



PORT STEPHENS
C O U N C I L

SUPPLEMENTARY INFORMATION

**ORDINARY COUNCIL MEETING
14 APRIL 2020**

INDEX

SUBJECT

PAGE NO

COUNCIL REPORTS

1.	COVID-19 FINANCIAL SUPPORT	3
4.	PLANNING PROPOSALS FOR SEASIDE BOULEVARDE, FERN BAY AND 42 FULLERTON COVE ROAD, FULLERTON COVE	5

Nb. Bold Items have not been previously received or viewed by Councillors.

SUPPLEMENTARY INFORMATION

ITEM NO. 1

**FILE NO: 20/91776
EDRMS NO: PSC2015-01024**

COVID-19 FINANCIAL SUPPORT

**REPORT OF: RYAN PALMER - MAYOR
GROUP: GENERAL MANAGER'S OFFICE**

RECOMMENDATION IS THAT COUNCIL:

- 1) Call on the Federal Government and NSW Government to urgently deliver comprehensive and multifaceted financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic.
- 2) Call for the packages to include the following measures:
 - a. Increasing financial assistance grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 as well as giving councils capacity to provide hardship assistance to businesses and residents.
 - b. Immediate financial assistance to support council employees, especially in early education and care.
 - c. Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs.
 - d. Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.
 - e. The NSW State Government fully fund pensioner rebates to assist in offsetting the impacts on council rates and other revenues as a consequence of the COVID-19 Coronavirus Pandemic.
 - f. The NSW State Government freeze/defer the intended 2020/2021 increase in the State Emergency Services Levy.
 - g. The NSW State Government remove restrictions on those funds rebated to Council under the NSW Waste Levy to allow discretionary use of those funds over the course of the COVID-19 Coronavirus Pandemic or alternatively, rebate an additional tranche of Waste Levy funds to Council for discretionary use over the course of the pandemic.
- 3) Commend the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis.

- 4) Write to the local Federal and State member(s) Meryl Swanson MP, the Hon. David Gillespie MP, Tim Crakanthorp MP and Kate Washington MP, the Prime Minister the Hon. Scott Morrison MP, NSW Premier the Hon. Gladys Berejiklian MP, Federal Treasurer the Hon. Josh Frydenburg MP, NSW Treasurer the Hon. Dominic Perrottet MP, NSW Local Government Minister the Hon. Shelley Hancock MP, Federal Minister for Local Government the Hon. Mark Coultan, Federal Opposition Leader the Hon. Anthony Albanese, NSW Opposition Leader Jodi McKay MP, Federal Shadow Minister for Local Government Jason Clare MP and NSW Shadow Minister for Local Government Greg Warren MP to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic.
 - 5) Endorse Local Government NSW sector-wide campaign to obtain financial assistance, employment support and stimulus funding for the local government sector.
 - 6) Advise LGNSW President Linda Scott of the passage of this Mayoral Minute.
-

BACKGROUND

The purpose of this report is to include further recommendations to the NSW State Government.

In relation to recommendation 2e. above it is noted that:

NSW is currently the only State in which pension concessions are not fully funded by the relevant State government.

In relation to recommendation 2f. above it is noted that:

Whilst Council strongly supports fairer workers compensation for paid and volunteer fire fighters, to impose the levy increase on councils in the current pandemic circumstances will unreasonably increase the financial challenges being faced by Council.

In relation to recommendation 2g. above it is noted that:

Council receives about \$105K from the NSW EPA annually under the Waste Less Recycle More banner. The 2020/2021 funds are yet to be allocated by Council.

ATTACHMENTS

Nil.

