



## **PRESIDENTS REPORT – TRRA INC – 2018/19**

### **Introduction**

TRRA Inc. continued to represent the interests of the Tomaree community over the past year.

This year has been marked by important events such as the State Election and the emergence of many issues of major significance for the Tomaree Peninsula. TRRA has sought to gauge the opinion of its membership and the community at large in developing a stance on these issues and made representations to the relevant local and state authorities. We attended many public consultations. Letters were sent to all councillors and the General Manager commenting on Council Meeting agenda items of interest.

Not surprisingly, providing this level of representation requires a significant commitment of resources by our committee and other interested TRRA members. As President, I wish to express my appreciation for these contributions which have led to some significant achievements over the year.

### **Council Transparency and Accessibility**

TRRA welcomed Council's earlier decision to reinstate webcasting of Council Meetings and this has now been reinforced by a State directive requiring all councils to provide this facility. We also welcome Council's decision to hold some of its meetings outside of Council Chambers, with a recent meeting being held at the Elizabeth Waring Function Room at the Tomaree Sports Complex.

On the other hand, we are disappointed that Council has persisted with the meeting cycle adopted by the previous council in 2012. This provides for two meetings per month where Agenda Papers and associated documentation, often hundreds of pages, are distributed on a Thursday for final decision at the following Tuesday meeting.

The Community and Port Stephens councillors continue to struggle with this suboptimal arrangement which precludes adequate consultation with their constituency and proper consideration of complex issues.

In our view too many matters of interest to the public are subject to confidentiality restrictions.

Council will soon be exhibiting a new Community Engagement Strategy – we have already pointed out some problems and omissions. We are particularly concerned that engagement should be genuine, recorded, reported and evaluated. Too many of Council's engagement processes are in our view tokenistic, undertaken more to 'spin' what Council has already decided to do, rather than being genuinely open to community input.

TRRA was pleased by the Mayor's willingness to meet on a quarterly basis with representatives of TRRA's committee to discuss matters of mutual interest and concern.

## **TRRA Communication Initiatives**

TRRA continues to host a Website which reports on its activities and comments on major issues. This site also accepts comments from readers which are moderated.

Regular TRRA Newsletters are circulated to members and other interested parties.

TRRA has a sound relationship with the local media outlets and has enjoyed improved publicity through its press releases.

In 2018 TRRA established a Facebook account with the objective of reaching a wider audience, more immediate engagement and promoting debate on key issues. An increased awareness of the legal risks to TRRA and its Executive posed by social media comments, caused the committee to temporarily suspend it, subject to a review. Our Facebook has been reinstated with some additional warnings as to the content which will be unacceptable.

## **TRRA's involvement in key events and issues**

### **Meet the Candidates Forum**

TRRA has established a tradition of offering the community an opportunity to "meet their candidates" for key elections. A well-attended forum was held in

March at which candidates for the NSW seat of Port Stephens were invited to present themselves and their priorities for the coming term.

### **Nelson Bay Strategy and Implementation and Delivery Program**

The Council's proposals for significantly increased building heights and density across the Nelson Bay CBD have remained a contentious issue. This will be covered in an attached report of the TRRA Planning Sub-committee.

### **Special Rate Variation**

Councillors at their meeting on October 9, last year adopted a recommendation to make an application to IPART (the State adjudicator) for a cumulative rate increase over seven years of 7.5% per annum.

This recommendation from staff and the Council's decision were made with clear advice in the Agenda Papers that around 70% of community responses to the surveys conducted favoured remaining on increases at the pegged rate of 2.5%.

TRRA, taking account of the survey results and the views expressed at its own public meeting, made a submission to IPART. This submission made the following points:

- *Council's bid was at the higher end of the options normally granted by IPART.*
- *the current Council had only 18 months to run before the next election. During the 2017 election campaign no Councillor expressly flagged an intention for a SRV.*
- *a less ambitious project list and shorter period for a more modest rate rise would be much more saleable to the community*
- *there would be an option of a subsequent application to IPART for an extension of a more modest SRV.*

Ultimately, IPART found that Council had not made a strong enough case for the SRV and rejected the request.

### **Council's Commendable Achievements**

I must acknowledge some commendable achievements and initiatives by Port Stephens Council. These include:

- progress towards the completion of the Masterplan for Apex Park in Nelson Bay.
- Adoption of a Public Domain Master Plan for Nelson Bay.

- The initiative to explore options to replace the Donald Street East Car Park including a concept submitted by Nelson Bay Now.
- Council's nomination of Town Centre revitalisation among its Community Projects earmarked for future funding.
- Council's contribution to the Treescape Koala Sanctuary and Hospital together with its extensive koala feed tree planting.
- Advocacy for the buy-back of the Mambo Wetland.
- Exploration of options to require rehabilitation of failed development sites such as the resort at Anna Bay.

