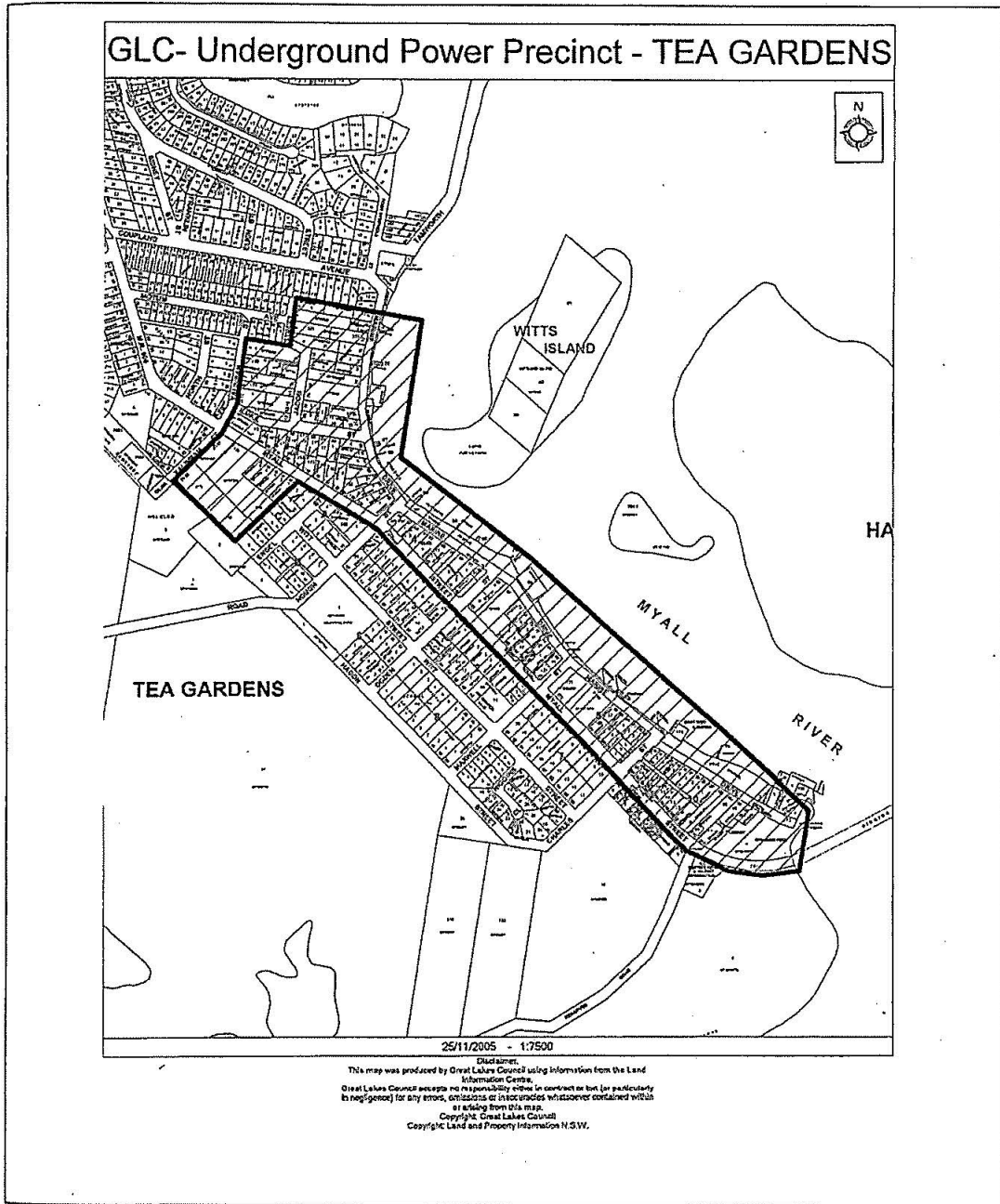
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John Braden

Chairman

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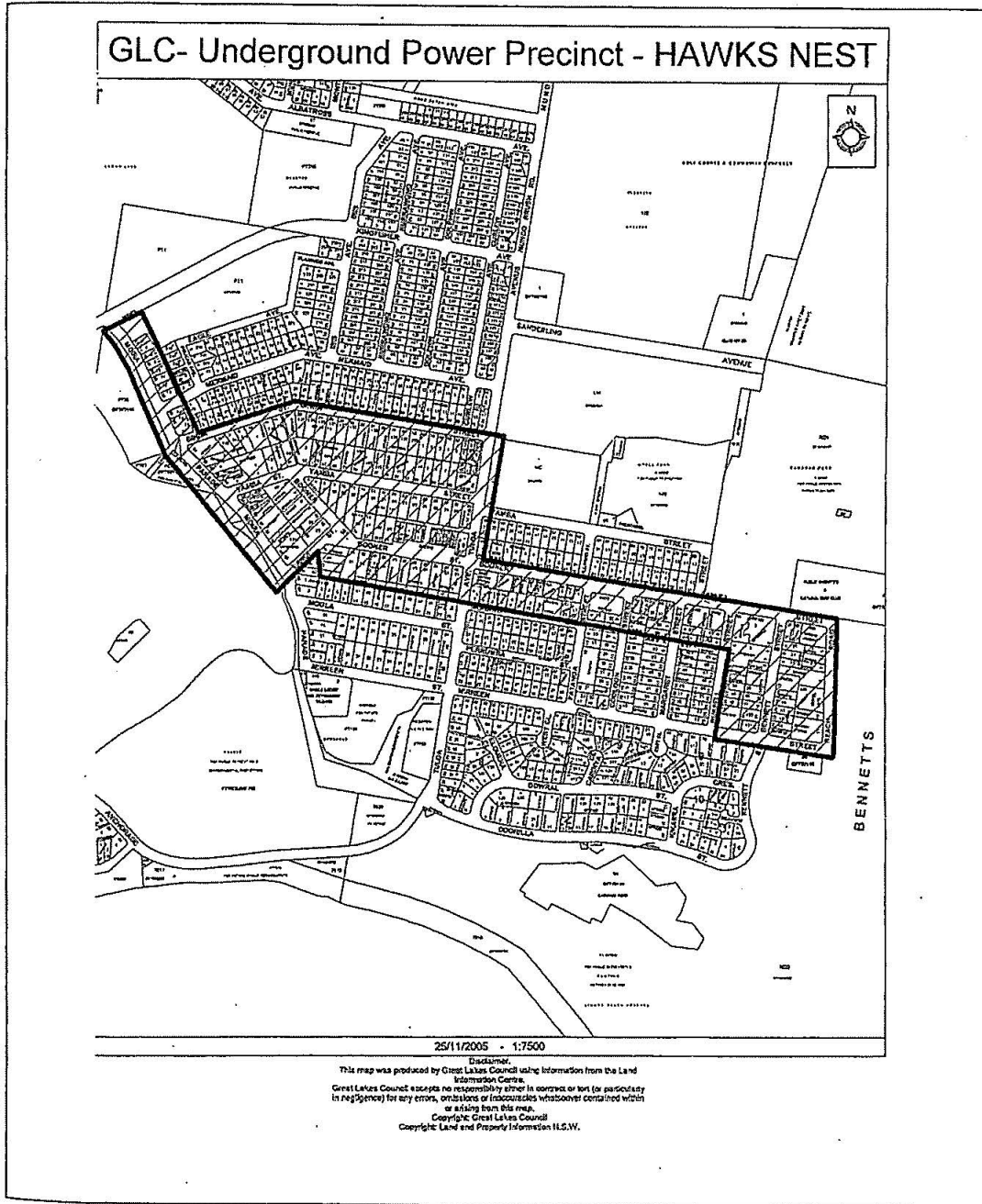
John Braden

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Chairman

ORDINARY MEETING

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John Radford
.....Chairman

22. TENDER FOR MOORAL AND SHEATHERS BRIDGE REPLACEMENTS

Report Author Matthew Richardson, Project Manager

File No. / ECM Index Summaries of Tenders; RFT 2020-21/11

Date of Meeting 28 July 2021

Authorising Director Robert Scott, Director Infrastructure and Engineering Services

SUMMARY OF REPORT

This report provides the outcome of the tender process conducted to select a contractor for the construction of Moorall and Sheathers bridge replacement works.

SUMMARY OF RECOMMENDATION

Award the contract for Moorall and Sheathers bridge replacement to Toisch Pty Ltd.

FINANCIAL/RESOURCE IMPLICATIONS

The Moorall bridge replacement is a natural disaster funded project from the February 2020 floods. Sheathers bridge replacement is part of the ongoing bridge replacement program. Transport Assets have used a risk assessment process to identify Sheathers bridge for replacement. Grant funding has been sourced from the State Government via the Fixing Country Bridges Replacement Program and co-funding is by general revenue.

Works under this contract assist with delivering Council's annual Capital Works Program. The award of this contract allows for commitment and expenditure of the allocated budget.

Project management of the Contract will be undertaken by MidCoast Council staff.

LEGAL IMPLICATIONS

This tender has been conducted in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

ATTACHMENTS

A: CONFIDENTIAL – Tender Evaluation Report

B: CONFIDENTIAL – Value for Money Graph

Attachments A and B have been classified as confidential and circulated to the Councillors and Senior Staff only. The Attachments have been classified as **CONFIDENTIAL** in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

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

Tender details, should they be revealed, may result in commercial disadvantage to parties involved in the tender process. Some information provided to Council by tenderers is provided on the basis that Council will treat it as commercial in confidence.

It is not in the public interest to reveal all details of these tenders or the assessment process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by Council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to Council's decision.

BACKGROUND

Tenders were called for Moorabool and Sheatherson bridge replacements, RFT TEN-PD-BG-C-1-20A; Contract 2020-21/11, on 7 June 2021 via the MidCoast Council VendorPanel portal. It later listed one hundred and five (105) companies as read. The pre-tender meeting was attended by ten (10) companies.

The contract is a fixed lump sum with monthly progress claims for budget control. The contract is for a period of five (5) months from 30 July 2021 until 30 December 2021.

Tenders closed on 6 July 2021. Seven (7) Tenders were received being from:

- Devcon Civil Pty Ltd
- GC Civil Pty Ltd
- MCS Civil Pty Ltd
- Quay Civil Pty Ltd
- Saunders Civilbuild Pty Ltd
- Toisch Pty Ltd
- Waeger Constructions Pty Ltd

DISCUSSION

Evaluation

The evaluation process was carried out by the Evaluation Committee which comprised members of Council's Project Delivery and Operations teams. The tenders were evaluated in accordance with the tender evaluation plan. These covered compliance, technical worth and pricing.

All tenderers advised that their submission complied fully with the requirements of the tender. Insurance compliance is reviewed and will be confirmed prior to signing the Contract.

Brief summary of each tender received (company profile and company capacity in terms of this tender):

Devcon Civil Pty Ltd

A Sydney based civil construction company with a sixty-year history. They have constructed a variety of civil works for numerous government and private clients including river, road and rail bridges.

GC Civil Pty Ltd

An Illawarra based company established fifty years with twelve (12) employees. Started in landscaping and diversified into civil projects thirty years ago. Provide design and construction services. Recent experience includes National Parks work, landslip remediation and noise walls.

MCS Civil Pty Ltd

A Sydney based labour and equipment hire company established 5 years, with 80 employees and now extending into civil construction works, with a footprint servicing most states of Australia.

Quay Civil Pty Ltd

A Sydney based company with twelve (12) employees experienced in reinforced concrete structures. Their recent experiences include pumping stations and wastewater treatment plants direct to councils and Tier 1 contractors.

Saunders Civilbuild Pty Ltd

Mid-sized Newcastle based firm established for over 50 years with extensive bridge replacement experience for councils in NSW. Has casting yard, 88 employees and all equipment required. Has very recently completed three (3) bridges for MidCoast Council being, Deep Ck, Browns Ck and McQueens Bridge on Rowley River. Has designed and is now constructing Cox, Little Tiri and Yarrat bridges for MidCoast Council.

Toisch Pty Ltd

A small company established 7 years, with 5 employees performing bridge replacements and similar works for councils on the Mid Coast, Hunter and northern regions of NSW.

Waeger Constructions Pty Ltd

Hunter Valley based company established 33 years with 42 employees providing bridge, precast and construction services. Has finished replacing two bridges for MidCoast Council being Kundles and Diamonds. Currently constructing Fairbairns and Parsons bridges for MidCoast Council.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The construction of these bridges forms part of the natural disaster recovery and infrastructure renewal program in the Capital Works Program of Council's Operations Plan.

TIMEFRAME

The period of contract is nominally 30 July 2021 to 30 December 2021. Notwithstanding extensions of time due to wet weather and other issues that may arise during the period of the contract.

BUDGET IMPLICATIONS

Mooral is fully funded from a grant claim resulting from the Natural Disaster Flood of February 2020. Sheathers is within the NSW State Government Fixing Country Bridge replacements program. This requires Council to fund ten (10) percent of the works. The required funding is available within the Capital Works Program.

RISK CONSIDERATION

In requiring the contractors to submit a detailed tender, Council has been able to review compliance with the design, specifications, schedule, methodology, WHS, Environment and Quality requirements associated with the works to be undertaken by the successful contractor. This evaluation has determined the tenderers are compliant with requirements. Council's Project Manager will manage the contract and Project Officer will be conducting regular site visits and inspections to verify schedule and conformance with industry standards.

RECOMMENDATION

1. The contract for Moorall and Sheathers bridge replacements be awarded to Toisch Pty Ltd, subject to a final check of insurance compliance and compliance with the Conditions of Contract
2. Authorise execution of the contract by the General Manager.

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23. WINGHAM CBD STREETSCAPE CONCEPT PLAN

Report Author Rhett Pattison, Manager Projects and Engineering
Date of Meeting 28 July 2021
Authorising Director Robert Scott, Director of Infrastructure & Engineering

SUMMARY OF REPORT

This report considers community feedback from the exhibition of the Draft Wingham CBD Streetscape Concept Plan and makes recommendations to include in an adopted Concept Plan.

SUMMARY OF RECOMMENDATION

Wingham CBD Streetscape Concept Plan be updated to reflect the recommendations included in this report and be endorsed by Council as the 'concept plan' to guide the detail design progress whilst providing more specific direction relative to the major issues of concern.

FINANCIAL/RESOURCE IMPLICATIONS

Design and construction of elements in line with an adopted Streetscape Concept Plan will be scheduled through Council's capital works program with funding by a combination of general revenue and grant schemes.

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

A: Engagement Outcomes Report
B: Draft Streetscape Concept Plan

Attachment A and B are publicly available on Council's website.

BACKGROUND

Beautification of the Wingham CBD has been on the wish list of the Wingham community for several years. Although plans had been developed more than a decade ago, there was a need to revise this work, as the context or scope of the work varied from the original plans. We also needed to ensure that the elements of the design met current standards and the needs of the community.

Following Community Conversations held in 2019 when the community again identified the CBD as an area they would like to see improved, we set about delivering a CBD streetscape planning project to address this concern and improve the central business district of Wingham. Major road refurbishment was already planned for several streets in and around the Wingham CBD and there was an opportunity to expand this work to deliver streetscaping improvements as well.

The announcement of funding of \$1 million, from the Australian Government's Local Roads and Community Infrastructure Program and Financial Assistance Grant Program has boosted the program's budget to around \$3 million to assist in becoming a reality sooner rather than later for the Wingham community.

Council engaged a landscape architect to prepare a concept plan for proposed works to beautify and revitalise the CBD area and improve traffic flows and pedestrian accessibility within the zone. This phase included two facilitated workshop sessions with single representatives from the identified key community stakeholders to refine inputs into the plan. The concept plan was presented for public consultation for an extended period, from 7 December 2020 until 5 February 2021 and community members and stakeholders were widely consulted.

From there, a draft CBD streetscape concept plan was produced based on what the community had told us in this first consultation. As a final check in, a second round of community engagement was held to ensure the plans reflected the community's preferences. This consultation was aiming for a more focussed feedback from the community – to check in that the draft plans did reflect what we had learnt from the first consultation and secondly, that nothing had been missed.

Exhibition (consultation) kicked off with first of two pop-ups outside of Bent on Food on 30 April 2021 and closed 27 May 2021.

Engagement methods utilised during the exhibition period are summarised in table below.

Face-to-face engagement	Online and electronic engagement	Communications
2 pop-ups on site with approximately 35 people attending	138 participated in online survey	300+ flyers distributed
1 workshop with 13 key stakeholders attending	1,276 visitors to Have your say page on Council's website	2 stories covered in Print, radio and television
11 one on one meetings with key stakeholders	17,562 people reached on 3 Facebook posts	Submissions
	90 emails to key stakeholders	20 submissions received on time
		7 late email submissions received

Whilst the concept plan was on exhibition (and after the exhibition period had finished), concerns arose from members of the community where the content of the concept plans was interpreted as the implied final design detail. On some elements, this assumption was well ahead of where the project was up to and the concerns could be addressed during the detailed design stage. On other elements, the level of concern and support resulted in two petitions being submitted in addition to a number of additional written submissions. These are addressed in the discussion below.

DISCUSSION

During the exhibition period, a survey was available to assist with collecting feedback. The Engagement Outcomes Report attached in Attachment A contains details of responses, but a summary of results is included below:

Endorsement of plan:

Did the streetscape concept plan reflect the first consultation results – 36 (of 124 respondents) answered that the plan does not reflect what the community asked for in the previous consultation.

- 68 respondents made comments regarding the tiered wall at the Isabella St and Central Park interface, 39 of which said do not remove the water gums or grevilleas.
- 3 people said that the light poles should reflect heritage nature of the town.
- 11 people said that parking was important.
- 3 people said they want the same footpath style as already sampled in some areas of Wingham CBD
- 2 people said there was not enough detail on footpath options.
- 3 people expressed disappointment that the peanut style was the community's preferred option.
- 4 people were in support of central trees
- 3 people were concerned about the choice of species.
- 5 people wanted more emphasis on heritage in the designs.

General sentiment:

A total of 38% felt either that the plan was excellent and would be good for business and the community, or that it was a reasonable beautification of the CBD streets. A majority (62%) expressed that they were not in favour of some or all of the draft masterplan with negative comments regarding Central Park wall, light poles, parking, footpaths, Bent & Farquhar St intersection, heritage. Without further probing, it is difficult to ascertain the level to which these respondents were not in support of the plan or the specific nature of their concerns.

Summary of Engagement Outcomes Report:

Most elements of the CBD streetscape concept plan have been endorsed by this consultation, or the first consultation results. There are a few elements that received significant attention from participants.

Aside from the formal survey responses, Council received 20 submissions during the exhibition period and 7 late submissions. Of the 27 submissions, the following issues were raised:

- Retain trees on Isabella St / Central Park wall interface – raised in 14 submissions
- Do not construct bare tiered brick wall to Central Park - raised in 7 submissions
- Ensure light poles are heritage style – raised in 4 submissions
- Farquhar / Bent St intersection should be Offset T, NOT peanut – raised in 2 submissions
- Footpath material, plain concrete with Lincoln brick banding – 1 submission
- Rotary clock to stay – 1 submission
- Maintain mosaic artwork on Central Park wall – 1 submission
- Street furniture, signage, public art, needs to consider heritage – 1 submission
- Don't reduce car parking spaces – 1 submission
- Introduce 2 hour parking – 1 submission
- No to coloured asphalt treatment at intersections – 1 submission
- Solar panels on McCullagh carpark shade structure – 1 submission

There have also been public representations post the compilation of the Engagement Outcomes Report. One with an objection to peanut roundabout due to perception that it is not in keeping with heritage values of surrounds. The second with concerns over the Weeping Lilly Pilly street tree with suggestions of suitable alternatives.