SUPPLEMENTARY INFORMATION

ITEM NO. 4

FILE NO: 20/92053
EDRMS NO: 58-2017-4-1
58-2017-1-1

PLANNING PROPOSALS FOR SEASIDE BOULEVARDE, FERN BAY AND 42 FULLERTON COVE ROAD, FULLERTON COVE

REPORT OF: STEVEN PEART - STRATEGY & ENVIRONMENT SECTION
MANAGER

GROUP: DEVELOPMENT SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Note the proponent for the planning proposal (**ATTACHMENT 5 to Item No. 4**) at 2, 4, 4A, 4B, and 6 Seaside Boulevarde, Fern Bay and 20, 22, 23, 24, 25 and 26 Sovereign Street, Fern Bay (Part of Lot 27, DP 270466, Lots 2, 3, 4, 20, 21 and 22, and Part of Lots 5, 19, 23 and 24, DP 280072) withdrew the planning proposal request on 9 April 2020.
 - 2) Adopt the planning proposal (**ATTACHMENT 4 to Item No. 4**) to amend the Port Stephens Local Environmental Plan 2013 for land at 42 Fullerton Cove Road, Fullerton Cove (Lot 14 DP 258848) to:
 - a. rezone the land from RU2 Rural Landscape to part B1 Neighbourhood Centre and part E2 Environmental Conservation.
 - b. remove the minimum lot size restrictions for the proposed B1 zoned land.
 - c. apply a building height restriction of 9 metres on the proposed B1 zoned land.
 - d. insert a local provision to restrict the retail gross floor area of development on the site to 1500sqm.
 - 3) Forward the planning proposal to amend the Port Stephens Local Environmental Plan 2013 for land at 42 Fullerton Cove Road, Fullerton Cove (Lot 14 DP 258848) to the NSW Department of Planning, Industry and Environment for Gateway determination and request authorisation to make the plan.
 - 4) Does not adopt the planning proposal (**ATTACHMENT 5 to Item No. 4**) for the land at 2, 4, 4A, 4B, and 6 Seaside Boulevarde, Fern Bay and 20, 22, 23, 24, 25 and 26 Sovereign Street, Fern Bay (Part of Lot 27, DP 270466, Lots 2, 3, 4, 20, 21 and 22, and Part of Lots 5, 19, 23 and 24, DP 280072).
-

BACKGROUND

The purpose of this report is to inform Council that the proponent of the planning proposal (**ATTACHMENT 5 to Item No. 4**) at 2, 4, 4A, 4B, and 6 Seaside Boulevard, Fern Bay and 20, 22, 23, 24, 25 and 26 Sovereign Street, Fern Bay Seaside Estate (the Seaside Estate planning proposal) has requested the planning proposal be withdrawn.

The Seaside Estate planning proposal sought to rezone the land from the B1 Neighbourhood Centre zone to a residential zone.

The proponent advised Council on 9 April 2020 (**ATTACHMENT 1**) that they no longer wish to proceed with the rezoning as the landowner is currently progressing the divestment of the commercial zoned land.

ISSUES

The planning proposal relating to land at 42 Fullerton Cove Road, Fullerton Cove (Lot 14 DP 258848) (the Fullerton Cove planning proposal) may still proceed despite the withdrawal of the Seaside Estate planning proposal.

The Seaside Estate planning proposal and the Fullerton Cove planning proposal were assessed concurrently given they sought to remove a Neighbourhood Centre zone in one location and rezone alternate land in the locality for a small scale commercial centre. The Seaside Estate planning proposal has now been withdrawn and the land will remain zoned B1 Neighbourhood Centre.

There is still merit in proceeding with the Fullerton Cove planning proposal to establish a small commercial centre on that site because the site characteristics can be distinguished from the Seaside Estate site so as to enable a retail centre that can support a neighbourhood supermarket, neighbourhood shops, or highway services. The Fullerton Cove site has exposure to Nelson Bay Road and greater accessibility.

The site characteristics of the Seaside Estate planning proposal are more conducive to local shops, small business premises, professional services, and takeaway food and drinks premises that will provide an alternate and complementary retail location for residents of the Seaside Estate development.

In addition, the land the subject of the Seaside Estate planning proposal has been subdivided into six allotments limiting the scale of the likely future commercial purposes.

Based on the amount and location of business zoned land within Fern Bay, North Stockton and Fullerton Cove, it is not considered likely that proceeding with the Fullerton Cove planning proposal will undermine the viability of the potential future town centre in North Stockton identified in the Fern Bay and North Stockton Strategy.

Progressing the Fullerton Cove planning proposal is also justified given the timing and uncertainty of the future development of the Stockton Residential Centre, identified as the preferred town centre site in the Fern Bay and North Stockton Strategy.

Proponent's request to withdraw the Seaside Estate planning proposal.

ATTACHMENTS

- 1) Proponent's request to withdraw the Seaside Estate planning proposal.

ITEM 4 - ATTACHMENT 1 PROPONENT'S REQUEST TO WITHDRAW THE SEASIDE ESTATE PLANNING PROPOSAL.



HEAD OFFICE

Suite 13, Tonella Commercial Centre
125 Bull Street, Newcastle West 2302
PO Box 2270, Dangar NSW 2309
P. (02) 4926 1388

Our Ref: GR:kd

9 April 2020

Port Stephens Council
116 Adelaide Street (Old Pacific Highway)
RAYMOND TERRACE NSW 2324

ATTENTION: William Oxley

Dear Will

RE: REZONING APPLICATION – SEASIDE FERN BAY

Monteath & Powys act on behalf of Rawson Communities in relation to the Fern Bay Seaside Estate and in particular the proposed rezoning of the existing commercial zoned land within the estate.

Rawson Communities was notified in July 2019 that the proposed rezoning was deferred until further notice. Rawson has recently been made aware that Council now intends to proceed with the proposed rezoning.

Rawson Communities is currently progressing the divestment of the commercial zoned land and therefore does not wish to proceed with rezoning.

Should you wish to discuss this matter further, please do not hesitate to contact the undersigned on 0409 545 318.

Yours faithfully
MONTEATH & POWYS PTY LIMITED

Geoffrey Rock
Director & Development Services Manager
g.rock@monteathpowys.com.au