## **Planning Sub Committee Report**

Over 2018/19 Strategic planning initiatives and the many high impact Development Applications have demanded our attention. Reports presented by Nigel Waters, Convenor of our Planning Subcommittee, and Vice-President John James are summarised in the Attachment below.

## **TRRA's Collaboration with Peak Community Groups**

TRRA continues to collaborate with other peak community groups in the Tomaree - including Nelson Bay Now, Tomaree Business Chamber, EcoNetwork, Destination Port Stephens, and other local groups at Shoal Bay, Soldiers Point, Salamander Bay, South Tomaree and Mambo Wetlands.

A number of TRRA members are active in the newly-established Nelson Bay Civic Pride Group which has organised working bees to beautify the Nelson Bay Public Domain and tend the gardens on a daily basis. The resulting rejuvenation of the street furniture and colourful landscaping are praiseworthy.

TRRA has been centrally involved in the establishment of the Friends of Tomaree Headland, a coalition of community groups having an interest in promoting a masterplan for the future of this iconic site following the closure of Tomaree Lodge.

## **Acknowledgment of Contributions**

The TRRA Committee continues to meet regularly to oversee the management of the Association and deliberate on major policy issues. It brings a wide range of expertise and experience to bear on all issues which underpins the high quality of our submissions to Council and other authorities.

I would like to acknowledge the contributions of a number of our TRRA members over the past year.

Vice-president, John James, and Planning Sub-Committee Convenor, Nigel Waters, effectively monitor all planning and administrative issues impacting on the Tomaree. The professional standard of their submissions is widely recognised.

Nigel Waters has assumed the responsibility for moderating the TRRA Facebook. We thank him and Margaret Wilkinson and Gail Ballantyne, our former Facebook operators, for their dedication and hard work.

Our Secretary Ben van der Wijngaart and Treasurer Denis Pittorino very effectively take care of these vital administrative responsibilities.

Geoff Basser contributed to our overall strategy drawing on his wide-ranging experience.

Cath Norman and Bill Salter as Committee members have made significant contributions to our deliberations.

Our appreciation is also due to others who are not on our committee:

Alistair Waddell brings his IT skills to bear on TRRA communications including the Website and the Newsletter.

Nigel Dique's journalism skills help to polish up our Press Releases

Judy Washington prepares the Powerpoints for our meetings.

While TRRA is careful to maintain its non-party political status, an acknowledgement of the support we have enjoyed from our State Member for Port Stephens, Kate Washington, is due. Kate has attended a number of our meetings and has supported our positions in writing on other occasions.

Councillor Nell has been a regular attendee at our meetings and is always willing to engage with us. We are advised that he will not be a candidate for the next Council election in 2020. The East Ward community appreciates his lengthy service to Port Stephens as a councillor and for a time as Mayor.

The Nelson Bay Bowling Club has been most generous in their support of TRRA by providing rooms for our Committee and General meetings. Thank you to Nicole Blue, the Club's Functions Manager, for her willing assistance.

Finally, I wish to thank our membership for their ongoing support and practical assistance when called upon.

## Looking Forward

Looking ahead we need to encourage our friends and acquaintances to join TRRA and to become involved. To maintain our effectiveness, we need more helpers and a strong membership base to demonstrate that we are truly representative of the Tomaree community.

In the coming year we know that a number of critical issues will be on our agenda. These are:

- The implementation of the revised Nelson Bay Town Centre and Foreshore Strategy Implementation and Delivery Program
- Implementation of the Community Projects adopted by Council in place of the SRV priority list
- A revision of the Community Strategic Plan and Long-Term Works Plan
- Finalisation of a Traffic and Parking Strategy for Nelson Bay
- Protection of natural habitat especially for our koala population
- The future use of the Tomaree Lodge site
- The proliferation of Demountable Seniors Living Projects in rural zoned lands
- Options for the Fingal Bay Link Road

TRRA will be keeping members and the wider community informed on these matters and we will welcome your input.

After involvement in the inauguration of TRRA in 2007 and as its President for 8 of its 13 years, I believe it is time to hand over the baton to a fresh face. I believe TRRA has established a strong and effective representative role in Port Stephens which has resulted in many positive outcomes. I am grateful to all of you for your dedicated support and assistance over these years.

Thank you for your attendance and continuing interest.

Geoff Washington,  
President, TRRA Inc.