Two petitions have also been received with a large number of signatures.

Petition 1 (~1490 Signatures) – opposed removal of 22 water gum trees and 34 Robyn Gordon grevillias currently growing on the Isabella St frontage of the Wingham park. “We oppose the installation of the brick stepped wall”.

Petition 2 (~2050 Signatures) – request MidCoast Council install:

1. Heritage style street lights in Isabella and Bent St CBD, like that in Victoria St CBD Taree
2. Heritage style seating in Isabella and Bent St (locally made)
3. Solar panels on the McCullagh car park roof to power the lights in the carpark
4. An Offset T or doughnut roundabout (as elsewhere in Wingham), at Farquhar and Bent St NOT a peanut
5. We request that there be no reduction to any pavement or verge edges of Bent St and the above intersection.
6. We request Council retain trees, shrubs and plants adjacent to north and west walls of Central Park.
7. We request Council to NOT install brick wall for seating anywhere in Wingham CBD
8. We request Council retain the Heritage clock in Isabella St
9. We request Council adopt a Heritage style flared step design for the entrance(s) to Central Park, with the removal of only one tree and a minimum of shrubs and grasses.

The following elements are of most concern to people when developing final plans and progressing the CBD project.

Central Park Wall

The first engagement survey had a total of 212 responses, and 86% of respondents were in favour of the stepped wall concept. With further detail provided for exhibition and greater interest, the community through this second consultation, has very clearly and consistently called for retaining existing plantings, the corner pergolas and the mosaics. A large number of responses questioned the purpose or benefit of having a tiered wall to Central Park at all. Particularly given that the trees and shrubs planted about 10 years ago have just established to a point where the concrete wall is hidden and a natural safety barrier to prevent falling from the wall is now established.

Heritage

People strongly feel that the heritage character and charm of Wingham’s CBD area should be preserved. While many elements are outside of Council’s control (such as private property awnings and facades), and keeping in mind that existing development in the CBD area is a mixture of styles and eras, people want the core elements of the CBD masterplan to retain a heritage feel. Some elements are inherently modern and allow Wingham to function as an effective business centre – for example the incorporation of on-street parking and providing disability access to businesses. Largely these modern approaches can be implemented without detracting from the inherent heritage value of the area.

There was some comment about whether smart poles would be in keeping with the character of the street. If included in the plan, people want them to be incorporated subtly so they do not visually impinge on heritage parts of the CBD. The concept plans specified a multipole option in a dark colour to minimise the visual impact. These multipoles have a flexible channel system that allows for a range of arm and light fitting configurations as well as signage, banners and mounts for other devices (such as wi-fi, 5G or CCTV). We are confident that new lighting can be specified to enhance the streetscape more than the current lighting that is in place.

In designing intersection road treatments, people want Council to consider some options that are more in keeping with a heritage feel for the CBD and don't consider coloured pavement as that.

Parking

Parking remains a significant concern for many people, mostly, but not confined to, availability in the CBD area. While many people commended the McCullagh Lane car park improvements and laneway connection to the CBD that is already underway, some felt that further off-main street car parks should be developed.

Recognising that elderly people and those living with a disability need to park close to businesses, the key stakeholder workshop identified that placing a restricted time limit of two or three hours for on-street parking, would ensure that business and CBD workers would park in the off-CBD locations and take a short walk to work. This would increase car park turnover in the main street and provide more spaces each day for customers.

This view was expressed and supported by others via the survey and in other submissions.

Street trees

Overwhelmingly, there is support for the inclusion of mature street trees in the centre of Wingham's CBD streets. This would restore traditional plantings that were removed around 100 years ago – restoring the heritage character that people value. This consultation did not raise significant objection (less than 10 comments) on the choice of tree made by the people in the first consultation – for Weeping Lilly Pilly. The Weeping Lilly Pilly is an established and well used ornamental tree that is available in advanced sizes. It is native from Dungog to Northern Queensland, typically growing along streams. It was adopted for the concept plan from feedback in the initial consultation.

However, in the late stages of this consultation, and after consultation ended, some people questioned whether the fruit drop from the trees would constitute a safety (slip) hazard or be annoying for vehicle owners. Questions were raised about whether flying foxes would be attracted to the trees,. The engagement team did consult with a local resident who is a tree expert at various stages during the consultation, and after its conclusion, to establish if any better alternatives for mature tree plantings could be found.

Bent and Farquhar Streets intersection

The first concepts for upgrading this intersection go back to 2003. The investigation identified a range of concept options and had settled on the peanut style. It has been raised as a major priority for the community and in 2019 Council had committed to delivering improvements to the intersection as part of the Farquhar Street works that are in progress.

General community sentiment endorsed the original community feedback for the peanut style intersection treatment. However, the museum as a key stakeholder, was not in favour of the peanut option, preferring an offset T-intersection instead. In a one-on-one consultation, a

museum representative said the main concern was disruption to the museum's operations while construction of the peanut intersection was underway. A further written submission raised concerns regarding the impacts of proposed landscaping for the peanut would have on heritage aspects of the museum building.

CONCLUSIONS & RECOMMENDATION TO ALLOW PROGRESS

Whilst there was a fair level of concern in some elements of the plans, there appeared to be widespread support for the overall intention to refurbish the existing tired or worn public infrastructure with new materials in a way that captures and enhances the appeal of Wingham. Therefore, it is recommended that further detailed design work proceed generally with more consideration and investigation of the major issues raised in the last consultation. This will allow progress whilst giving more of an opportunity for us to get the detail right.

Central Park Wall

Significant feedback has been received objecting to removal of plants adjacent to Central Park retaining walls and also to the proposed tiered wall interface. The feedback is considered to represent the general sentiment of the Wingham Community. It also suggests a good compromise would be possible with widening of the existing stair units in a flared or tapered way. This could be designed to reflect the heritage value of the area and minimise vegetation removal whilst improving connectivity and access between the streetscape and the park.

Recommendation – remove tiered interface from the concept plan, leaving the existing wall (including mosaic) and vegetation in place. This would result in acceptance of the current footpath width in front of the wall unless the kerb can be shifted (road narrowed) to provide additional footpath width.

Note - Detail design of Central Park interface to both Isabella & Bent Streets can be considered with the Central Park masterplan process.

Heritage

The Wingham community have strong views that the heritage character and charm of Wingham's CBD area should be preserved. While many elements are outside of Council's control, such as private property awnings and facades, people want the core elements of the streetscape concept plan to retain a heritage feel and country town charm.

Recommendation – adopt as a premise that all design elements be sympathetic with heritage character and country town charm whilst not detracting from the inherent value of Wingham. It is important to recognise that there is a difference between what is sympathetic and true heritage and to avoid outcomes that are not authentic.

Note – In detail design, the light pole selection should incorporate a style that suits Wingham's heritage character. The specification is to include input of heritage adviser and key stakeholders. The same consideration should be provided for street furniture and signage.

Parking

Parking remains a concern and any reduction in car spaces is seen by many as a problem. However, many of these people also recognise a need for shade trees in the street. Of common concern is that elderly people and those living with a disability need to park close to the businesses they are attending. On the positive side the work being conducted in the McCullagh Lane car park and connection to Isabella Street received very positive feedback.

Recommendation – investigate option to trial 2 hour timed parking in high use areas of Isabella Street between Bent & Primrose Streets and refer that to the Local Traffic Committee. Noting that McCullagh carpark has been significantly improved, we also need to develop a regular program to monitor car parking in the future. This would enable us to consider projects that expand the available alternative all day parking on Council owned land adjacent Worthing Lane or around the fringe of the CBD if the data shows a significant increase in parking demand.

Note – in the detail design, investigate engineering solutions to provide appropriate size planting vault for trees in centre of road, without occupying such a large area from parking.

Street Trees

The exhibited proposal recommended the Weeping Lilly Pilly (*Waterhousea Foribunda*) for the central road plantings. This tree is an established and popular feature tree. However, in the recent consultation, some people questioned whether the fruit drop from the trees would constitute a slip hazard and whether flying foxes would be attracted to the trees. Although initial investigations have not identified these factors as being issues, we should not rule out the possibility of there being a more suitable tree type.

One of the main factors in selecting the Weeping Lilly Pilly was its availability in a large size, 3 to 4 meters tall. Suggestions of alternatives have been made from the community, however these would come with a compromise to available size, perhaps requiring growing out for 3 to 4 years to be a suitable size for public planting. Further investigation is necessary to confirm what alternatives are available in suitable advanced sizes for planting.

Recommendation – consider alternative suggestions of Red Cedar and Blush Tulip Oak (aka Black Booyong). Further discussion required with key stakeholders to determine best choice that tries to balance all of the objectives – robustness, cost, availability, size, coverage, fruit etc.

Bent and Farquhar Intersection

Throughout the consultation the two options, a T intersection or a roundabout were widely discussed. Typically, the roundabout was seen as a better traffic option, the T intersection better for pedestrians getting to places like the museum.

At the two initial workshops for the refinement of the initial concepts, there was strong support for the T intersection. However, the first wider community engagement outcomes appeared to favour the peanut shaped roundabout. As that was what had been developed over several previous rounds of investigation and consultation it was adopted for the final draft plans. Our landscape architect did initially recommend the T intersection as being a better option for pedestrian access and more in keeping with the heritage aspect. Recent meetings with representatives of the Museum and the Wingham Advancement Group strongly supported the T intersection. Another business directly adjacent this intersection also preferred the T intersection.

It would appear that the survey result from the first round of consultation (favouring the peanut roundabout), reflected the community's desire for a traffic flow solution potentially as an unconscious bias over greater amenity and pedestrian access. This intersection is not considered high traffic; it is the expanse of the intersection coupled with poor sight lines that creates confusion and safety risk. Either option is valid to improve safety.

Further consideration during the exhibition period has raised concerns with key stakeholders directly adjacent this intersection. It has also had many people reinforce the message that this streetscape plan needs to enhance the heritage value of Wingham CBD and an expression that the 'odd' shaped roundabout fails to do this.

Recommendation – update the concept plan and proceed with the offset T intersection, with appropriate landscaping treatment to mitigate the potential impacts on the heritage listed museum building.

Footpath Style

Several submissions raised the proposed paving as a concern. The plans indicated exposed aggregate with a paver (Lincoln Bricks) as a border. Whilst the colour of the aggregate is yet to be determined, the perception was that it was similar to nearby coastal locations.

Exposed aggregate can come in a range of colours with one of the most important factors being the availability of the same or very similar aggregates over time.

When replacing footpaths, it is expected that wherever possible the new footpath will comply with modern standards for disabled access. Across numerous shop frontages, small steps exist forming a barrier against access to the building for less mobile members of the community. The expectation is that we would resolve these issues where it is reasonably practical. We will not be able to resolve all access issues, particular where there is an impact on the serviceability of the building or the presence of multiple steps making it impractical.

There are really only 3 options when looking at paving, large format pavers (honed concrete), exposed aggregate or plain finished concrete (coloured or natural). Retaining clay pavers over large areas is not recommended due to the potential for the paver to pose slip/trip hazards. Large format pavers are not recommended due to the high cost per square metre. Either exposed aggregate or plain/coloured concrete are options together with various border configurations.

Recommendation - Proceed to prepare test panels for stakeholder selection. Panels to consider combinations of Lincoln paver border, concrete infill alternatives (exposed aggregate or plain/coloured concrete), all concrete option, stamped coloured concrete, convict brick border and/or cobble style border.

Rotary Clock

Concerns were raised as the plans did not show anything in relation to the Rotary Clock. It is proposed to retain the clock in its current prominent position and enhance it with better surrounding street scaping. There is ample provision for this on the concept plans and the plans will be revised to include a note in this regard.

There is also an opportunity to work with Rotary to refurbish existing clock and bring it up to practically new condition.

Coloured Road Surface for Intersections

It was proposed to delineate the intersections with a coloured road surface. This was intended to raise awareness of users to the higher risks around intersections. There are other less obvious ways to achieve this objective ranging from patterned asphalt to dark coloured concrete.

Recommendation - Remove the coloured road surface treatment proposed at intersections and investigate alternatives for delineation in a manner that is more sympathetic to the heritage of the area.

Solar Panels for McCullagh carpark Shade Structure

There were calls to implement solar power as part of the revamped shade structure in McCullagh Lane carpark.

The shade structure being built in McCullagh carpark is not the same as the one that was previously installed. It does have shade cloth but is a style incorporated at many other public car parks. Largely the structure has been installed with the priority to simply reinstate something similar to what was there. It had been a specific priority for the community for several years. Upgrading the installation to incorporate solar panels is considered to be a separate project in itself and could be a subject for separate grant application.

CONSULTATION

Refer attachment A – Engagement Outcomes Report

COMMUNITY IMPACTS

The outcome of adopting the Streetscape Concept Plan provides a road map to what the final design and construction will look like. The look and feel of the streetscape created will have a great impact on the Wingham Community. Although it is impossible to please everyone in a project like this, the intent of the engagement process undertaken, and the recommendation of this report is to capture what we have learnt from all of the feedback we have received and allow us to build it into final design plans that reflect the general sentiment of the Wingham Community.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

Strategy 9.4.1 Incorporate streetscape considerations in road designs

TIMEFRAME

One of the first items identified in this streetscape plan to be implemented is the intersection of Bent St and Farquhar St. This intersection is in the Capital Works Program to be delivered in the current financial year and we have previously committed to its completion. Other elements are funded to be designed and delivered in the next two years. Some elements are currently not funded and will require additional grant funding to be sourced or supplementary funding to be identified.

BUDGET IMPLICATIONS

Works related to the streetscape plan will be funded through the current allocation for road renewal together with the current grant funding. Further funding is required to complete all elements identified in the plan.

RISK CONSIDERATION

Design risks will be addressed through detail design. Reputational risk exists if we don't prepare a plan that represents general Wingham sentiment.

RECOMMENDATION

It is recommended that

1. The Wingham CBD Streetscape Concept Plan be updated to reflect the report and be endorsed as the 'concept plan' to guide the detail design process.
 2. More specific detail be developed in consultation with the respective key stakeholders (primary submissions) to provide specific direction on the following issues of concern;
 - a. *Central Park Wall* - remove the proposed tiered wall interface to Central Park along Isabella Street and Bent Street frontages. Retain the existing retaining wall and vegetation. Consider a widened, flared heritage style stepped access to Central Park as part of the Central Park masterplan process.
 - b. *Heritage* – adopt a premise that all design elements be sympathetic with heritage character and Wingham’s country town charm. Investigate an appropriate light fitting and arms style together with a lighting design to ensure that both the aesthetics of the look and the function of the lights meets our needs.
 - c. *Parking* – investigate the option to trial timed parking limits in high use areas of Isabella Street between Bent & Primrose Streets and refer that to the Local Traffic Committee. Monitor parking with a view to expand all day parking on Council land adjacent Worthing Lane or around the fringe of the CBD if parking gets unmanageable.
 - d. *Street Trees* – undertake further discussion with key stakeholders’ alternative suggestions of Black Booyong and Red Cedar with the objective to balance species suitability - robustness, cost, availability, size, coverage, fruit and any other relevant details in the final selection.
 - e. *Bent St & Farquhar St Intersection* – proceed with the offset T intersection.
 - f. *Footpath Style* – proceed to construct test panels for consideration of key stakeholders.
 - g. *Rotary Clock* – to be maintained in prominent position and enhanced by streetscaping.
 - h. *Coloured Road Surfaces at Intersections* – remove the coloured road surface treatment and investigate alternatives that delineate the intersection yet are more sympathetic to heritage style.
 3. Report the results of the detailed design for streetscaping, as well as the outcomes of the issues identified for further consideration with the key stakeholders, to a future meeting for approval once complete.
-

24. CIVIL CONSULTANTS PANEL

Report Author Greg Blaze, Coordinator Project Delivery - Transport
File No. / ECM Index Summaries of Tenders, TEN-PE-DESIGN-17A
Date of Meeting 28 July 2021
Authorising Director Robert Scott, Director Infrastructure and Engineering

SUMMARY OF REPORT

This report is to consider the addition of seventeen consultants to the existing Civil Consultants Panel that was initiated in July 2017.

SUMMARY OF RECOMMENDATION

Addition of the following consultants to the panel:

- ADG Engineers (Aust) Pty Ltd
- BMR Consulting Pty Ltd
- BTE Consulting Pty Ltd
- Nambucca Engineering Pty Ltd
- Consulting Earth Scientists Pty Ltd
- Coote Burchills Engineering Pty Ltd
- Decentralised Water Australia Pty Ltd
- Durkin Construction Pty Ltd
- Indesco Pty Ltd
- Katestone Environmental Pty Ltd
- Niland Engineering Pty Ltd
- Premier Engineering & Project Management Planning Pty Ltd
- SMH Consulting Engineers
- SLR Consulting Australia Pty Ltd
- Stantec Australia Pty Ltd
- Tetra Tech Coffey Pty Ltd
- Wolfpeak Pty Ltd

FINANCIAL/RESOURCE IMPLICATIONS

The Panel established by this tender supplements the capacity of Council's Project Development Team who are tasked with investigation and design of projects in the Capital Works Program. The capacity of the Project Development Team alone will not meet the demands of the 5-year Capital Works Program. The costs of work done through consultants is funded by the Capital Works Program.

LEGAL IMPLICATIONS

This tender has been conducted in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

Consultants placed upon the panel will be offered a Standing Offer Notice (SON). The NSW State Government definition of a SON is:

A 'standing offer notice' or SON is a notice to advise the community, the government sector, industry and other interested parties of the establishment of a future arrangement between a Government entity and a private entity. A 'standing offer' is not a contract. A standing offer is an offer from a potential supplier or suppliers to provide goods and/or services within a pre-arranged pricing framework, under set terms and conditions, when and if required. No contract exists until the Government issues an order or "call-up" against the standing offer, and there is no actual obligation by Council to purchase until that time.

Consultants for small ad-hoc works (e.g. advice over the phone, brief site visits) will be engaged using Council's Terms & Conditions. For all other work performed, we will establish a contract using AS4122 General Conditions of Contract for Consultants. The tender documentation clearly sets out the operation of the panel.

The SON does not detail any specific work to be delivered under the panel, nor does it guarantee any work to the consultant. Each works project is conducted as a separate contract with the definition of the work required being within the scope of the original Request For Tender (RFT). This enables works of a value above the tender threshold to be undertaken without going back out to tender. The use of this panel is reported in the monthly capital works report to Council. This improves efficiencies and productivity.

Works projects are initiated by a Request For Quotation (RFQ) process to provide a current market test. Consultants who have been placed upon the sub-panel relevant for the works project are notified to participate in the RFQ process. The successful consultant is selected using value for money principles that are usually demonstrated in our formal tender assessments.

BACKGROUND

Council's forward expenditure on consultants in 2017 identified that tender limits specified in the Local Government Act 1993 and the Local Government (General) Regulation 2005 would be exceeded regularly as part of delivering the program. As such, tendering for consultancy services would be required to meet the requirements of the legislation.

Council can engage the services of consultants from a panel established by Local Government Procurement (LGP) that would comply with the legislation, however several local consultants utilised by MidCoast Council are not found on this panel. Council's procurement policy includes consideration of supporting the local business community.

The panel was established by Council at its meeting on 26 July 2017. It was established for a period of 3 years with the option of two 12-month extensions. Thus, this panel is entering the last 12-month extension option. In recognition that new consultants may establish operations in the area during the operation of the panel, Council committed to advertise yearly to add additional consultants to the panel. Advertising has subsequently taken place in May 2018, May 2019, May 2020 and in June 2021.

Tenders closed on 1 July 2021, with 17 new consultants making submissions. Tenders received were from:

- ADG Engineers (Aust) Pty Ltd
- BMR Consulting Pty Ltd
- BTE Consulting Pty Ltd
- Nambucca Engineering Pty Ltd

- Consulting Earth Scientists Pty Ltd
- Coote Burchills Engineering Pty Ltd
- Decentralised Water Australia Pty Ltd
- Durkin Construction Pty Ltd
- Indesco Pty Ltd
- Katestone Environmental Pty Ltd
- Niland Engineering Pty Ltd
- Premier Engineering & Project Management Planning Pty Ltd
- SMH Consulting Engineers
- SLR Consulting Australia Pty Ltd
- Stantec Australia Pty Ltd
- Tetra Tech Coffey Pty Ltd
- Wolfpeak Pty Ltd

DISCUSSION

Tender Process:

Tenders were advertised on TenderLink (Council's online tendering portal) and Council's website.

A total of 81 companies downloaded the tender documents. At the close of tenders on 1 July 2021, responses were received from 19 companies.

Compliance:

One of these companies, JJ Ryan Consulting Pty Ltd, are already on the panel and will be notified of this fact.

A submission was also received from Total Drain Cleaning Services Pty Ltd, however the services they provide are not within the scope of this panel. Total Drain Cleaning Services Pty Ltd are currently listed as a supplier on Council's Minor Civil Works Panel, being the more relevant panel for the services they can provide. They have since been notified of this fact.

Several companies in their submissions, identified that they partially don't comply with the Conditions of Tendering and/or Conditions of Contract. These issues relate to two areas, level of current insurance coverage and level of liability. Our intent is to place all of the consultants on the panel. When one of the consultants, who has been identified as having a level of non-compliance, is identified as preferred for a specific job, we will negotiate with that consultant a resolution. If a resolution is not possible, we will proceed to the next preferred contractor for that job.

CONSULTATION

Council's procurement team have also been consulted during the tendering process to ensure compliance with legislation and our policies and procedures.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

The panel contract assists with enabling delivery of the capital works program.

BUDGET IMPLICATIONS

Contractors will be engaged on a project by project basis, with each project funded within that year's Capital Works Program.

RECOMMENDATION

A Standing Offer Notice be made to a panel of contractors for the period 1 August 2021 to 31 July 2022 with the following companies to be added onto the panel:

- ADG Engineers (Aust) Pty Ltd
- BMR Consulting Pty Ltd
- BTE Consulting Pty Ltd
- Nambucca Engineering Pty Ltd
- Consulting Earth Scientists Pty Ltd
- Coote Burchills Engineering Pty Ltd
- Decentralised Water Australia Pty Ltd
- Durkin Construction Pty Ltd
- Indesco Pty Ltd
- Katestone Environmental Pty Ltd
- Niland Engineering Pty Ltd
- Premier Engineering & Project Management Planning Pty Ltd
- SMH Consulting Engineers
- SLR Consulting Australia Pty Ltd
- Stantec Australia Pty Ltd
- Tetra Tech Coffey Pty Ltd
- Wolfpeak Pty Ltd

25. WATER CONDITIONS OF GLOUCESTER WATER SUPPLY SYSTEM

Report Author **Chenxi Zeng, Manager of Water Management and Treatment**
Date of Meeting **28 July 2021**
Authorising Director **Robert Scott, Director Infrastructure and Engineering**

SUMMARY OF REPORT

The purpose of this report is to review the water conditions and potential copper water pipe corrosion within the Gloucester water supply scheme.

SUMMARY OF RECOMMENDATION

That the information be noted and further investigation be undertaken into the option and costs to provide greater water conditioning in the Gloucester Water Supply System.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

There are no legislative requirements on water corrosivity in Australia Drinking Water Guideline (ADWG). Adopting the action proposed in the recommendation is beyond the legislation requirements.

ATTACHMENTS

- A: MidCoast Council Gloucester WTP Water Stability Study
- B: Treatment Plant Operation

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

BACKGROUND

The Gloucester water supply scheme services the towns of Gloucester and Barrington. The raw water sourced from the Barrington River, approximately 100m upstream of the junction with the Gloucester River, is treated at Gloucester Water Treatment Plant (WTP) and then pumped out into the distribution system.

The WTP is a conventional treatment plant and had a major upgrade in the 1980s. Since 2016, replacement and renewal of aged mechanical valves, chemical dosing system and electrical equipment has been undertaken to improve the plant's efficiency and reliability.

As shown in Attachment B Figures 1 and 2, the Barrington River, from which Gloucester WTP draws water, is typically lower in alkalinity and hardness compared with other raw water sources in MidCoast Council areas. Rainfall deficiencies from 2014 to 2019 have further exacerbated this situation (rainfall deficiency data between 2017 and 2019 are shown in Attachment B Figure 3). Low alkalinity and hardness of water can be potentially corrosive to metals such as copper and brass. It is not uncommon for many raw water sources found on the East Coast of Australia and Tasmania to have such characteristics.

The Australia Drinking Water Guidelines (ADWG) identifies the final treated water quality targets. According to the guidelines, there are no drinking water targets specifically associated with corrosivity. It also indicates that the responsibility of water suppliers ends at the point of supply to the customer, typically the water meter.

ADWG's water quality goals are managed through our Drinking Water Quality Management System (DWQMS). On top of these guidelines, the DWQMS has also taken additional control measures to manage the corrosiveness of raw water. By dosing soda ash in the WTP, the pH and alkalinity of the treated water is improved. This reduces the impact of raw water corrosivity on the treated water supply.

Water quality complaints have arisen in Gloucester and Barrington with respect to the corrosivity potential of treated water supplied to customers. Pipe replacements in homes around Gloucester and Barrington have been attributed to this suspected corrosivity. Information collected from several local plumbers suggests that houses requiring pipe replacements generally constructed from the 1960s through to the early 1980s (shown in Attachment B Figure 4). However, there is no definite link between pipe age and copper pitting as this issue is extraordinarily complex and still incompletely understood within the industry.

Copper pipe corrosion is a worldwide concern. In Australia, extensive research has been undertaken into the issue. A copper corrosion survey of 128 local government councils in Country NSW was carried out by the Department of Land and Water Conservation (DLWC) in 1999. This research indicated 32% of respondents reported some form of corrosion, such as pitting or blue water.

As research indicated, there are many factors that can promote the issue of corrosion in copper pipe. These include households with low water usage, copper pipe quality and its manufacturing process, copper pipe surface condition. Water chemistry, for instance, low pH, soft water or absence of residual disinfectant can also contribute to copper corrosion. Water with a low residual disinfection (e.g. low chlorine) can allow for the formation of biofilms on internal pipe walls. The presence of these biofilms can lead to copper pitting. This is contrary to the often-mistaken belief that chlorine concentrations at ADWG levels can contribute to copper pipe corrosion. Low flow or stagnant water conditions can also contribute to the formation of biofilms.

DISCUSSION

Disregarding other factors that may cause corrosion, we engaged an independent consultant to review the performance of the Gloucester water supply system in response to public concerns about the corrosion of copper water pipes. The focus of the review was the examination of historical corrosivity potential of treated water and benchmarking the supplied water against other WTP sites along the eastern fringe of Australia.

A corrosivity potential modelling has been undertaken in the investigation. Two indices, Calcium Carbonate Precipitation Potential (CCPP) and Langelier Saturation Index (LSI) were used to estimate how stable the water in the system. In general, the CCPP index is the most reliable indicator of the corrosivity of water. Water quality monitoring data between 2011 and 2021 has been summarised into three scenarios and modelled to examine the situations of worse-case, typical and best-case. Modelling results indicated the corrosivity potential is overall low to moderate over the last 10 years.

The water corrosivity potential of the Gloucester water supply system has also been benchmarked with other WTPs located along the eastern fringe of Australia. The results are summarised in Attachment B Figure 5. As this Figure indicates, the water in Gloucester was shown in the yellow zone. This suggests the treated water is either not corrosive or is mildly corrosive. Overall, Gloucester WTP's treated water is less corrosive on average, than other sites along the eastern fringe of Australia.

In the investigation report, mitigation measures recommended for customers included; ensuring that the new pipeline complies with relevant plumbing codes, consideration of different replacement pipeline materials such as PEX (cross-linked polyethylene flexible tubing), flushing pipes regularly to maintain chlorine residues and minimising pipeline dead ends in plumbing design.

The report also suggested that water conditions are complying with our DWQMS requirements. However, treatment could be improved through optimising the existing chemical dosing system or adopting alternate chemical dosing options such as lime and carbon dioxide at the WTP. The potential options and costs associated with interim and long-term modifications of the treatment process to provide additional water conditioning were outside the scope of the report.

It should be noted that despite significant disruption and variations of raw water quality the Gloucester WTP has continued to deliver over 99% compliance with the ADWG over recent years.

CONSULTATION

The investigation in this report originated in response to concerns raised by the community over time. Local plumbers have assisted in the identification of observed copper pipe corrosion, providing anecdotal evidence from their experience. In addition, customers identified through council's customer request system have also been engaged in assessing the potential issue. These stakeholders will also be provided with a copy of the report.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

6.2.4 Deliver ongoing service quality and continuity with increasing efficiency and better performance for Water Services.

TIMEFRAME

The option to review the current treatment process is a medium term action requiring investigation, pilot testing as well as work on the old plant. This needs to be balanced off against the benefits of incorporating better forms of water conditioning in the new treatment plant that will ultimately be built to replace the existing one over the longer term.

BUDGET IMPLICATIONS

This report has not included the potential options and costs associated with interim and long term modification of the treatment process to provide greater water conditioning. The costs can only be established through a greater understanding of the options and benefits.

RECOMMENDATION

That Council:

1. Receive and note the report,
2. Investigate the potential options and costs associated with interim and long term modification of the treatment process to provide greater water conditioning for our customers.

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DIRECTOR CORPORATE SERVICES

26. REPORTING ON COUNCILLOR EXPENSES 2021

Report Author Rob Griffiths, Manager Governance

File No. - ECM Index Governance - Councillors

Date of Meeting 28 July 2021

Authorising Director Steve Embry, Director Corporate Services

SUMMARY OF REPORT

In accordance with the Councillor Expense and Facilities Policy, a detailed report on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. This report will include expenditure summarised by individual Councillor as a total for all Councillors from 1 January 2021 to 30 June 2021.

SUMMARY OF RECOMMENDATION

That the Report and Annexure A be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Expenditure associate with this policy is included in Council 2020-2021 budget.

LEGAL IMPLICATIONS

Council is complying with the Councillor Expenses and Facilities Policy by tabling this information.

DISCUSSION

In accordance with Council's Councillor Expenses and Facilities Policy ("the Policy"), a detailed report on the provision of expenses and facilities to Councillors will be publicly tabled at an Ordinary Council Meeting every six months and published in full on council's website. This report will include expenditure summarised by individual Councillor and as a total for all Councillors.

Expenses being reported in Annexure A are as follows:

Travel Expenses (section 6.1 of the Policy) – reimbursement of general travel expenses incurred on council business are reimbursed in accordance with the Local Government (State) Award kilometre rate. During the reporting period, due to Covid-19 restrictions, several Councillors have incurred no travel expenditure as they have been attending to Council business via video-visual links.

Conference Expenses (section 6.27 and 6.31 of the Policy) – attendance at conferences and seminars, including the Local Government NSW Annual Conference.

Professional Development Expenses (section 6.22 of the Policy) – expenses associated with programs, training, education courses and membership of professional bodies.

Information and Communication Technology Expenses (ICT) (section 6.33 of the Policy) – Councillors can choose to use Council issued devices or provide their own devices and be reimbursed up to 75% of the expenditure incurred, to a limit of \$250 per month. Expenses reported here are for those Councillors being reimbursed for their own device expenditure.

Home Office Expenses (section 6.47 of the Policy) – reimbursement for the expenditure associated with the maintenance of a home office, to a limit of \$300 per year.

Accommodation and Meal Expenses (section 6.15 of the Policy) – reimbursement for the expenditure associated with accommodation and meals when not provided, for official Council business, approved travel or professional development.

All expenditure is in accordance with Council’s adopted Councillor Expenses and Facilities Policy.

RECOMMENDATION

That the report and Annexure A be noted.

ANNEXURES

A: Councillor Expenses 1 January 2021 – 30 June 2021

Total for All Councillors

Account Description	1 July to 31 December 2020	1 January to 30 June 2021	Total YTD
Local Travel	\$3391	\$4429	\$7820
Conferences	\$264	\$0	\$264
Professional Development	\$1760	\$1540	\$3300
Non Council Issued Phone/Internet	\$2872	\$2872	\$5744
Home Office	\$676	\$0	\$676
Accommodation/Meals	\$130	\$402	\$532

Mayor David West

Account Description	Annual Cap	1 July to 31 December 2020	1 January to 30 June 2021	Remaining Cap
Local Travel	As incurred	\$0	\$0	NA
Conferences	As incurred	\$66	\$0	NA
Professional Development	\$4000	\$440	\$0	\$3560
Non Council Issued Phone/Internet	\$3000	\$0	\$0	Uses Council Issued Phone
Home Office	\$300	\$0	\$0	\$300
Accommodation/Meals	As incurred	\$0	\$0	NA

Deputy Mayor Claire Pontin

Account Description	Annual Cap	1 July to 31 December 2020	1 January to 30 June 2021	Remaining Cap
Local Travel	As incurred	\$868	\$1283	NA
Conferences	As incurred	\$0	\$0	NA
Professional Development	\$4000	\$440	\$660	\$2900
Non Council Issued Phone/Internet	\$3000	\$986	\$986	\$1028
Home Office	\$300	\$300	\$0	\$0
Accommodation/Meals	As incurred	\$0	\$0	NA

Cr Kathryn Bell

Account Description	Annual Cap	1 July to 31 December 2020	1 January to 30 June 2021	Remaining Cap
Local Travel	As incurred	\$0	\$0	NA
Conferences	As incurred	\$0	\$0	NA
Professional Development	\$4000	\$440	\$0	\$3560
Non Council Issued Phone/Internet	\$3000	\$581	\$581	\$1838
Home Office	\$300	\$0	\$0	\$300
Accommodation/Meals	As incurred	\$0	\$0	NA

Cr Brad Christensen

Account Description	Annual Cap	1 July to 31 December 2020	1 January to 30 June 2021	Remaining Cap
Local Travel	As incurred	\$187	\$0	NA
Conferences	As incurred	\$0	\$0	NA
Professional Development	\$4000	\$0	\$0	\$4000
Non Council Issued Phone/Internet	\$3000	\$0	\$0	Uses Council Issued Phone
Home Office	\$300	\$0	\$0	\$300
Accommodation/Meals	As incurred	\$0	\$0	N/A

Cr Peter Epov

Account Description	Annual Cap	1 July to 31 December 2020	1 January to 30 June 2021	Remaining Cap
Local Travel	As incurred	\$0	\$0	NA
Conferences	As incurred	\$0	\$0	NA
Professional Development	\$4000	\$0	\$0	\$4000
Non Council Issued Phone/Internet	\$3000	\$0	\$0	Uses Council Issued Phone
Home Office	\$300	\$0	\$0	\$300
Accommodation/Meals	As incurred	\$0	\$0	NA

Cr Troy Fowler

Account Description	Annual Cap	1 July to 31 December 2020	1 January to 30 June 2021	Remaining Cap
Local Travel	As incurred	\$557	\$519	NA
Conferences	As incurred	\$0	\$0	NA
Professional Development	\$4000	\$440	\$440	\$3120
Non Council Issued Phone/Internet	\$3000	\$0	\$0	Uses Council Issued Phone
Home Office	\$300	\$0	\$0	\$300
Accommodation/Meals	As incurred	\$0	\$0	NA

Cr Karen Hutchinson

Account Description	Annual Cap	1 July to 31 December 2020	1 January to 30 June 2021	Remaining Cap
Local Travel	As incurred	\$127	\$1056	NA
Conferences	As incurred	\$66	\$0	NA
Professional Development	\$4000	\$0	\$440	\$3560
Non Council Issued Phone/Internet	\$3000	\$0	\$0	Uses Council Issued Phone
Home Office	\$300	\$0	\$0	\$300
Accommodation/Meals	As incurred	\$0	\$0	NA

Cr David Keegan

Account Description	Annual Cap	1 July to 31 December 2020	1 January to 30 June 2021	Remaining Cap
Local Travel	As incurred	\$0	\$0	NA
Conferences	As incurred	\$0	\$0	NA
Professional Development	\$4000	\$0	\$0	\$4000
Non Council Issued Phone/Internet	\$3000	\$0	\$0	Uses Council Issued Phone
Home Office	\$300	\$0	\$0	\$300
Accommodation/Meals	As incurred	\$0	\$0	NA

Cr Jan McWilliams

Account Description	Annual Cap	1 July to 31 December 2020	1 January to 30 June 2021	Remaining Cap
Local Travel	As incurred	\$0	\$0	NA
Conferences	As incurred	\$0	\$0	NA
Professional Development	\$4000	\$0	\$0	\$4000
Non Council Issued Phone/Internet	\$3000	\$0	\$0	Uses Council Issued Phone
Home Office	\$300	\$76	\$0	\$224
Accommodation/Meals	As incurred	\$0	\$0	NA

Cr Len Roberts

Account Description	Annual Cap	1 July to 31 December 2020	1 January to 30 June 2021	Remaining Cap
Local Travel	As incurred	\$0	\$624	NA
Conferences	As incurred	\$66	\$0	NA
Professional Development	\$4000	\$0	\$0	\$4000
Non Council Issued Phone/Internet	\$3000	\$585	\$585	\$1830
Home Office	\$300	\$0	\$0	\$300
Accommodation/Meals	As incurred	\$0	\$0	NA

Cr Katheryn Smith

Account Description	Annual Cap	1 July to 31 December 2020	1 January to 30 June 2021	Remaining Cap
Local Travel	As incurred	\$1652	\$947	NA
Conferences	As incurred	\$66	\$0	NA
Professional Development	\$4000	\$0	\$0	\$4000
Non Council Issued Phone/Internet	\$3000	\$720	\$720	\$1560
Home Office	\$300	\$300	\$0	\$0
Accommodation/Meals	As incurred	\$130	\$402	NA

27. COUNCIL MEETING SCHEDULE FOR 2021

Report Author Rob Griffiths, Manager Governance
File No. / ECM Index Council Meetings General
Date of Meeting 28 July 2021
Authorising Director Steve Embry, Director Corporate Services

SUMMARY OF REPORT

This report provides a revised recommended Meeting Schedule for the remainder of 2021. As a result of the current COVID-19 restrictions, the NSW Electoral Commission has advised that due to increased postal voting they will likely not declare the results of the Local Government Elections until 21 - 23 September and this is reflected in the Meeting Schedule.

SUMMARY OF RECOMMENDATION

That the Meeting Schedule for 2021 contained in Annexure A be adopted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

The recommended schedule complies with the provisions of the *Local Government Act 1993* which requires Councils to have a minimum of 10 Ordinary meetings each calendar year.

BACKGROUND

Council determines its meeting schedule on an annual basis and needs to adopt its meeting schedule for 2021. The schedule was originally adopted on 18 November 2020 and has now been revised based on information from the NSW Electoral Commission regarding the Local Government Elections, specifically relating to the date the elections will be declared.

DISCUSSION

Attached for Council's consideration is the recommended Meeting Schedule for the remainder of 2021, following the advice by the NSW Electoral Commission that the 2021 Local Government Elections will be declared between 21 and 23 September 2021. The delay in the declaration of the results is due to an extension of time to allow for postal votes to be received, which has been implemented as a result of the current COVID-19 situation in NSW.

Council Meetings will commence at 2pm and will be conducted in accordance with Council's adopted *Code of Meeting Practice*.

TIMEFRAME

Immediate Effect

BUDGET IMPLICATIONS

The costs associated with conducting Council Meetings is budgeted for annually and is in line with Council's *Councillor Expenses and Facilities Policy*.

RECOMMENDATION

That the Meeting Schedule for 2021 contained in Annexure A be adopted.

ANNEXURES

A: MidCoast Council Meeting Schedule 2021

Date	Meeting	Time	Venue
Wednesday 25 August 2021	Council Meeting	2.00pm	Yalawanyi Ganya 2 Biripi Way, Taree
Wednesday 6 October 2021	Council Meeting	2.00pm	
Wednesday 27 October 2021	Council Meeting	2.00pm	
Wednesday 10 November 2021	Strategic Committee Meeting	2.00pm	
Wednesday 24 November 2021	Council Meeting	2.00pm	
Wednesday 15 December 2021	Council Meeting	2.00pm	

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28. MIDCOAST COUNCIL/TAREE UNIVERSITIES CAMPUS SCHOLARSHIP PROGRAM

Report Author Paul Martin, Manager Human Resources
File No. / ECM Index Taree University Campus
Date of Meeting 28 July 2021
Authorising Director Steve Embry, Director Corporate Services

SUMMARY OF REPORT

To provide an update on the MidCoast Council / Taree Universities Campus (TUC) Scholarship Program (Scholarship program).

SUMMARY OF RECOMMENDATION

That Council note the report.

FINANCIAL/RESOURCE IMPLICATIONS

Council has committed \$22,400 to fund the Scholarship Program.

LEGAL IMPLICATIONS

Nil.

BACKGROUND

On 16 December 2020, Council resolved (Resolution 378/2020) that MidCoast Council:

1. Supports a Scholarship Program with TUC which in the 2021 Academic year would provide financial assistance to the total value of \$22,400 in order to fund three (3) to five (5) one off, one (1) year scholarships.
2. Grants the scholarship funds to the TUC, who would determine the appropriate method of allocation, including the determination of the selection system of scholarship recipients and courses.
 - a. As a condition of this grant, TUC would be required to provide regular reports to Council on the progress of the Scholarships Program through the General Manager.
 - b. As a further condition, TUC would be required to consult with Council's General Manager on the Scholarship recipients prior to announcement.
3. Requires that Scholarships should be granted to persons who have been resident in the MidCoast Council Local Government Area for at least 12 months prior to commencement of the Academic Year.
4. Undertakes a review of the Scholarships Program, by 30 October 2021.
5. Directs the General Manager to provide a report to Council by 30 June 2021 outlining other practical and tangible areas of assistance and support that could be made available to students undertaking studies through the Taree University Campus including but not limited to work experience with Council, cadetships & traineeships, and mentoring opportunities.

DISCUSSION

Taree Universities Campus has selected three scholarship recipients that meet the scholarship criteria. The successful scholarship recipients are:

Alyce Allport – Bachelor of Education (Primary)

Sarah Butcher – Bachelor of Urban and Regional Planning

Rhiannan Snape – Bachelor of Nursing

A joint media release with Taree Universities Campus to announce the scholarship recipients is planned for 27 July 2021.

A review of the Scholarship Program in accordance with Part 4 of the Council resolution will be provided before the end of October 2021. A Report on Part 5 of the Council resolution was provided to the 2nd June Council Meeting.

CONSULTATION

Taree Universities Campus consulted with Council's General Manager on the proposed scholarship recipients.

ALIGNMENT WITH COMMUNITY PLAN/OPERATIONAL PLAN

Offering scholarships to MidCoast residents provides an opportunity for local people to develop a career in the MidCoast Region and aligns with the following focus areas from Council's Delivery Program 2018-22.

10.3.1 – Strengthen opportunities in the region for youth employment.

10.4.1 – To improve workforce participation across the MidCoast Region.

BUDGET IMPLICATIONS

Council has committed \$22,400 to fund the Scholarship Program.

RECOMMENDATION

That Council note the report.

29. JUNE 2021 QUARTLERY CONTRACTS REPORT & DELEGATION OF EXPENDITURE OVER \$500, 000

Report Author Phil Brennan, Manager Finance
File No. / ECM Index Finance/Contracts
Date of Meeting 28 July 2021
Authorising Director Steve Embry, Director Corporate Services

SUMMARY OF REPORT

This report provides a list of contracts entered into during the April – June 2021 quarterly budget review period including instances where the General Manager has exercised his delegation of expenditure between \$500,000 and \$1,000,000.

SUMMARY OF RECOMMENDATION

That the report be noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

BACKGROUND

As Council is aware a Quarterly Budget Review Statement is prepared for its consideration in accordance with legislative requirements. This includes a schedule that includes details of material contracts entered into by Council during the review period.

Council also resolved (Resolution 374/19) at its 23 October 2019 Ordinary Meeting:

“That the report be noted and future reports pertaining to the exercise of this delegation be reported in conjunction with the Quarterly Budget Review.”

This resolution is in respect of the General Manager exercising his delegation to enter into contracts with a value of between \$500,000 and \$1,000,000.

The Regulations provide that Council is not required to prepare a Quarterly Budget Review Statement for the June quarter. As such reporting under resolution 374/19 would not occur for the June quarter in any particular year.

To allow this to occur a report has been prepared (Annexure A) that indicates the contracts entered into during the June 2021 quarter together with a notation of whether the General Manager’s delegation of expenditure has been exercised.

As shown in the report the General Manager’s delegation has not been exercised during the June 2021 quarter.

RECOMMENDATION

That the report be noted.

ANNEXURES

A: June 2021 Contracts Report

Quarterly Budget Review Contracts Report - Quarter ended 30 June 2021						
Contractor	Contract Detail & Purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)	GM's Delegation Exercised
CentriTech Pty Ltd	Repair / Overhaul Works Centrifuge WG STP	\$ 53,900	07.04.2021	1 Day	Y	No
C. J. Hogan and Co Pty Ltd	Wingham Sporting Complex Grandstand	\$ 308,561	14.04.2021	1 Week	Y	No
JR Richards and Sons	Flood Recovery Plant and Bin Hire	\$ 70,149	19.04.2021	4 Days	N	No
Shade N Net (Australia) Pty Ltd	Shade Structure McCullagh Lane Carpark	\$ 98,450	21.04.2021	1 Day	Y	No
Key Botany	Allocasuarina Surveys and Reporting	\$ 53,339	26.04.2021	1 Month	Y	No
Automation Group Pty Limited	Supply Brodersen Components for GE-SP5-00 Switchboard Renewals SB01 - 100111	\$ 65,480	04.05.2021	4 Months	Y	No
Paul Dent Electrical Pty Ltd	GE-SP5-00 Switchboard Renewals - manufacture TA-SP5-24 & FO-SP5-08 switchboards	\$ 84,059	06.05.2021	4 Months	Y	No
Ebro Armaturen Pacific Pty. Ltd	Lantana WPS Replacement Discharge Valves	\$ 141,898	06.05.2021	1 Week	Y	No
Sewer Equipment Company Aust	Agilios Push Cameras & Ipek Rovion Portable Manual Kit	\$ 154,528	06.05.2021	1 Week	Y	No
Great Lakes Decorative Concreting	Concrete Pathway Blackhead Road	\$ 78,568	07.05.2021	3 Days	Y	No
RJ and CL Thomas	Nabiac Showground Kiosk	\$ 263,569	10.05.2021	3 Months	Y	No
Department of Planning, Industry & Environment	Report Card Monitoring 20 - 21	\$ 59,831	12.05.2021	1 Month	Y	No
Modus Australia	Fotheringham Park Amenities Block	\$ 84,471	13.05.2021	5 Days	Y	No
Bushland & Rainforest Restoration & Consulting	ET MCC/NPWS EHLRF Grant - Cape Hawk - Seal	\$ 50,960	14.05.2021	5 Days	Y	No
Elite Contracting & Installations	Landfill Lids	\$ 128,032	19.05.2021	1 Week	Y	No
Jacobs Building & Carpentry	Hawks Nest Amenities Upgrade	\$ 214,961	28.05.2021	1 Week	Y	No
Regional Geotechnical Solutions Pty Ltd	Bridges Geotech	\$ 61,975	10.05.2021	2 Months	Y	No
FB Contracting Pty Ltd	Gloucester Reservoir and Mains Construction	\$ 19,298,702	27.05.2021	15 Months	Y	No
Kellogg Brown & Root Pty Ltd	Tea Gardens Rising Main & Pump Station	\$ 202,235	04.06.2021	3 Months	Y	No
Nviroscope Pty Ltd	Gabions Banskia Street Blueys Beach	\$ 81,070	17.06.2021	1 Week	Y	No
BluePoint Logic Pty Ltd	ICT strategy and architecture review services	\$ 66,000	29.06.2021	2 months	Y	No
Paul Dent Electrical Pty Ltd	Supply of Switchboards TO-WPS-01 & WPS-01	\$ 217,276	21.06.2021	1 Week	Y	No
Insituform Pacific Pty Ltd	Sewer Relining Amaroo Drive, Smith's Lake	\$ 125,543	23.06.2021	3 Months	Y	No
Sewerquip Group Pty Ltd	Supply Sewerjet Rangers x 2	\$ 177,282	23.06.2021	1 Week	Y	No
Pasliff Pty Ltd	Supply and Erect Shed Tuncurry Depot	\$ 93,600	24.06.2021	1 Month	Y	No
Sewerquip Group Pty Ltd	Supply Sewerjet Ranger	\$ 87,601	30.06.2021	1 Week	Y	No
Paul Dent Electrical Pty Ltd	Supply of Switchboards TA-SP5-24 & FO-SP5-08	\$ 87,359	06.05.2021	1 Week	Y	No
Active Bush Works	Bush Regeneration	\$ 64,709	01.06.2021	1 Week	Y	No
Reeman Constructions Pty Ltd	MEC - New Studio Space	\$ 4,015,011	02.06.2021	12 Months	Y	No
Goldspring's Group Pty Ltd	The Bucketts Way Reconstruction	\$ 2,847,925	30.06.2021	6 Months	Y	No
Cumberland Ecology	Ecology Services	\$ 65,575	30.06.2021	1 Week	Y	No

30. INVESTMENTS REPORT – JUNE 2021

Report Author Phil Brennan, Manager Finance
File No. / ECM Index Investments – Monthly Reports
Date of Meeting 28 July 2021
Authorising Director Steve Embry, Director Corporate Services

SUMMARY OF REPORT

This report provides details of the funds invested by Mid-Coast Council under section 625 of the Local Government Act 1993 as required by clause 212 of the Local Government (General) Regulation 2005.

SUMMARY OF RECOMMENDATION

That the report be received and noted.

FINANCIAL/RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

A monthly report on Investments made and held by Council together with a statement by Council's Responsible Accounting Officer is required by legislation.

BACKGROUND

Section 625 of the Local Government Act 1993 permits a Council to invest money that is not, for the time being, required for any other purpose. This money may only be invested in a form of investment that has been notified in an Order by the Minister for Local Government.

Clause 212 of the Local Government (General) Regulation 2005 requires that the Responsible Accounting Officer of Council must provide Council with a written report setting out all money invested under section 625 of the Local Government Act, at the last day of the month immediately preceding the meeting. It also requires that the Responsible Accounting Officer must include a certificate as to whether or not the investments have been made in accordance with the Act, Regulations and Policies. This Certificate is included as Annexure A.

DISCUSSION

At 30 June 2021 Council had \$228,017,613 in invested funds with financial institutions.

Those funds consist of:

Product	Amount Invested
At-Call Accounts	\$18,877,613
6 Month Notice Accounts	\$5,000,000
Term Deposits	\$137,750,000
Floating Term Deposits	\$4,000,000
Floating Rate Notes	\$59,390,000
Government Issued Bonds	\$3,000,000
Total	\$228,017,613

Of that amount the following is the break-up of those funds between the 3 Funds operated by Council:

Fund	Amount Invested
General Fund	\$152,067,610
Water Fund	\$7,500,303
Sewer Fund	\$68,449,700
Total	\$228,017,613

The Investment Policy requires a report on the following matters:

1. *Details of each investment* - these details are shown in Annexure B to this report. That report provides the following detail for each investment held by Council:

Investment Date, Interest Rate, Security Type, Duration, Amount Invested, Maturity Date, Counter Party (who holds the investment), Credit Rating

2. *Counterparty Holdings*

The Policy provides for the following Counterparty Limits (maximum amount to be held with any one institution):

Credit Rating	Individual % of Portfolio
AAA / A-1	40%
AA / A-1	40%
A / A-1 & A / A-2	20%
BBB / A-2	10%
BBB- / Unrated	2%
TCorp IM Funds	20%

Additionally the total investments held in BBB- rated and ADI / unrated financial institutions are not to exceed 5.00% of the total portfolio.

The position at 30 June 2021 with respect to Counterparty compliance is as follows:

Counterparty	Rating	Amount Invested	% Invested	Max % Limit	Comply (Y / N)
NSWTC ICM CF (TCorp)	AA+	\$7,439	0.00%	20.00%	Y
ANZ Bank	AA-	\$13,850,303	6.07%	40.00%	Y
Commonwealth Bank / BankWest	AA-	\$29,869,871	13.10%	40.00%	Y
NAB	AA-	\$41,700,000	18.29%	40.00%	Y
Westpac	AA-	\$22,500,000	9.87%	40.00%	Y
NT Gov't	Aa3	\$3,000,000	1.32%	40.00%	Y
Suncorp-Metway	A+	\$2,550,000	1.12%	20.00%	Y
UBS	A+	\$5,540,000	2.43%	20.00%	Y
Bank of China	A	\$1,000,000	0.44%	20.00%	Y
ICBC	A	\$14,000,000	6.14%	20.00%	Y
ING Bank	A	\$2,000,000	0.88%	20.00%	Y

Counterparty	Rating	Amount Invested	% Invested	Max % Limit	Comply (Y / N)
Macquarie Bank	A	\$5,500,000	2.40%	20.00%	Y
Mizuho Bank Ltd	A	\$2,000,000	0.88%	20.00%	Y
Australian Military Bank	BBB+	\$7,000,000	3.07%	10.00%	Y
Bank of Queensland	BBB+	\$17,800,000	7.80%	10.00%	Y
Bendigo - Adelaide / Rural Bank	BBB+	\$6,700,000	2.94%	10.00%	Y
RACQ Bank	BBB+	\$1,500,000	0.66%	10.00%	Y
AMP Bank	BBB	\$20,250,000	8.88%	10.00%	Y
Auswide Bank	BBB	\$7,000,000	3.07%	10.00%	Y
Greater Bank	BBB	\$10,000,000	4.39%	10.00%	Y
Newcastle Permanent	BBB	\$6,750,000	2.96%	10.00%	Y
MyState Bank	BBB	\$7,500,000	3.29%	10.00%	Y
Total		\$228,017,613	100.00%		

The percentage of the portfolio held in BBB- rated and ADI / unrated financial institutions at 30 June 2021 is 0.00% which is within the limit.

Council is within counterparty limits for all holdings at the end of June 2021.

3. Dissection based on Maturity Horizon

The policy requires that Council maintain sufficient funds in on-call accounts and short-term investments to ensure that liquidity and income requirements are met. Once liquidity requirements are met, the portfolio maturity profile will aim to spread risk across the investment horizon.

The following table shows the break-up of the portfolio based on the investment term at the time of purchase of the investment.

Investment Term	Amount	% of Portfolio	Policy Limits
Cash	\$18,877,613	8.28%	
0 - 3 months	\$0	0.00%	10% - 100%
3 - 6 months	\$5,000,000	2.19%	10% - 100%
6 - 12 months	\$24,000,000	10.53%	10% - 100%
12 - 24 months	\$49,500,000	21.71%	0% - 70%
24 - 60 months	\$126,640,000	55.54%	0% - 50%
Greater than 5 years	\$4,000,000	1.75%	0% - 25%

It should be noted that the 3 - 6 month investments are 6 month terms, the 6 - 12 months are all 12 month terms while the 12 - 24 months are becoming evenly spread between 12 and 24 month terms. Council has exceeded the 50% policy limit for the 24-60 month term when considered from the perspective of the term of the investment at the time of purchase. However Council's Investment Advisor, Imperium Markets, considers the policy application from the perspective of the time to maturity which follows below and is within policy limits.

The current positioning of the portfolio based on the remaining term to maturity is as follows:

Investment Maturity	Amount	% of Portfolio	Policy Limits
Cash	\$18,877,613	8.28%	
0 - 3 months	\$42,750,000	18.75%	10% - 100%
3 - 6 months	\$21,800,000	9.56%	10% - 100%
6 - 12 months	\$23,000,000	10.09%	10% - 100%
12 - 24 months	\$55,740,000	24.45%	0% - 70%
24 - 60 months	\$65,850,000	28.87%	0% - 50%
Greater than 5 years	\$0	0.00%	0% - 25%

This indicates that Council still has acceptable levels of funds maturing over the short-term to meet liquidity requirements. The above indicates that Council still has capacity to increase its holdings in longer dated maturities and its Investment Advisor, Imperium Markets, continue to support this re-positioning of the portfolio, which has been underway for a period of time.

4. Portfolio by Credit Rating

The table below shows the diversification of the portfolio by credit rating:

Credit Rating	Amount	% of Portfolio	Policy Limits
AAA Category	\$0	0.00%	0% - 100%
AA Category	\$110,927,613	48.65%	20% - 100%
A Category	\$32,590,000	14.29%	15% - 60%
BBB Category	\$84,500,000	37.06%	0% - 40%
BBB- / Unrated ADIs	\$0	0.00%	0% - 5%
Total	\$228,017,613	100.00%	

Council is within the policy limits across the credit ratings at the end of June 2021.

As Council will have noticed over the past reports the 60 / 40 split between A (and above) and B rated investments is normally very close to those limits. This reflects the risk v return environment that presently exists. Returns for A (and above) rated financial institutions are low as are the number of these institutions that will actually offer reasonable rates and better value is available in the BBB category and with a number of unrated Authorised Deposit Institutions (ADIs).

Council's Investment Advisor, Imperium Markets provides the following advice in respect of ratings changes that have recently occurred:

"During December 2020, rating's agency S&P delivered a once-notch credit downgrade to the New South Wales state government from AAA to AA+, citing a deterioration in its balance sheet due to the economic impact from COVID-19. As such, the TCorpIM Cash Fund has been downgraded accordingly."

"During September 2020, ratings agency S&P downgraded AMP Bank by one notch to 'BBB' stating that its view that *"the overall creditworthiness of the AMP Group is weaker"* and that *"the group is exposed to challenges that may disrupt its overall strategic direction and its ability to effectively execute its strategy"*.

Separately, Moody's downgraded MyState Bank's long-term credit rating from Baa1 (BBB+ equivalent from S&P) to Baa2 (BBB equivalent from S&P). The downgrade reflects the bank's lower financial buffers in a more challenging operating environment when compared to its peers. Moody's acknowledged though that the bank's capital ratio remained steady during the 2020 financial year.

We have no issue with Council's investments with both AMP Bank and MyState, given they are senior ranked assets, very low risk and high up the bank capital structure."

Council has completed the process of registering so that funds can be placed with ICBC (Industrial & Commercial Bank of China Ltd, Sydney Branch) in an effort to expand the number of A rated institutions that hold Council deposits. ICBC is ranked as the largest bank in the world by assets and holds Standard & Poors credit rating of A – long term and A-1 – short term. Deposits would be made to the Sydney Branch which is an ADI (authorised deposit-taking institution) and subject to APRA requirements. It should be noted that this a 'branch of a foreign bank' and the Federal Claims Scheme – Federal Government guarantee of \$250,000 does not apply to term deposits.

Investments with ICBC do meet the requirements of the Ministerial Investment Order and interest rates being offered are noticeably higher than those being offered by other A-rated institutions. A further investment of \$2,000,000 has been made with ICBC for a term of 2 years at an interest rate of 0.73%. By way of comparison Council invested a similar amount for the same term in January 2021 and received a rate of 0.60%.

At the end of June 2021 62.94% of the portfolio is held with institutions that are rated at A or higher against a limit of 60%. Council holds no BBB- investments (the lowest investment grade rating) or unrated ADIs at the present time.

As previously reported, during March 2020, and given the significant fluctuations being observed across stock markets, a decision was made to redeem funds held within the TCorp Short Term Income Fund with these funds subsequently placed within an At-Call account with the Commonwealth Bank. This fund relies on unit prices to determine the value of Council's investment and while the fund has a AAA rating by virtue of its State Government ownership (recently downgraded to AA+) it does not provide a guarantee of principal and there was a risk of a negative return. To protect the capital investment, the decision was made to redeem these funds. A small amount remains within that account to keep it active in anticipation of depositing funds into it at an appropriate time in the future.

5. Performance of the Portfolio

Council's performance (excluding cash holdings) for the month ending 30 June 2021 is summarised below.

Performance	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.01%	0.02%	0.5%	0.15%	0.15%
Ausbond Bank Bill Index	0.00%	0.01%	0.01%	0.06%	0.06%
Council's TD Portfolio	0.09%	0.27%	0.55%	1.23%	1.23%
Council's FRN Portfolio	0.08%	0.24%	0.48%	1.04%	1.04%
Council's Bond Portfolio	0.09%	-	-	-	-
Council's Portfolio	0.09%	0.26%	0.53%	1.18%	1.18%
Outperformance	0.08%	0.25%	0.52%	1.12%	1.12%

This shows that Council's total portfolio outperformed the benchmark index over the month of June.

Official Cash Rate Movements:

During June 2019 the Reserve Bank of Australia (RBA) lowered the official cash rate by 25 basis points to 1.25%. It followed this up at its July 2019 Board Meeting with a further 25 basis point cut leaving the official cash rate at 1.00%.

The RBA subsequently cut the official cash rate by 25 basis points at its October 2019 meeting leaving the official cash rate at 0.75%. The RBA did not change official interest rates at its November or December 2019 meetings. However, economists continued to predict a further easing in the new year (2020).

The RBA reduced the official interest rate to 0.50% at its scheduled 3 March 2020 Board Meeting to “support the economy as it responds to the global coronavirus outbreak”. On 19 March 2020 the RBA held an emergency meeting and announced a further 25 basis point cut, bringing the official cash rate down to 0.25%, their “effective lower bound”. Their forward guidance is not to raise rates until there is a sustainable recovery and its economic objectives of full employment and target inflation are back on track.

However, there has been a recent suggestion that the RBA could ease policy further by cutting the cash rate, 3-year yield target and Term Funding Facility (TFF) rate by 15bp to 0.10% (from 0.25%).

At the 3 November 2020 RBA Board Meeting the official interest rate was reduced to 0.10% with the Board not expecting to increase the cash rate for at least 3 years. This will impact on forecast interest income over the medium – longer term and this will be reflected in the Long Term Financial Plan which is currently being reviewed.

Council has lengthened the duration of its portfolio so as to provide some protection from these rate cuts and reinvestment risk. The weighted average duration of its term deposit portfolio is now around 467 days or 1.25 years. Council’s investment advisors (Imperium Markets) continue to recommend that Council seek to further extend this average duration and place funds with longer durations (3 – 5 years).

However, there will be a reduction in anticipated returns on investments as these longer term investments gradually mature and are re-invested at lower rates than have historically been available.

RECOMMENDATION

That the report be received and noted.

ANNEXURES

A: 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 June 2021.

A handwritten signature in black ink, appearing to read 'Phil Brennan', written in a cursive style.

Phil Brennan
Responsible Accounting Officer
19 July 2021

B: Mid-Coast Council Investments at 30 June 2021

Details of Mid-Coast Council Investments at 30 June 2021 - By Counterparty

Institution	Rating	Acquisition Date	Interest Rate	Invested	Days	Maturity Date	Product	Fund	% of Portfolio
AMP	BBB / A-2	23-Jul-20	1.00%	\$3,000,000.00	180	19-Jan-21	6mth Not	General	
AMP	BBB / A-2	23-Jul-20	1.00%	\$2,000,000.00	180	19-Jan-21	6mth Not	Sewer	
AMP	BBB / A-2	10-Sep-18	BBSW+108	\$1,500,000.00	1096	10-Sep-21	FRN	General	
AMP	BBB / A-2	20-Mar-19	BBSW +164	\$2,000,000.00	905	10-Sep-21	FRN	General	
AMP	BBB / A-2	10-Jul-19	BBSW +1.08	\$2,000,000.00	793	10-Sep-21	FRN	General	
AMP	BBB / A-2	10-Sep-18	BBSW +1.08	\$1,000,000.00	1097	11-Sep-21	FRN	Sewer	
AMP	BBB / A-2	22-Aug-19	BBSW +1.08	\$1,000,000.00	751	11-Sep-21	FRN	Sewer	
AMP	BBB / A-2	22-Aug-19	BBSW +1.08	\$1,000,000.00	751	11-Sep-21	FRN	General	
AMP	BBB / A-2	09-Aug-19	2.00%	\$1,000,000.00	730	8-Aug-21	Term Deposit	General	
AMP	BBB / A-2	23-Sep-19	1.50%	\$1,250,000.00	731	23-Sep-21	Term Deposit	General	
AMP	BBB / A-2	12-May-20	1.55%	\$2,500,000.00	548	11-Nov-21	Term Deposit	Water	
AMP	BBB / A-2	02-Jun-20	1.45%	\$2,000,000.00	541	25-Nov-21	Term Deposit	General	
				\$20,250,000.00					8.88%
ANZ Bank	AA- / A-1+	31-May-21		\$303.24	0		At Call	Water	
ANZ Bank	AA- / A-1+	24-Feb-20	BBSW+93	\$1,000,000.00	1096	24-Feb-23	FRN	Sewer	
ANZ Bank	AA- / A-1+	24-Feb-20	BBSW+93	\$850,000.00	1096	24-Feb-23	FRN	General	
ANZ Bank	AA- / A-1+	06-Dec-18	BBSW+1.03	\$4,000,000.00	1826	6-Dec-23	FRN	General	
ANZ Bank	AA- / A-1+	29-Aug-19	BBSW +77	\$1,500,000.00	1827	29-Aug-24	FRN	General	
ANZ Bank	AA- / A-1+	06-Sep-19	BBSW+97	\$1,000,000.00	1827	6-Sep-24	FRN	General	
ANZ Bank	AA- / A-1+	06-Sep-19	BBSW+97	\$1,500,000.00	1827	6-Sep-24	FRN	Sewer	
ANZ Bank	AA- / A-1+	16-Jan-20	BBSW+76	\$2,000,000.00	1827	16-Jan-25	FRN	General	
ANZ Bank	AA- / A-1+	16-Jan-20	BBSW+76	\$2,000,000.00	1827	16-Jan-25	FRN	Sewer	
				\$13,850,303.24					6.07%
Australian Military Bank	BBB+ / A-2	26-Jun-20	1.01%	\$3,000,000.00	730	26-Jun-22	Term Deposit	Sewer	
Australian Military Bank	BBB+ / A-2	14-Apr-21	0.76%	\$2,000,000.00	1093	11-Apr-24	Term Deposit	General	
Australian Military Bank	BBB+ / A-2	13-Apr-21	0.76%	\$2,000,000.00	1098	15-Apr-24	Term Deposit	General	
				\$7,000,000.00					3.07%
Auswide Bank	BBB / A-2	12-Aug-19	1.95%	\$2,000,000.00	731	12-Aug-21	Term Deposit	General	
Auswide Bank	BBB / A-2	12-Sep-19	1.75%	\$1,000,000.00	735	16-Sep-21	Term Deposit	General	
Auswide Bank	BBB / A-2	03-Oct-19	1.72%	\$2,000,000.00	735	7-Oct-21	Term Deposit	General (Strong Comm)	
Auswide Bank	BBB / A-2	19-Mar-20	1.70%	\$2,000,000.00	1092	16-Mar-23	Term Deposit	General	
				\$7,000,000.00					3.07%
Bank of China	A / A-1	26-Apr-19	BBSW +1.00	\$1,000,000.00	1270	17-Oct-22	FRN	Sewer	

				\$1,000,000.00					0.44%
Bank of Queensland Ltd	BBB+ / A-2	06-May-21	BBSW+63	\$4,000,000.00	1826	6-May-26	FRN	General	
Bank of Queensland Ltd	BBB+ / A-2	27-Nov-19	1.60%	\$1,800,000.00	736	2-Dec-21	Term Deposit	General	
Bank of Queensland Ltd	BBB+ / A-2	10-Dec-20	0.55%	\$2,000,000.00	364	9-Dec-21	Term Deposit	Sewer	
Bank of Queensland Ltd	BBB+ / A-2	30-Apr-20	1.45%	\$2,500,000.00	728	28-Apr-22	Term Deposit	Sewer	
Bank of Queensland Ltd	BBB+ / A-2	12-Mar-20	1.70%	\$3,000,000.00	1463	14-Mar-24	Term Deposit	Sewer	
Bank of Queensland Ltd	BBB+ / A-2	16-Aug-19	2.00%	\$2,500,000.00	1827	16-Aug-24	Term Deposit	General	
Bank of Queensland Ltd	BBB+ / A-2	16-Aug-19	2.00%	\$2,000,000.00	1827	16-Aug-24	Term Deposit	Sewer	
				\$17,800,000.00					7.81%
Bendigo & Adelaide	BBB+ / A-2	12-Dec-19	BBSW+85	\$3,000,000.00	1096	12-Dec-22	FRN	General	
Bendigo & Adelaide	BBB+ / A-2	12-Dec-19	BBSW+85	\$2,000,000.00	1096	12-Dec-22	FRN	Sewer	
Bendigo & Adelaide	BBB+ / A-2	02-Dec-20	BBSW+52	\$1,700,000.00	1826	2-Dec-25	FRN	General	
				\$6,700,000.00					2.94%
Commonwealth Bank	AA- / A-1+	31-May-21		\$10,677,609.64	0		At Call	General	
Commonwealth Bank	AA- / A-1+	31-May-21		\$8,192,261.35	0		At Call	Sewer	
Commonwealth Bank	AA- / A-1+	11-Jan-19	BBSW +1.13	\$2,000,000.00	1826	11-Jan-24	FRN	Sewer	
Commonwealth Bank	AA- / A-1+	28-Aug-20	0.70%	\$2,000,000.00	356	19-Aug-21	Term Deposit	General	
Commonwealth Bank	AA- / A-1+	29-Sep-20	0.70%	\$2,500,000.00	380	14-Oct-21	Term Deposit	General	
Commonwealth Bank	AA- / A-1+	29-Sep-20	0.70%	\$2,500,000.00	387	21-Oct-21	Term Deposit	General	
Commonwealth Bank	AA- / A-1+	25-Mar-21	0.41%	\$2,000,000.00	364	24-Mar-22	Term Deposit	General	
				\$29,869,870.99					13.10%
Greater Bank	BBB / A-2	17-Jun-21	0.40%	\$1,000,000.00	365	17-Jun-22	Term Deposit	General	
Greater Bank	BBB / A-2	30-Jun-20	1.12%	\$2,000,000.00	723	23-Jun-22	Term Deposit	General	
Greater Bank	BBB / A-2	30-Jun-20	1.12%	\$2,000,000.00	744	14-Jul-22	Term Deposit	General	
Greater Bank	BBB / A-2	30-Jun-20	1.15%	\$2,000,000.00	1094	29-Jun-23	Term Deposit	General	
Greater Bank	BBB / A-2	13-Nov-20	1.00%	\$3,000,000.00	1095	13-Nov-23	Term Deposit	General	
				\$10,000,000.00					4.39%
ICBC	A / A-1	25-Feb-21	0.73%	\$2,000,000.00	728	23-Feb-23	Term Deposit	General	
ICBC	A / A-1	04-Mar-21	0.75%	\$3,000,000.00	735	9-Mar-23	Term Deposit	General	
ICBC	A / A-1	01-Apr-21	0.68%	\$2,500,000.00	735	6-Apr-23	Term Deposit	General	
ICBC	A / A-1	14-Apr-21	0.63%	\$2,000,000.00	730	14-Apr-23	Term Deposit	General	
ICBC	A / A-1	10-Dec-20	0.90%	\$2,000,000.00	1099	14-Dec-23	Term Deposit	Sewer	
ICBC	A / A-1	15-Apr-21	1.35%	\$2,500,000.00	1827	16-Apr-26	Term Deposit	General	
				\$14,000,000.00					6.14%
ING	A / A-1	28-Aug-20	0.61%	\$2,000,000.00	363	26-Aug-21	Term Deposit	Sewer	

				\$2,000,000.00					0.88%
Macquarie Bank	A / A-1	07-Aug-19	BBSW+80	\$1,250,000.00	1827	7-Aug-24	FRN	General	
Macquarie Bank	A / A-1	07-Aug-19	BBSW+80	\$1,250,000.00	1827	7-Aug-24	FRN	Sewer	
Macquarie Bank	A / A-1	07-Feb-20	BBSW+84	\$1,500,000.00	1832	12-Feb-25	FRN	General	
Macquarie Bank	A / A-1	07-Feb-20	BBSW+84	\$1,500,000.00	1832	12-Feb-25	FRN	Sewer	
				\$5,500,000.00					2.41%
Mizuho Bank Ltd	A / A-1	21-Oct-20	BBSW + 53	\$2,000,000.00	1094	20-Oct-23	FRN	General	
				\$2,000,000.00					0.88%
My State Bank	BBB / A-2	08-Oct-20	0.70%	\$1,500,000.00	371	14-Oct-21	Term Deposit	Sewer	
My State Bank	BBB / A-2	05-Nov-20	0.65%	\$2,000,000.00	364	4-Nov-21	Term Deposit	General	
My State Bank	BBB / A-2	11-Mar-21	0.50%	\$2,000,000.00	364	10-Mar-22	Term Deposit	Sewer	
My State Bank	BBB / A-2	18-Mar-21	0.45%	\$2,000,000.00	364	17-Mar-22	Term Deposit	Water	
				\$7,500,000.00					3.29%
National Australia Bank	AA- / A-1+	26-Sep-18	BBSW +93	\$3,000,000.00	1826	26-Sep-23	FRN	General	
National Australia Bank	AA- / A-1+	09-Jul-20	0.98%	\$2,000,000.00	385	29-Jul-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	10-Sep-20	0.77%	\$2,000,000.00	371	16-Sep-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	10-Sep-20	0.77%	\$1,500,000.00	378	23-Sep-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	17-Sep-20	0.75%	\$2,000,000.00	378	30-Sep-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	17-Dec-20	0.54%	\$3,000,000.00	364	16-Dec-21	Term Deposit	General	
National Australia Bank	AA- / A-1+	11-Feb-21	0.42%	\$3,000,000.00	364	10-Feb-22	Term Deposit	Sewer	
National Australia Bank	AA- / A-1+	10-Dec-20	0.63%	\$1,500,000.00	732	12-Dec-22	Term Deposit	General	
National Australia Bank	AA- / A-1+	19-Jan-21	0.60%	\$3,000,000.00	728	19-Jan-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	12-Mar-20	1.40%	\$2,000,000.00	1095	12-Mar-23	Term Deposit	Sewer	
National Australia Bank	AA- / A-1+	13-Mar-20	1.40%	\$2,200,000.00	1098	16-Mar-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	22-Apr-21	0.62%	\$2,000,000.00	728	20-Apr-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	22-Apr-21	0.62%	\$2,000,000.00	735	27-Apr-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	13-May-21	0.60%	\$2,000,000.00	728	11-May-23	Term Deposit	Sewer	
National Australia Bank	AA- / A-1+	27-May-21	0.58%	\$2,000,000.00	728	25-May-23	Term Deposit	Sewer	
National Australia Bank	AA- / A-1+	03-Jun-21	0.65%	\$2,000,000.00	728	1-Jun-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	26-Nov-20	0.65%	\$2,000,000.00	1092	23-Nov-23	Term Deposit	General	
National Australia Bank	AA- / A-1+	03-Jun-21	0.80%	\$2,000,000.00	1098	6-Jun-24	Term Deposit	General	
National Australia Bank	AA- / A-1+	29-Apr-21	1.25%	\$2,500,000.00	1820	23-Apr-26	Term Deposit	Sewer	
				\$41,700,000.00					18.29%
Newcastle Permanent	BBB / A-2	21-Mar-18	BBSW +165	\$500,000.00	1405	24-Jan-22	FRN	General	
Newcastle Permanent	BBB / A-2	06-Feb-18	BBSW +140	\$1,250,000.00	1826	6-Feb-23	FRN	General	
Newcastle Permanent	BBB / A-2	21-Mar-18	BBSW +140	\$500,000.00	1783	6-Feb-23	FRN	General	
Newcastle Permanent	BBB / A-2	04-Jun-18	BBSW +140	\$1,000,000.00	1708	6-Feb-23	FRN	General	

Newcastle Permanent	BBB / A-2	25-Jan-19	3.05%	\$2,000,000.00	1098	27-Jan-22	Term Deposit	Sewer	
Newcastle Permanent	BBB / A-2	07-Feb-19	3.05%	\$1,500,000.00	1099	10-Feb-22	Term Deposit	General	
				\$6,750,000.00					2.96%
Northern Territory	Aa3	15-Apr-21	0.80%	\$1,000,000.00	1157	15-Jun-24	Gov't Bond	General	
Northern Territory	Aa3	15-Apr-21	1.10%	\$1,000,000.00	1522	15-Jun-25	Gov't Bond	General	
Northern Territory	Aa3	30-Apr-21	1.30%	\$1,000,000.00	1872	15-Jun-26	Gov't Bond	General	
				\$3,000,000.00					1.32%
RACQ Bank	BBB+ / A-2	23-May-19	BBSW+105	\$1,500,000.00	1096	23-May-22	FRN	General	
				\$1,500,000.00					0.66%
Suncorp Metway	A+ / A-1	30-Jul-19	BBSW+.78	\$1,250,000.00	1827	30-Jul-24	FRN	General	
Suncorp Metway	A+ / A-1	24-Feb-21	BBSW+45	\$1,300,000.00	1826	24-Feb-26	FRN	General	
				\$2,550,000.00					1.12%
T-Corp	AA+ / A-1+	31-May-21		\$7,439.26	0		At Call	Sewer	
				\$7,439.26					0.00%
UBS	A+ / A-1	21-May-20	BBSW + 105	\$940,000.00	914	21-Nov-22	FRN	General	
UBS	A+ / A-1	08-Mar-18	BBSW +90	\$2,000,000.00	1826	8-Mar-23	FRN	General	
UBS	A+ / A-1	30-Jul-20	BBSW+87	\$1,600,000.00	1826	30-Jul-25	FRN	General	
UBS	A+ / A-1	30-Jul-20	BBSW+87	\$1,000,000.00	1826	30-Jul-25	FRN	Sewer	
				\$5,540,000.00					2.43%
Westpac Bank	AA- / A-1+	02-Aug-19	Cash Rate +1.00	\$2,000,000.00	732	3-Aug-21	FTD	Sewer	
Westpac Bank	AA- / A-1+	13-May-19	BBSW + .95	\$2,000,000.00	1827	13-May-24	FTD	Sewer	
Westpac Bank	AA- / A-1+	30-Jun-20	0.85%	\$2,500,000.00	373	8-Jul-21	Term Deposit	General	
Westpac Bank	AA- / A-1+	28-Aug-20	0.73%	\$3,000,000.00	363	26-Aug-21	Term Deposit	General	
Westpac Bank	AA- / A-1+	28-Aug-20	0.73%	\$3,000,000.00	370	2-Sep-21	Term Deposit	Sewer	
Westpac Bank	AA- / A-1+	03-Sep-20	0.75% - Qtrly re-set	\$2,000,000.00	371	9-Sep-21	Term Deposit	General	
Westpac Bank	AA- / A-1+	26-Jun-20	0.92%	\$3,000,000.00	741	7-Jul-22	Term Deposit	Water	
Westpac Bank	AA- / A-1+	30-Jun-20	0.89%	\$2,500,000.00	744	14-Jul-22	Term Deposit	Sewer	
Westpac Bank	AA- / A-1+	30-Jun-20	0.89%	\$2,500,000.00	751	21-Jul-22	Term Deposit	General	
				\$22,500,000.00					9.87%
				\$228,017,613.49					100.00%

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31. LONG TERM FINANCIAL PLAN REVIEW

Report Author Phil Brennan, Manager Finance
File No. / ECM Index Financial Planning
Date of Meeting 28 July 2021
Authorising Director Steve Embry, Director Corporate Services

SUMMARY OF REPORT

This report presents a reviewed Long Term Financial Plan (LTFP) that covers the period to 30 June 2031.

SUMMARY OF RECOMMENDATION

That the reviewed Long Term Financial Plan for the period to 30 June 2031 be noted.

FINANCIAL/RESOURCE IMPLICATIONS

The LTFP highlights the projected financial results of Council over the life of the Plan based on a Business as Usual scenario. The recently adopted 2021-2022 budget has been incorporated into the Plan and projections are based off this year.

At a Fund level it confirms issues that Council have previously raised and considered around long term financial sustainability.

LEGAL IMPLICATIONS

Council is required to develop a Long Term Financial Plan under the Integrated Planning and Resourcing provisions of the Local Government Act 1993.

BACKGROUND

As Council is aware a review of its Long Term Financial Plan (LTFP) has been underway for a period of time. This commenced with the construction of a new model following the implementation of Council's new Financial system and General Ledger structure and was based on the 2020-2021 adopted budget.

A number of the indexation factors previously adopted in previous LTFPs have been amended in this review given the current economic conditions. Both income and expenditure indexation factors have been reduced.

Those indexation factors are as follows:

Rates – 2.25%
Annual Charges – Domestic Waste – 2.00%
User Charges – 1.50%
Fees & Charges – 2.00%
Other Revenues – 1.00%
Operating Grants – 1.50%
Operating Contributions – 1.00%
Interest & Investment Revenues – 0.20%
Rental Income – 1.00% increasing to 2.00% from 2025/2026

Employee Costs- 2.20%
Materials & Contracts – 1.00%
Borrowing Costs – Actuals
Other Expenses – 1.20%

This indexation has generally been applied uniformly across the 10 years of the Plan in the absence of better economic information. Scenarios in future plans can look at the impact of higher or lower economic projections across the Plan and these options will be discussed with Council at the relevant time.

To obtain a consolidated LTFP it has been necessary to develop 3 individual plans for each of Council's Funds – General, Water & Sewer. The Consolidated results and the individual Fund results are provided as Annexures to this report.

The Plan is developed at a budget line level projected over a 10 year timeframe with all of this detail rolling up to provide an Income Statement, Balance Sheet and Cash Flow Statement.

Development of the Plan has highlighted a number of opportunities to increase the value of the LTFP as a strategic modelling tool to assist Council and Management with decision-making.

Those opportunities lie in improving the quality of data that is included within the model particularly in relation to the integration of asset management information. It also includes having longer term business plans developed for business as usual functions and better information on when projects will proceed where funding has been accumulated over a number of years for these projects.

The LTFP is scheduled for a major review as part of the development of the next Resourcing Strategy. This occurs during the first 9 months of a new council's term and is part of the development of the Delivery Program that will guide the new Council. That includes the development of scenarios. These traditionally focus on addressing asset management issues and/or financial sustainability issues. The number and focus of these scenarios will be discussed with Council at the relevant time.

DISCUSSION

The Income Statements that have been developed for the 3 Funds (General, Water & Sewer) confirm previous discussions.

The Water & Sewer Funds are projected to record small Operating surpluses both before and after capital grants and contributions. The issue for both of these Funds is a large future Capital works program that is in existing plans for delivery over the next 10 years. Given recent tender prices for major construction projects the current estimates for the delivery of these projects will need revision. Major increases in prices will impact the long term sustainability of these funds, particularly the Water Fund that is still paying down significant levels of debt associated with previous capital projects.

The General Fund is projecting Operating deficits from 2023/2024 onwards and an average Operating deficit before capital grants and contribution of \$13 million annually. Council and Management have been discussing this situation for the last 12 months. Significant work continues in the asset management area as asset management plans for all asset classes are developed. These are critical in determining asset operation and maintenance expenditure requirements, future renewal requirements and timeframes, annual depreciation estimates etc.

This will be a major focus of the new Council as it balances the expectations of the community for increased services with asset management affordability and the need to ensure long term financial sustainability.

Given the timeframes associated with the development of the Resourcing Strategy, the major review of the LTFP will commence once the Financial Statements for 2020-2021 are completed and rolled into the model.

RECOMMENDATION

That the revised Long Term Financial Plan covering the period to 30 June 2031 be noted.

ANNEXURES

A: Consolidated Fund – Income Statement, Balance Sheets, Cash Flow Statement

MidCoast Council 10 Year Financial Plan for the Years ending 30 June 2031 INCOME STATEMENT - CONSOLIDATED Scenario: Business as Usual											
	Current Year	Projected Years				Projected Years					
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Income from Continuing Operations											
Revenue:											
Rates & Annual Charges	154,955,170	159,417,562	161,881,844	164,408,747	166,990,097	169,627,076	172,320,895	175,072,790	177,884,026	180,755,892	183,689,710
User Charges & Fees	51,806,096	54,781,708	55,905,223	56,747,822	57,604,490	58,475,200	59,360,320	60,260,093	61,174,758	62,104,596	63,050,452
Other Revenues	31,230,989	4,618,859	4,694,857	4,732,215	4,769,946	4,808,054	4,846,544	4,885,418	4,924,682	4,964,337	5,004,390
Grants & Contributions provided for Operating Purposes	40,029,834	39,399,216	30,222,061	30,618,191	31,020,198	31,428,173	31,861,179	32,300,993	32,747,726	33,201,488	33,662,392
Grants & Contributions provided for Capital Purposes	15,108,739	19,670,500	27,844,500	19,430,500	10,859,000	9,919,000	9,919,000	9,919,000	9,919,000	9,919,000	9,919,000
Interest & Investment Revenue	3,418,000	2,418,216	2,423,052	2,427,899	2,432,754	2,437,620	2,442,495	2,447,380	2,452,275	2,457,179	2,462,094
Other Income:											
Rental Income	1,951,609	2,261,700	2,269,487	2,279,318	2,291,263	2,307,428	2,323,917	2,340,735	2,357,890	2,375,388	2,393,235
Total Income from Continuing Operations	298,500,437	282,567,762	285,241,024	280,644,691	275,967,748	279,002,551	283,074,349	287,226,410	291,460,366	295,777,881	300,181,273
Expenses from Continuing Operations											
Employee Benefits & On-Costs	92,433,995	96,977,228	101,095,640	103,285,055	105,522,637	107,809,446	110,146,565	112,535,100	114,976,183	117,470,970	120,020,642
Borrowing Costs	11,207,934	9,542,714	8,696,718	8,099,890	7,330,094	6,490,933	5,791,972	5,231,298	4,614,722	4,087,554	3,559,737
Materials & Contracts	81,391,992	59,971,380	60,192,283	60,733,021	62,099,358	61,831,748	62,390,267	62,954,988	64,395,989	64,103,346	64,687,138
Depreciation & Amortisation	78,333,000	84,323,567	84,323,567	84,323,567	84,323,567	84,203,567	84,203,567	84,203,567	84,203,567	84,203,567	84,203,567
Other Expenses	12,419,325	11,059,925	11,663,670	12,011,412	12,365,326	12,719,463	13,079,874	13,444,610	13,813,723	14,187,265	14,565,289
Net Losses from the Disposal of Assets	923,500	923,500	923,500	923,500	923,500	923,500	923,500	923,500	923,500	923,500	923,500
Total Expenses from Continuing Operations	276,709,746	262,798,314	266,895,378	269,376,445	272,562,482	273,994,657	276,535,744	279,293,062	282,927,684	284,976,201	287,959,873
Operating Result from Continuing Operations	21,790,692	19,769,448	18,345,646	11,268,247	3,405,266	5,007,894	6,538,604	7,933,348	8,532,682	10,801,680	12,221,400
Net Operating Result for the Year	21,790,692	19,769,448	18,345,646	11,268,247	3,405,266	5,007,894	6,538,604	7,933,348	8,532,682	10,801,680	12,221,400
Net Operating Result before Grants and Contributions provided for Capital Purposes	6,681,953	98,948	(9,498,854)	(8,162,253)	(7,453,734)	(4,911,106)	(3,380,396)	(1,985,652)	(1,386,318)	882,680	2,302,400

MidCoast Council
10 Year Financial Plan for the Years ending 30 June 2031
BALANCE SHEET - CONSOLIDATED
Scenario: Business as Usual

	Current Year	Projected Years									
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
ASSETS											
Current Assets											
Cash & Cash Equivalents	27,443,607	20,245,767	2,748,963	1,818,203	10,194,985	20,714,399	34,991,150	51,882,933	69,534,897	90,060,558	111,071,158
Investments	159,690,892	159,690,892	150,660,609	132,932,091	128,671,868	128,320,606	128,320,606	128,320,606	128,320,606	128,320,606	128,320,606
Receivables	36,594,955	31,898,645	32,098,972	31,718,104	31,454,066	31,845,328	32,349,868	32,880,145	33,425,221	33,996,061	34,580,652
Inventories	3,828,040	3,723,861	3,729,130	3,743,948	3,783,441	3,774,061	3,789,371	3,804,852	3,846,521	3,836,337	3,852,346
Other	1,027,769	915,631	928,428	942,426	972,471	970,896	985,379	1,000,029	1,031,710	1,029,841	1,045,007
Total Current Assets	228,585,263	216,474,796	190,166,101	171,154,774	175,076,831	185,625,289	200,436,373	217,888,565	236,158,954	257,243,403	278,869,769
Non-Current Assets											
Investments	56,763,228	56,763,228	54,564,427	47,783,845	46,750,881	46,665,712	46,665,712	46,665,712	46,665,712	46,665,712	46,665,712
Receivables	1,338,235	261,799	266,502	269,681	272,912	276,197	279,536	282,930	286,380	289,888	293,454
Inventories	3,091,515	3,091,515	3,091,515	3,091,515	3,091,515	3,091,515	3,091,515	3,091,515	3,091,515	3,091,515	3,091,515
Infrastructure, Property, Plant & Equipment	3,607,316,993	3,624,036,326	3,666,991,467	3,689,948,872	3,671,601,659	3,648,665,002	3,626,064,725	3,603,807,554	3,581,900,352	3,560,350,117	3,539,163,989
Investment Property	18,640,000	18,640,000	18,640,000	18,640,000	18,640,000	18,640,000	18,640,000	18,640,000	18,640,000	18,640,000	18,640,000
Right of use assets	496,000	376,000	256,000	136,000	16,000	-	-	-	-	-	-
Investments Accounted for using the equity method	373,000	373,000	373,000	373,000	373,000	373,000	373,000	373,000	373,000	373,000	373,000
Total Non-Current Assets	3,688,018,971	3,703,541,868	3,744,182,911	3,760,242,913	3,740,745,968	3,717,711,426	3,695,114,487	3,672,860,710	3,650,956,959	3,629,410,232	3,608,227,670
TOTAL ASSETS	3,916,604,234	3,920,016,664	3,934,349,012	3,931,397,687	3,915,822,798	3,903,336,715	3,895,550,860	3,890,749,276	3,887,115,913	3,886,653,635	3,887,097,439
LIABILITIES											
Current Liabilities											
Payables	30,263,885	25,281,616	25,854,291	26,109,137	26,175,161	26,288,179	26,496,301	26,720,309	27,046,134	27,230,884	27,502,202
Contract liabilities	2,887,087	3,043,028	2,984,683	2,518,346	2,043,191	2,012,247	2,037,431	2,063,012	2,088,995	2,115,387	2,142,194
Borrowings	20,155,690	19,527,627	18,618,081	18,571,023	17,576,052	14,557,765	12,984,521	12,517,853	11,475,099	12,075,722	12,787,866
Provisions	26,776,897	26,776,897	26,776,897	26,776,897	26,776,897	26,776,897	26,776,897	26,776,897	26,776,897	26,776,897	26,776,897
Total Current Liabilities	80,083,559	74,629,168	74,233,952	73,975,403	72,571,300	69,635,088	68,295,150	68,078,071	67,387,125	68,198,889	69,209,159
Non-Current Liabilities											
Payables	164,257	164,257	164,257	164,257	164,257	164,257	164,257	164,257	164,257	164,257	164,257
Lease liabilities	457,000	457,000	457,000	457,000	457,000	457,000	457,000	457,000	457,000	457,000	457,000
Borrowings	174,675,623	163,772,996	160,154,915	146,193,892	128,617,840	114,060,075	101,075,554	88,557,701	77,082,602	65,006,880	52,219,014
Provisions	14,956,103	14,956,103	14,956,103	14,956,103	14,956,103	14,956,103	14,956,103	14,956,103	14,956,103	14,956,103	14,956,103
Total Non-Current Liabilities	190,252,983	179,350,356	175,732,275	161,771,252	144,195,200	129,637,435	116,652,914	104,135,061	92,659,962	80,584,240	67,796,374
TOTAL LIABILITIES	270,336,542	253,979,525	249,966,227	235,746,656	216,766,501	199,272,523	184,948,064	172,213,132	160,047,087	148,783,129	137,005,533
Net Assets	3,646,267,692	3,666,037,139	3,684,382,785	3,695,651,032	3,699,056,298	3,704,064,191	3,710,602,796	3,718,536,144	3,727,068,826	3,737,870,506	3,750,091,906
EQUITY											
Retained Earnings	2,935,709,692	2,955,479,139	2,973,824,785	2,985,093,032	2,988,498,298	2,993,506,191	3,000,044,796	3,007,978,144	3,016,510,826	3,027,312,506	3,039,533,906
Revaluation Reserves	710,558,000	710,558,000	710,558,000	710,558,000	710,558,000	710,558,000	710,558,000	710,558,000	710,558,000	710,558,000	710,558,000
Council Equity Interest	3,646,267,692	3,666,037,139	3,684,382,785	3,695,651,032	3,699,056,298	3,704,064,191	3,710,602,796	3,718,536,144	3,727,068,826	3,737,870,506	3,750,091,906
Total Equity	3,646,267,692	3,666,037,139	3,684,382,785	3,695,651,032	3,699,056,298	3,704,064,191	3,710,602,796	3,718,536,144	3,727,068,826	3,737,870,506	3,750,091,906

MidCoast Council
10 Year Financial Plan for the Years ending 30 June 2031
CASH FLOW STATEMENT - CONSOLIDATED
Scenario: Business as Usual

	Current Year	Projected Years									
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Cash Flows from Operating Activities											
Receipts:											
Rates & Annual Charges	156,051,129	159,299,167	161,834,499	164,360,296	166,940,664	169,576,640	172,269,436	175,020,286	177,830,455	180,701,233	183,633,939
User Charges & Fees	52,539,449	54,195,005	55,806,870	56,662,092	57,517,396	58,386,732	59,270,450	60,168,799	61,082,026	62,010,383	62,954,716
Investment & Interest Revenue Received	3,267,554	2,535,645	2,541,873	2,506,017	2,388,034	2,354,783	2,329,907	2,316,042	2,313,256	2,299,644	2,298,312
Grants & Contributions	52,433,521	55,554,806	54,572,140	46,593,281	38,424,631	37,850,132	38,277,771	38,717,547	39,164,242	39,617,964	40,078,829
Other	27,769,619	13,612,459	6,819,938	7,024,138	7,074,399	7,002,473	7,039,814	7,093,436	7,147,748	7,202,762	7,258,417
Payments:											
Employee Benefits & On-Costs	(91,663,203)	(97,156,201)	(101,050,628)	(103,263,433)	(105,500,539)	(107,786,862)	(110,123,484)	(112,511,511)	(114,952,075)	(117,446,332)	(119,995,462)
Materials & Contracts	(82,581,483)	(63,773,102)	(60,130,062)	(60,677,807)	(62,041,029)	(61,777,806)	(62,333,194)	(62,897,281)	(64,334,984)	(64,047,005)	(64,627,485)
Borrowing Costs	(11,385,208)	(9,558,474)	(8,586,212)	(8,152,417)	(7,457,915)	(6,612,349)	(5,906,921)	(5,336,132)	(4,706,891)	(4,160,258)	(3,635,277)
Other	(12,063,567)	(11,948,232)	(11,470,795)	(11,901,792)	(12,216,090)	(12,641,259)	(12,963,952)	(13,326,496)	(13,655,635)	(14,102,370)	(14,440,329)
Net Cash provided (or used in) Operating Activities	94,367,812	102,761,072	100,337,624	93,150,374	85,129,550	86,352,486	87,859,826	89,244,690	89,888,142	92,076,021	93,525,658
Cash Flows from Investing Activities											
Receipts:											
Sale of Investment Securities	1,085,880	-	11,229,084	24,509,099	5,293,187	436,432	-	-	-	-	-
Sale of Infrastructure, Property, Plant & Equipment	1,520,000	1,515,000	1,515,000	1,515,000	1,515,000	1,515,000	1,515,000	1,515,000	1,515,000	1,515,000	1,515,000
Payments:											
Purchase of Infrastructure, Property, Plant & Equipment	(103,218,398)	(99,943,222)	(126,050,885)	(106,097,152)	(64,989,931)	(60,208,453)	(60,540,310)	(60,883,386)	(61,233,325)	(61,590,261)	(61,954,337)
Net Cash provided (or used in) Investing Activities	(100,612,517)	(98,428,222)	(113,306,801)	(80,073,052)	(58,181,744)	(58,257,021)	(59,025,310)	(59,368,386)	(59,718,325)	(60,075,261)	(60,439,337)
Cash Flows from Financing Activities											
Receipts:											
Proceeds from Borrowings & Advances	3,009,383	8,625,000	15,000,000	4,610,000	-	-	-	-	-	-	-
Payments:											
Repayment of Borrowings & Advances	(20,926,070)	(20,155,690)	(19,527,627)	(18,618,081)	(18,571,023)	(17,576,052)	(14,557,765)	(12,984,521)	(12,517,853)	(11,475,099)	(12,075,722)
Net Cash Flow provided (used in) Financing Activities	(17,916,687)	(11,530,690)	(4,527,627)	(14,008,081)	(18,571,023)	(17,576,052)	(14,557,765)	(12,984,521)	(12,517,853)	(11,475,099)	(12,075,722)
Net Increase/(Decrease) in Cash & Cash Equivalents	(24,161,393)	(7,197,840)	(17,496,804)	(930,760)	8,376,782	10,519,413	14,276,752	16,891,783	17,651,963	20,525,661	21,010,599
plus: Cash & Cash Equivalents - beginning of year	51,605,000	27,443,607	20,245,767	2,748,963	1,818,203	10,194,985	20,714,399	34,991,150	51,882,933	69,534,897	90,060,558
Cash & Cash Equivalents - end of the year	27,443,607	20,245,767	2,748,963	1,818,203	10,194,985	20,714,399	34,991,150	51,882,933	69,534,897	90,060,558	111,071,158
Cash & Cash Equivalents - end of the year	27,443,607	20,245,767	2,748,963	1,818,203	10,194,985	20,714,399	34,991,150	51,882,933	69,534,897	90,060,558	111,071,158
Investments - end of the year	216,454,120	216,454,120	205,225,036	180,715,937	175,422,749	174,986,317	174,986,317	174,986,317	174,986,317	174,986,317	174,986,317
Cash, Cash Equivalents & Investments - end of the year	243,897,727	236,699,886	207,973,999	182,534,140	185,617,735	195,700,716	209,977,468	226,869,251	244,521,214	265,046,875	286,057,475

B: General Fund – Income Statement, Balance Sheet, Statement of Cash Flows

MidCoast Council
10 Year Financial Plan for the Years ending 30 June 2031
INCOME STATEMENT - GENERAL FUND
Scenario: Business as Usual

	Current Year	Projected Years									
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Income from Continuing Operations											
Revenue:											
Rates & Annual Charges	103,163,465	106,799,984	109,074,357	111,408,503	113,794,204	116,232,600	118,724,857	121,272,167	123,875,748	126,536,845	129,256,732
User Charges & Fees	20,178,350	22,495,508	23,133,537	23,483,255	23,839,534	24,202,231	24,571,598	24,947,759	25,330,843	25,720,979	26,118,918
Other Revenues	31,155,989	4,543,859	4,619,107	4,655,707	4,692,673	4,730,009	4,767,718	4,805,804	4,844,271	4,883,123	4,922,363
Grants & Contributions provided for Operating Purposes	40,029,834	39,399,216	30,222,061	30,618,191	31,020,198	31,428,173	31,861,179	32,300,993	32,747,726	33,201,488	33,662,392
Grants & Contributions provided for Capital Purposes	13,108,739	16,420,500	24,594,500	16,180,500	7,609,000	6,669,000	6,669,000	6,669,000	6,669,000	6,669,000	6,669,000
Interest & Investment Revenue	2,099,000	1,544,674	1,547,763	1,550,859	1,553,961	1,557,069	1,560,183	1,563,303	1,566,430	1,569,562	1,572,702
Other Income:											
Rental Income	1,751,609	2,041,700	2,049,487	2,059,318	2,071,263	2,087,428	2,103,917	2,120,735	2,137,890	2,155,388	2,173,235
Total Income from Continuing Operations	211,486,986	193,245,442	195,240,813	189,956,334	184,580,833	186,906,510	190,258,451	193,679,761	197,171,908	200,736,385	204,375,342
Expenses from Continuing Operations											
Employee Benefits & On-Costs	92,432,800	77,827,292	81,524,405	83,283,253	85,080,795	86,917,884	88,795,388	90,714,198	92,675,221	94,679,387	96,727,644
Borrowing Costs	2,102,895	1,630,821	1,422,920	1,496,592	1,386,038	1,175,857	986,041	813,823	587,336	471,660	375,683
Materials & Contracts	47,546,445	42,279,359	42,409,017	42,857,597	44,130,855	43,769,235	44,232,804	44,701,625	46,045,767	45,655,297	46,140,284
Depreciation & Amortisation	51,807,000	57,163,567	57,163,567	57,163,567	57,163,567	57,059,567	57,043,567	57,043,567	57,043,567	57,043,567	57,043,567
Other Expenses	5,486,014	4,966,856	5,497,485	5,771,232	6,048,264	6,328,620	6,612,341	6,899,466	7,190,038	7,484,095	7,781,682
Total Expenses from Continuing Operations	199,375,153	183,867,895	188,017,393	190,572,241	193,809,519	195,251,163	197,670,141	200,172,679	203,541,929	205,334,006	208,068,859
Operating Result from Continuing Operations	12,111,833	9,377,547	7,223,419	(615,907)	(9,228,686)	(8,344,653)	(7,411,690)	(6,492,917)	(6,370,021)	(4,597,621)	(3,693,517)
Net Operating Result for the Year	12,111,833	9,377,547	7,223,419	(615,907)	(9,228,686)	(8,344,653)	(7,411,690)	(6,492,917)	(6,370,021)	(4,597,621)	(3,693,517)
Net Operating Result before Grants and Contributions provided for Capital Purposes	(996,906)	(7,042,953)	(17,371,081)	(16,796,407)	(16,837,686)	(15,013,653)	(14,080,690)	(13,161,917)	(13,039,021)	(11,266,621)	(10,362,517)

MidCoast Council
10 Year Financial Plan for the Years ending 30 June 2031
BALANCE SHEET - GENERAL FUND
Scenario: Business as Usual

	Current Year	Projected Years									
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
ASSETS											
Current Assets											
Cash & Cash Equivalents	-	6,725,971	2,748,963	-	8,572,863	18,949,650	30,324,350	42,891,769	56,049,072	71,726,543	87,807,914
Investments	98,093,190	98,093,190	98,093,190	84,435,629	84,435,629	84,435,629	84,435,629	84,435,629	84,435,629	84,435,629	
Receivables	22,418,596	16,753,315	16,966,506	16,431,808	16,041,414	16,277,489	16,597,568	16,928,275	17,267,166	17,623,671	
Inventories	3,742,205	3,584,710	3,588,587	3,602,001	3,640,073	3,629,260	3,643,122	3,657,140	3,697,332	3,685,657	
Other	1,027,769	915,631	928,428	942,426	972,471	970,896	985,379	1,000,029	1,031,710	1,029,841	
Total Current Assets	125,281,761	126,072,818	122,325,675	105,411,865	113,662,451	124,262,924	135,986,048	148,912,842	162,480,909	178,501,342	194,976,481
Non-Current Assets											
Investments	41,610,929	41,610,929	41,610,929	35,817,420	35,817,420	35,817,420	35,817,420	35,817,420	35,817,420	35,817,420	
Receivables	1,338,235	261,799	266,502	269,681	272,912	276,197	279,536	282,930	286,380	289,888	
Inventories	3,091,515	3,091,515	3,091,515	3,091,515	3,091,515	3,091,515	3,091,515	3,091,515	3,091,515	3,091,515	
Infrastructure, Property, Plant & Equipment	2,524,155,493	2,531,873,326	2,550,116,967	2,568,887,872	2,543,332,159	2,517,085,002	2,491,174,225	2,465,606,554	2,440,388,852	2,415,528,117	
Investment Property	18,640,000	18,640,000	18,640,000	18,640,000	18,640,000	18,640,000	18,640,000	18,640,000	18,640,000	18,640,000	
Right of use assets	496,000	376,000	256,000	136,000	16,000	-	-	-	-	-	
Investments Accounted for using the equity method	373,000	373,000	373,000	373,000	373,000	373,000	373,000	373,000	373,000	373,000	
Total Non-Current Assets	2,589,705,172	2,596,226,570	2,614,354,913	2,627,215,488	2,601,543,006	2,575,283,134	2,549,375,696	2,523,811,419	2,498,597,167	2,473,739,940	2,449,246,878
TOTAL ASSETS	2,714,986,933	2,722,299,388	2,736,680,588	2,732,627,353	2,715,205,457	2,699,546,058	2,685,361,743	2,672,724,261	2,661,078,076	2,652,241,281	2,644,223,359
LIABILITIES											
Current Liabilities											
Payables	22,315,476	21,048,426	21,575,370	21,783,988	21,803,280	21,869,056	22,029,422	22,205,154	22,482,177	22,617,592	
Contract liabilities	2,887,087	3,043,028	2,984,683	2,518,346	2,043,191	2,012,247	2,037,431	2,063,012	2,088,995	2,115,387	
Borrowings	9,578,983	8,310,818	7,789,609	7,737,346	7,349,579	6,958,175	6,345,877	5,579,169	4,400,982	4,572,658	
Provisions	20,247,564	20,247,564	20,247,564	20,247,564	20,247,564	20,247,564	20,247,564	20,247,564	20,247,564	20,247,564	
Total Current Liabilities	55,029,110	52,649,835	52,597,226	52,287,243	51,443,612	51,087,042	50,660,294	50,094,898	49,219,717	49,553,200	50,025,510
Non-Current Liabilities											
Payables	164,257	164,257	164,257	164,257	164,257	164,257	164,257	164,257	164,257	164,257	
Lease liabilities	457,000	457,000	457,000	457,000	457,000	457,000	457,000	457,000	457,000	457,000	
Borrowings	48,152,297	48,466,479	55,676,870	52,549,524	45,199,945	38,241,770	31,895,893	26,316,724	21,915,742	17,343,084	
Provisions	14,909,436	14,909,436	14,909,436	14,909,436	14,909,436	14,909,436	14,909,436	14,909,436	14,909,436	14,909,436	
Total Non-Current Liabilities	63,682,991	63,997,173	71,207,564	68,080,218	60,730,639	53,772,464	47,426,587	41,847,418	37,446,436	32,873,778	28,077,064
TOTAL LIABILITIES	118,712,100	116,647,008	123,804,790	120,367,461	112,174,251	104,859,506	98,086,881	91,942,316	86,666,153	82,426,978	78,102,574
Net Assets	2,596,274,833	2,605,652,380	2,612,875,799	2,612,259,892	2,603,031,206	2,594,686,553	2,587,274,863	2,580,781,945	2,574,411,924	2,569,814,304	2,566,120,786
EQUITY											
Retained Earnings	2,093,560,833	2,102,938,380	2,110,161,799	2,109,545,892	2,100,317,206	2,091,972,553	2,084,560,863	2,078,067,945	2,071,697,924	2,067,100,304	
Revaluation Reserves	502,714,000	502,714,000	502,714,000	502,714,000	502,714,000	502,714,000	502,714,000	502,714,000	502,714,000	502,714,000	
Council Equity Interest	2,596,274,833	2,605,652,380	2,612,875,799	2,612,259,892	2,603,031,206	2,594,686,553	2,587,274,863	2,580,781,945	2,574,411,924	2,569,814,304	
Total Equity	2,596,274,833	2,605,652,380	2,612,875,799	2,612,259,892	2,603,031,206	2,594,686,553	2,587,274,863	2,580,781,945	2,574,411,924	2,569,814,304	2,566,120,786

MidCoast Council
10 Year Financial Plan for the Years ending 30 June 2031
CASH FLOW STATEMENT - GENERAL FUND
Scenario: Business as Usual

	Current Year					Projected Years					
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Cash Flows from Operating Activities											
Receipts:											
Rates & Annual Charges	104,240,976	106,743,813	109,039,226	111,372,449	113,757,354	116,194,936	118,686,361	121,232,820	123,835,532	126,495,741	129,214,720
User Charges & Fees	20,665,269	22,385,717	23,103,306	23,466,685	23,822,653	24,185,046	24,554,097	24,929,936	25,312,692	25,702,494	26,100,063
Investment & Interest Revenue Received	2,137,166	1,510,933	1,506,741	1,633,591	1,484,108	1,475,625	1,475,921	1,473,023	1,472,669	1,462,986	1,463,545
Grants & Contributions	50,433,521	52,304,806	51,322,140	43,343,281	35,174,631	34,600,132	35,027,771	35,467,547	35,914,242	36,367,964	36,828,829
Other	27,380,248	13,898,462	6,590,832	6,795,290	6,845,818	6,774,167	6,811,792	6,865,705	6,920,318	6,975,641	7,031,615
Payments:											
Employee Benefits & On-Costs	(91,662,007)	(78,006,265)	(81,479,393)	(83,261,631)	(85,058,697)	(86,895,300)	(88,772,307)	(90,690,609)	(92,651,113)	(94,654,749)	(96,702,464)
Materials & Contracts	(49,359,510)	(42,312,547)	(42,391,134)	(42,847,206)	(44,117,839)	(43,761,100)	(44,222,039)	(44,690,731)	(46,032,088)	(45,646,799)	(46,128,996)
Borrowing Costs	(2,280,169)	(1,646,581)	(1,312,414)	(1,549,119)	(1,513,859)	(1,297,273)	(1,100,990)	(918,657)	(679,505)	(544,364)	(451,223)
Other	(5,130,256)	(5,855,163)	(5,304,609)	(5,661,612)	(5,901,028)	(6,250,416)	(6,496,419)	(6,781,353)	(7,031,950)	(7,399,201)	(7,656,722)
Net Cash provided (or used in) Operating Activities	56,425,237	69,023,176	61,074,695	53,291,727	44,493,141	45,025,818	45,964,185	46,887,681	47,060,798	48,759,715	49,699,365
Cash Flows from Investing Activities											
Receipts:											
Sale of Investment Securities	1,085,880	-	-	19,451,071	-	-	-	-	-	-	-
Sale of Infrastructure, Property, Plant & Equipment	1,520,000	1,515,000	1,515,000	1,515,000	1,515,000	1,515,000	1,515,000	1,515,000	1,515,000	1,515,000	1,515,000
Payments:											
Purchase of Infrastructure, Property, Plant & Equipment	(81,010,398)	(62,858,222)	(73,255,885)	(73,827,152)	(29,697,931)	(28,814,453)	(29,146,310)	(29,489,386)	(29,839,325)	(30,196,261)	(30,560,337)
Net Cash provided (or used in) Investing Activities	(78,404,517)	(61,343,222)	(71,740,885)	(52,861,081)	(28,182,931)	(27,299,453)	(27,631,310)	(27,974,386)	(28,324,325)	(28,681,261)	(29,045,337)
Cash Flows from Financing Activities											
Receipts:											
Proceeds from Borrowings & Advances	3,000,000	8,625,000	15,000,000	4,610,000	-	-	-	-	-	-	-
Payments:											
Repayment of Borrowings & Advances	(11,114,720)	(9,578,983)	(8,310,818)	(7,789,609)	(7,737,346)	(7,349,579)	(6,958,175)	(6,345,877)	(5,579,169)	(4,400,982)	(4,572,658)
Net Cash Flow provided (used in) Financing Activities	(8,114,720)	(953,983)	6,689,182	(3,179,609)	(7,737,346)	(7,349,579)	(6,958,175)	(6,345,877)	(5,579,169)	(4,400,982)	(4,572,658)
Net Increase/(Decrease) in Cash & Cash Equivalents	(30,094,000)	6,725,971	(3,977,008)	(2,748,963)	8,572,863	10,376,787	11,374,701	12,567,418	13,157,303	15,677,471	16,081,371
plus: Cash & Cash Equivalents - beginning of year	30,094,000	-	6,725,971	2,748,963	(0)	8,572,863	18,949,650	30,324,350	42,891,769	56,049,072	71,726,543
Cash & Cash Equivalents - end of the year	-	6,725,971	2,748,963	(0)	8,572,863	18,949,650	30,324,350	42,891,769	56,049,072	71,726,543	87,807,914
Cash & Cash Equivalents - end of the year	-	6,725,971	2,748,963	(0)	8,572,863	18,949,650	30,324,350	42,891,769	56,049,072	71,726,543	87,807,914
Investments - end of the year	139,704,120	139,704,120	139,704,120	120,253,049	120,253,049	120,253,049	120,253,049	120,253,049	120,253,049	120,253,049	120,253,049
Cash, Cash Equivalents & Investments - end of the year	139,704,120	146,430,091	142,453,083	120,253,049	128,825,912	139,202,699	150,577,399	163,144,818	176,302,121	191,979,592	208,060,963

C: Water Fund – Income Statement, Balance Sheet, Statement of Cash Flows

MidCoast Council
10 Year Financial Plan for the Years ending 30 June 2031
INCOME STATEMENT - WATER FUND
Scenario: Business as Usual

	Current Year					Projected Years					
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Income from Continuing Operations											
Revenue:											
Rates & Annual Charges	13,430,971	13,995,578	14,198,087	14,403,633	14,612,262	14,824,021	15,038,957	15,257,116	15,478,548	15,703,301	15,931,426
User Charges & Fees	28,447,746	29,049,500	29,488,135	29,933,443	30,385,525	30,844,485	31,310,429	31,783,462	32,263,694	32,751,234	33,246,194
Other Revenues	75,000	37,500	37,875	38,254	38,636	39,023	39,413	39,807	40,205	40,607	41,013
Grants & Contributions provided for Capital Purposes	1,000,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000
Interest & Investment Revenue	262,000	169,689	170,028	170,368	170,709	171,051	171,393	171,735	172,079	172,423	172,768
Other Income:											
Rental Income	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
Total Income from Continuing Operations	43,415,717	45,702,267	46,344,125	46,995,698	47,657,133	48,328,580	49,010,191	49,702,121	50,404,526	51,117,565	51,841,401
Expenses from Continuing Operations											
Employee Benefits & On-Costs	1,196	9,574,968	9,785,617	10,000,901	10,220,921	10,445,781	10,675,588	10,910,451	11,150,481	11,395,792	11,646,499
Borrowing Costs	5,256,192	4,537,577	4,257,890	3,940,105	3,625,641	3,322,787	3,064,434	2,828,489	2,586,533	2,330,647	2,061,728
Materials & Contracts	17,511,962	9,097,274	9,146,800	9,196,821	9,247,343	9,298,369	9,349,906	9,401,958	9,454,531	9,507,629	9,561,259
Depreciation & Amortisation	13,214,000	13,800,000	13,800,000	13,800,000	13,800,000	13,800,000	13,800,000	13,800,000	13,800,000	13,800,000	13,800,000
Other Expenses	3,501,799	3,136,771	3,174,412	3,212,505	3,251,055	3,290,068	3,329,549	3,369,503	3,409,938	3,450,857	3,492,267
Net Losses from the Disposal of Assets	728,500	728,500	728,500	728,500	728,500	728,500	728,500	728,500	728,500	728,500	728,500
Total Expenses from Continuing Operations	40,213,649	40,875,090	40,893,220	40,878,833	40,873,460	40,885,505	40,947,977	41,038,902	41,129,983	41,213,425	41,290,253
Operating Result from Continuing Operations	3,202,068	4,827,177	5,450,905	6,116,865	6,783,673	7,443,074	8,062,214	8,663,219	9,274,543	9,904,140	10,551,148
Net Operating Result for the Year	3,202,068	4,827,177	5,450,905	6,116,865	6,783,673	7,443,074	8,062,214	8,663,219	9,274,543	9,904,140	10,551,148
Net Operating Result before Grants and Contributions provided for Capital Purposes	2,202,068	2,577,177	3,200,905	3,866,865	4,533,673	5,193,074	5,812,214	6,413,219	7,024,543	7,654,140	8,301,148

MidCoast Council
10 Year Financial Plan for the Years ending 30 June 2031
BALANCE SHEET - WATER FUND
Scenario: Business as Usual

	Current Year	Projected Years									
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
ASSETS											
Current Assets											
Cash & Cash Equivalents	16,236,767	4,729,326	-	1,818,203	1,622,122	1,764,749	3,335,582	5,647,761	8,355,471	11,525,937	15,069,434
Investments	6,666,667	6,666,667	6,382,182	6,382,182	6,382,182	6,382,182	6,382,182	6,382,182	6,382,182	6,382,182	6,382,182
Receivables	8,490,218	8,789,735	8,844,164	8,996,863	9,123,076	9,256,195	9,410,468	9,576,488	9,749,755	9,931,268	10,119,837
Inventories	85,312	138,251	139,633	141,029	142,440	143,864	145,303	146,756	148,223	149,706	151,203
Total Current Assets	31,478,963	20,323,979	15,365,979	17,338,278	17,269,821	17,546,990	19,273,535	21,753,187	24,635,632	27,989,093	31,722,655
Non-Current Assets											
Investments	1,833,333	1,833,333	1,755,100	1,755,100	1,755,100	1,755,100	1,755,100	1,755,100	1,755,100	1,755,100	1,755,100
Infrastructure, Property, Plant & Equipment	559,203,500	568,835,000	574,151,500	572,973,000	574,407,500	576,321,000	578,234,500	580,148,000	582,061,500	583,975,000	585,888,500
Total Non-Current Assets	561,036,833	570,668,333	575,906,600	574,728,100	576,162,600	578,076,100	579,989,600	581,903,100	583,816,600	585,730,100	587,643,600
TOTAL ASSETS	592,515,796	590,992,312	591,272,579	592,066,378	593,432,421	595,623,090	599,263,135	603,656,287	608,452,232	613,719,193	619,366,255
LIABILITIES											
Current Liabilities											
Bank Overdraft	-	-	-	-	-	-	-	-	-	-	-
Payables	3,526,154	2,089,805	2,112,324	2,135,087	2,158,098	2,181,359	2,204,872	2,228,641	2,252,669	2,276,957	2,301,510
Borrowings	4,914,312	5,193,157	5,345,830	5,440,641	5,275,666	4,445,682	4,293,836	4,502,625	4,661,468	4,928,638	5,246,176
Provisions	3,264,667	3,264,667	3,264,667	3,264,667	3,264,667	3,264,667	3,264,667	3,264,667	3,264,667	3,264,667	3,264,667
Total Current Liabilities	11,705,133	10,547,629	10,722,821	10,840,395	10,698,431	9,891,708	9,763,375	9,995,933	10,178,803	10,470,262	10,812,352
Non-Current Liabilities											
Borrowings	76,168,262	70,975,105	65,629,275	60,188,634	54,912,968	50,467,286	46,173,450	41,670,825	37,009,357	32,080,719	26,834,543
Provisions	23,333	23,333	23,333	23,333	23,333	23,333	23,333	23,333	23,333	23,333	23,333
Total Non-Current Liabilities	76,191,595	70,998,438	65,652,608	60,211,967	54,936,301	50,490,619	46,196,783	41,694,158	37,032,690	32,104,052	26,857,876
TOTAL LIABILITIES	87,896,728	81,546,067	76,375,429	71,052,362	65,634,732	60,382,327	55,960,158	51,690,091	47,211,494	42,574,314	37,670,229
Net Assets	504,619,068	509,446,245	514,897,150	521,014,016	527,797,689	535,240,763	543,302,977	551,966,196	561,240,739	571,144,879	581,696,026
EQUITY											
Retained Earnings	425,122,068	429,949,245	435,400,150	441,517,016	448,300,689	455,743,763	463,805,977	472,469,196	481,743,739	491,647,879	502,199,026
Revaluation Reserves	79,497,000	79,497,000	79,497,000	79,497,000	79,497,000	79,497,000	79,497,000	79,497,000	79,497,000	79,497,000	79,497,000
Council Equity Interest	504,619,068	509,446,245	514,897,150	521,014,016	527,797,689	535,240,763	543,302,977	551,966,196	561,240,739	571,144,879	581,696,026
Total Equity	504,619,068	509,446,245	514,897,150	521,014,016	527,797,689	535,240,763	543,302,977	551,966,196	561,240,739	571,144,879	581,696,026

MidCoast Council
10 Year Financial Plan for the Years ending 30 June 2031
CASH FLOW STATEMENT - WATER FUND
Scenario: Business as Usual

	Current Year					Projected Years					
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Cash Flows from Operating Activities											
Receipts:											
Rates & Annual Charges	13,516,491	13,958,186	14,184,675	14,390,020	14,598,446	14,809,997	15,024,722	15,242,668	15,463,883	15,688,417	15,916,318
User Charges & Fees	28,450,130	28,772,104	29,426,480	29,870,850	30,321,980	30,779,974	31,244,936	31,716,972	32,196,192	32,682,705	33,176,622
Investment & Interest Revenue Received	38,462	314,059	239,727	143,682	172,422	167,802	148,961	139,561	134,690	128,853	124,237
Grants & Contributions	1,000,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000
Other	498,416	108,400	188,813	188,446	188,071	187,689	187,298	186,900	186,493	186,078	185,655
Payments:											
Employee Benefits & On-Costs	(1,196)	(9,574,968)	(9,785,617)	(10,000,901)	(10,220,921)	(10,445,781)	(10,675,588)	(10,910,451)	(11,150,481)	(11,395,792)	(11,646,499)
Materials & Contracts	(17,427,120)	(10,586,562)	(9,125,664)	(9,175,454)	(9,225,742)	(9,276,533)	(9,327,831)	(9,379,642)	(9,431,971)	(9,484,823)	(9,538,203)
Borrowing Costs	(5,256,192)	(4,537,577)	(4,257,890)	(3,940,105)	(3,625,641)	(3,322,787)	(3,064,434)	(2,828,489)	(2,586,533)	(2,330,647)	(2,061,728)
Other	(3,501,799)	(3,136,771)	(3,174,412)	(3,212,505)	(3,251,055)	(3,290,068)	(3,329,549)	(3,369,503)	(3,409,938)	(3,450,857)	(3,492,267)
Net Cash provided (or used in) Operating Activities	17,317,193	17,566,872	19,946,113	20,514,033	21,207,560	21,860,292	22,458,515	23,048,015	23,652,335	24,273,934	24,914,135
Cash Flows from Investing Activities											
Receipts:											
Sale of Investment Securities	-	-	362,718	-	-	-	-	-	-	-	-
Payments:											
Purchase of Infrastructure, Property, Plant & Equipment	(9,106,000)	(24,160,000)	(19,845,000)	(13,350,000)	(15,963,000)	(16,442,000)	(16,442,000)	(16,442,000)	(16,442,000)	(16,442,000)	(16,442,000)
Net Cash provided (or used in) Investing Activities	(9,106,000)	(24,160,000)	(19,482,282)	(13,350,000)	(15,963,000)	(16,442,000)	(16,442,000)	(16,442,000)	(16,442,000)	(16,442,000)	(16,442,000)
Cash Flows from Financing Activities											
Receipts:											
Proceeds from Borrowings & Advances	7,218	-	-	-	-	-	-	-	-	-	-
Payments:											
Repayment of Borrowings & Advances	(4,529,644)	(4,914,312)	(5,193,157)	(5,345,830)	(5,440,641)	(5,275,666)	(4,445,682)	(4,293,836)	(4,502,625)	(4,661,468)	(4,928,638)
Net Cash Flow provided (used in) Financing Activities	(4,522,426)	(4,914,312)	(5,193,157)	(5,345,830)	(5,440,641)	(5,275,666)	(4,445,682)	(4,293,836)	(4,502,625)	(4,661,468)	(4,928,638)
Net Increase/(Decrease) in Cash & Cash Equivalents	3,688,767	(11,507,440)	(4,729,326)	1,818,203	(196,081)	142,626	1,570,833	2,312,179	2,707,710	3,170,466	3,543,497
plus: Cash & Cash Equivalents - beginning of year	12,548,000	16,236,767	4,729,326	0	1,818,203	1,622,122	1,764,749	3,335,582	5,647,761	8,355,471	11,525,937
Cash & Cash Equivalents - end of the year	16,236,767	4,729,326	0	1,818,203	1,622,122	1,764,749	3,335,582	5,647,761	8,355,471	11,525,937	15,069,434
Cash & Cash Equivalents - end of the year	16,236,767	4,729,326	0	1,818,203	1,622,122	1,764,749	3,335,582	5,647,761	8,355,471	11,525,937	15,069,434
Investments - end of the year	8,500,000	8,500,000	8,137,282	8,137,282	8,137,282	8,137,282	8,137,282	8,137,282	8,137,282	8,137,282	8,137,282
Cash, Cash Equivalents & Investments - end of the year	24,736,767	13,229,326	8,137,282	9,955,485	9,759,405	9,902,031	11,472,864	13,785,043	16,492,754	19,663,220	23,206,716

D: Sewer Fund – Income Statement, Balance Sheet, Statement of Cash Flows

MidCoast Council
10 Year Financial Plan for the Years ending 30 June 2031
INCOME STATEMENT - SEWER FUND
Scenario: Business as Usual

	Current Year	Projected Years									
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Income from Continuing Operations											
Revenue:											
Rates & Annual Charges	38,360,734	38,622,000	38,609,400	38,596,611	38,583,630	38,570,455	38,557,081	38,543,508	38,529,730	38,515,746	38,501,552
User Charges & Fees	3,180,000	3,236,700	3,283,551	3,331,124	3,379,431	3,428,484	3,478,293	3,528,872	3,580,231	3,632,383	3,685,341
Other Revenues	-	37,500	37,875	38,254	38,636	39,023	39,413	39,807	40,205	40,607	41,013
Grants & Contributions provided for Capital Purposes	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Interest & Investment Revenue	1,057,000	703,853	705,261	706,671	708,085	709,501	710,920	712,342	713,766	715,194	716,624
Other Income:											
Rental Income	-	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Total Income from Continuing Operations	43,597,734	43,620,053	43,656,086	43,692,660	43,729,782	43,767,462	43,805,707	43,844,528	43,883,933	43,923,930	43,964,530
Expenses from Continuing Operations											
Employee Benefits & On-Costs	-	9,574,968	9,785,617	10,000,901	10,220,921	10,445,781	10,675,588	10,910,451	11,150,481	11,395,792	11,646,499
Borrowing Costs	3,848,847	3,374,316	3,015,908	2,663,193	2,318,415	1,992,289	1,741,497	1,588,986	1,440,853	1,285,247	1,122,326
Materials & Contracts	16,333,585	8,594,747	8,636,466	8,678,603	8,721,161	8,764,144	8,807,557	8,851,405	8,895,691	8,940,419	8,985,595
Depreciation & Amortisation	13,312,000	13,360,000	13,360,000	13,360,000	13,360,000	13,360,000	13,360,000	13,360,000	13,360,000	13,360,000	13,360,000
Other Expenses	3,431,512	2,956,298	2,991,773	3,027,675	3,064,007	3,100,775	3,137,984	3,175,640	3,213,747	3,252,312	3,291,340
Net Losses from the Disposal of Assets	195,000	195,000	195,000	195,000	195,000	195,000	195,000	195,000	195,000	195,000	195,000
Total Expenses from Continuing Operations	37,120,944	38,055,329	37,984,765	37,925,371	37,879,503	37,857,989	37,917,627	38,081,482	38,255,772	38,428,770	38,600,761
Operating Result from Continuing Operations	6,476,790	5,564,724	5,671,321	5,767,288	5,850,279	5,909,473	5,888,081	5,763,046	5,628,161	5,495,160	5,363,770
Net Operating Result for the Year	6,476,790	5,564,724	5,671,321	5,767,288	5,850,279	5,909,473	5,888,081	5,763,046	5,628,161	5,495,160	5,363,770
Net Operating Result before Grants and Contributions provided for Capital Purposes	5,476,790	4,564,724	4,671,321	4,767,288	4,850,279	4,909,473	4,888,081	4,763,046	4,628,161	4,495,160	4,363,770

MidCoast Council
10 Year Financial Plan for the Years ending 30 June 2031
BALANCE SHEET - SEWER FUND
Scenario: Business as Usual

	Current Year					Projected Years					
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
ASSETS											
Current Assets											
Cash & Cash Equivalents	11,206,841	8,790,469	-	-	-	-	1,331,218	3,343,404	5,130,353	6,808,077	8,193,810
Investments	54,931,034	54,931,034	46,185,236	42,114,280	37,854,057	37,502,794	37,502,794	37,502,794	37,502,794	37,502,794	37,502,794
Receivables	5,686,141	6,355,594	6,288,302	6,289,433	6,289,575	6,311,644	6,341,832	6,375,382	6,408,299	6,441,122	6,473,043
Inventories	523	900	909	918	927	937	946	956	965	975	985
Total Current Assets	71,824,539	70,077,998	52,474,447	48,404,631	44,144,559	43,815,375	45,176,790	47,222,536	49,042,412	50,752,969	52,170,632
Non-Current Assets											
Investments	13,318,966	13,318,966	11,198,398	10,211,325	9,178,361	9,093,192	9,093,192	9,093,192	9,093,192	9,093,192	9,093,192
Infrastructure, Property, Plant & Equipment	523,958,000	523,328,000	542,723,000	548,088,000	553,862,000	555,259,000	556,656,000	558,053,000	559,450,000	560,847,000	562,244,000
Total Non-Current Assets	537,276,966	536,646,966	553,921,398	558,299,325	563,040,361	564,352,192	565,749,192	567,146,192	568,543,192	569,940,192	571,337,192
TOTAL ASSETS	609,101,504	606,724,964	606,395,845	606,703,956	607,184,921	608,167,567	610,925,982	614,368,727	617,585,604	620,693,160	623,507,823
LIABILITIES											
Current Liabilities											
Payables	4,422,255	2,143,385	2,166,597	2,190,062	2,213,784	2,237,764	2,262,007	2,286,514	2,311,289	2,336,334	2,361,633
Borrowings	5,662,395	6,023,652	5,482,642	5,393,036	4,950,807	3,153,908	2,344,808	2,436,059	2,412,649	2,574,426	2,744,976
Provisions	3,264,667	3,264,667	3,264,667	3,264,667	3,264,667	3,264,667	3,264,667	3,264,667	3,264,667	3,264,667	3,264,667
Total Current Liabilities	13,349,317	11,431,704	10,913,906	10,847,765	10,429,257	8,656,339	7,871,481	7,987,239	7,988,604	8,175,427	8,371,296
Non-Current Liabilities											
Borrowings	50,355,064	44,331,412	38,848,770	33,455,734	28,504,927	25,351,019	23,006,211	20,570,152	18,157,503	15,583,077	12,838,101
Provisions	23,333	23,333	23,333	23,333	23,333	23,333	23,333	23,333	23,333	23,333	23,333
Total Non-Current Liabilities	50,378,397	44,354,745	38,872,103	33,479,067	28,528,260	25,374,352	23,029,544	20,593,485	18,180,836	15,606,410	12,861,434
TOTAL LIABILITIES	63,727,714	55,786,449	49,786,009	44,326,832	38,957,518	34,030,691	30,901,026	28,580,725	26,169,441	23,781,837	21,232,730
Net Assets	545,373,790	550,938,514	556,609,836	562,377,124	568,227,403	574,136,876	580,024,956	585,788,003	591,416,163	596,911,323	602,275,093
EQUITY											
Retained Earnings	417,026,790	422,591,514	428,262,836	434,030,124	439,880,403	445,789,876	451,677,956	457,441,003	463,069,163	468,564,323	473,928,093
Revaluation Reserves	128,347,000	128,347,000	128,347,000	128,347,000	128,347,000	128,347,000	128,347,000	128,347,000	128,347,000	128,347,000	128,347,000
Council Equity Interest	545,373,790	550,938,514	556,609,836	562,377,124	568,227,403	574,136,876	580,024,956	585,788,003	591,416,163	596,911,323	602,275,093
Total Equity	545,373,790	550,938,514	556,609,836	562,377,124	568,227,403	574,136,876	580,024,956	585,788,003	591,416,163	596,911,323	602,275,093

MidCoast Council
10 Year Financial Plan for the Years ending 30 June 2031
CASH FLOW STATEMENT - SEWER FUND
Scenario: Business as Usual

	Current Year	Projected Years									
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Cash Flows from Operating Activities											
Receipts:											
Rates & Annual Charges	38,293,663	38,597,167	38,610,598	38,597,827	38,584,864	38,571,707	38,558,353	38,544,798	38,531,040	38,517,075	38,502,901
User Charges & Fees	3,424,050	3,037,183	3,277,084	3,324,557	3,372,763	3,421,713	3,471,418	3,521,890	3,573,142	3,625,184	3,678,031
Investment & Interest Revenue Received	1,091,925	710,652	795,405	728,744	731,503	711,356	705,025	703,459	705,897	707,805	710,530
Grants & Contributions	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Other	(109,045)	(394,403)	40,293	40,402	40,510	40,617	40,724	40,831	40,937	41,043	41,147
Payments:											
Employee Benefits & On-Costs	-	(9,574,968)	(9,785,617)	(10,000,901)	(10,220,921)	(10,445,781)	(10,675,588)	(10,910,451)	(11,150,481)	(11,395,792)	(11,646,499)
Materials & Contracts	(15,794,853)	(10,873,994)	(8,613,264)	(8,655,147)	(8,697,449)	(8,740,173)	(8,783,324)	(8,826,907)	(8,870,925)	(8,915,383)	(8,960,286)
Borrowing Costs	(3,848,847)	(3,374,316)	(3,015,908)	(2,663,193)	(2,318,415)	(1,992,289)	(1,741,497)	(1,588,986)	(1,440,853)	(1,285,247)	(1,122,326)
Other	(3,431,512)	(2,956,298)	(2,991,773)	(3,027,675)	(3,064,007)	(3,100,775)	(3,137,984)	(3,175,640)	(3,213,747)	(3,252,312)	(3,291,340)
Net Cash provided (or used in) Operating Activities	20,625,382	16,171,024	19,316,817	19,344,613	19,428,849	19,466,375	19,437,126	19,308,994	19,175,009	19,042,373	18,912,158
Cash Flows from Investing Activities											
Receipts:											
Sale of Investment Securities	-	-	10,866,366	5,058,029	5,293,187	436,432	-	-	-	-	-
Payments:											
Purchase of Infrastructure, Property, Plant & Equipment	(13,102,000)	(12,925,000)	(32,950,000)	(18,920,000)	(19,329,000)	(14,952,000)	(14,952,000)	(14,952,000)	(14,952,000)	(14,952,000)	(14,952,000)
Net Cash provided (or used in) Investing Activities	(13,102,000)	(12,925,000)	(22,083,634)	(13,861,971)	(14,035,813)	(14,515,568)	(14,952,000)	(14,952,000)	(14,952,000)	(14,952,000)	(14,952,000)
Cash Flows from Financing Activities											
Receipts:											
Proceeds from Borrowings & Advances	2,165	-	-	-	-	-	-	-	-	-	-
Payments:											
Repayment of Borrowings & Advances	(5,281,706)	(5,662,395)	(6,023,652)	(5,482,642)	(5,393,036)	(4,950,807)	(3,153,908)	(2,344,808)	(2,436,059)	(2,412,649)	(2,574,426)
Net Cash Flow provided (used in) Financing Activities	(5,279,541)	(5,662,395)	(6,023,652)	(5,482,642)	(5,393,036)	(4,950,807)	(3,153,908)	(2,344,808)	(2,436,059)	(2,412,649)	(2,574,426)
Net Increase/(Decrease) in Cash & Cash Equivalents	2,243,841	(2,416,371)	(8,790,469)	-	-	-	1,331,218	2,012,186	1,786,950	1,677,724	1,385,732
plus: Cash & Cash Equivalents - beginning of year	8,963,000	11,206,841	8,790,469	-	-	-	-	1,331,218	3,343,404	5,130,353	6,808,077
Cash & Cash Equivalents - end of the year	11,206,841	8,790,469	-	-	-	-	1,331,218	3,343,404	5,130,353	6,808,077	8,193,810
Cash & Cash Equivalents - end of the year	11,206,841	8,790,469	-	-	-	-	1,331,218	3,343,404	5,130,353	6,808,077	8,193,810
Investments - end of the year	68,250,000	68,250,000	57,383,634	52,325,605	47,032,418	46,595,986	46,595,986	46,595,986	46,595,986	46,595,986	46,595,986
Cash, Cash Equivalents & Investments - end of the year	79,456,841	77,040,469	57,383,634	52,325,605	47,032,418	46,595,986	47,927,204	49,939,390	51,726,340	53,404,064	54,789,796

A handwritten signature in black ink, appearing to read "Panuccio".

Adrian Panuccio
General Manager