14 October 2019

Planning Sub-Committee Report Attached (page 7 Below)

# Planning sub-committee report 2018-19

(Attachment to 2019 AGM Report, 14 October 2019)

## Submissions

- 1 Yacaaba St (currently temporary car park) – 9 storey bldg. – 57 units + 3 retail/commercial units on ground floor approved July 2019.
- Donald St East Car park (disused multi-storey) – submission via Nelson Bay Now for redevelopment with significant commercial/retail in addition to replacement parking – rejected by Council in favour of demolition and surface parking – work to commence before Xmas 2019.
- 220 Soldiers Point Rd – 30 lot subdivision proposed – 19 lots approved retaining large bush block adjoining Stony Ridge reserve – modification to allow extra dwelling on bush block
- Soldiers Point Marina – building over disused slipway – supported concerns of SPCG – decision pending.
- Foreshore Drive – new culvert and roadworks inc. shared cycle/footpath – approved but funding uncertain.
- 97 Stockton St – industrial storage unit on residential zoned land – proposed change to a car yard – withdrawn.
- 31 Leonard Ave, Shoal Bay – 5 townhouse proposal – supported local residents concerns about bulk & scale + drainage.
- 5-7 Ondine Close – 10 unit complex - supported local residents concerns about bulk and scale + subdivision process + parking.
- Sunrise 'lifestyle' development on former winery at Bobs Farm, opposite servo – issue of allowing on site construction of homes. Local Government Act s82 objection, variation assessed by both Council and the Department of Planning.
- Halifax Park – we continued to support the campaign for retention of Lot 424 as public open-space, and made submissions to that effect in relation to the draft Plans of Management for the Halifax Park (and Shoal Bay) Holiday Parks. Latest version of Plan of Management removes camping area from Lot 424. But retains Lot within Holiday Park boundary.
- Tanilba Bay – supported locals on rejecting the subdivision of a lot next to Tanilba House, which was finally withdrawn. Also comments on conditions of consent for Tanilba House as a Function Centre resulting in reduced hours of operation.

## Other Developments and Issues

TRRA's planning sub-committee followed the progress of a number of projects on which we had made submissions in previous years

- Council's proposed new height limits for Nelson Bay town centre are still being assessed by the Dept of Planning – amendments to the Local Environmental Plan are needed to give formal effect to the new 8 and 12 storey zones and will have to go on public exhibition again. (In the meantime of course we see how Council can pre-empt the formal change by approving developments that even exceed the new limits – as it has done at 1 Yacaaba St). See below for further comments on town centre revitalization.
- The State Government finally bought back the area of the Mambo Wetlands they sold off 'by mistake' in 2016 and it has now been transferred to Council for inclusion in the Reserve.
- Fleet St, Salamander Bay (former Colonial Ridge resort) - Multi-storey residential development DAs – supported concerns of SBCG – DAs withdrawn 2019.
- Former Bunnings site – 15 townhouses now almost complete and on the market.

- Birubi transport interchange and information centre – Council development approved by JRPP October 2019 – construction to commence late 2020.
- The old Anna Bay oval at Jessie Road (off the Pt Stephens Drive/NB Rd roundabout) was sold by Council to the operators of the Irukandji Shark and Ray Centre (currently in Marsh Road) who plan to develop a visitor centre and marine animal hospital on the site. TRRA has welcomed this outcome and hopes that the new car park can continue to function as an informal transport interchange. \$6m DA will be advertised 17-31 Oct. Information and Education facility, Aquarium, Information centre/shop and carparking.
- The proposed Bobs Farm sandmine at the Marsh Road-NB Road junction is still being assessed by the Dept of Planning, with objections not just from concerned residents and community groups, but also from the EPA, Hunter Water and Council.
- The approved sandmine at Cabbage Tree Road, on Council owned land, has yet to commence, with Council still finalizing lease arrangements. A court appeal against the approval was discontinued, reportedly after a number of affected residents were offered compensation.
- Sand Extraction 4226 Nelson Bay Rd Anna Bay. \$200 000. Sent to JRPP and RMS. Advertising 17/10 to 14/11
- The Council-Port Stephens Koalas development at TreEscape at One Mile Beach has commenced, with some recent minor changes approved to the layout, and new grants obtained. While we welcome this new tourism and wildlife conservation initiative.

We observed that several sites in Nelson Bay with approved DAs were put on sale during the year, including 20 Government Rd, the old Library site in Yacaaba St and, most recently, the 1 Yacaaba St site. Other sites with approvals which have seen no work commenced include 11-13 Church St (the controversial 8 storey 'Ascent' apartment building), 65 Donald St (cnr of Church - a 6 storey building) and 16 Church St (3 storey apartments). This lack of construction suggests that increasing height limits is not necessarily the answer to revitalization, but also that there is seemingly little appetite for residential development in the town centre – the centerpiece of Council's vision for the town. TRRA continues to maintain that other factors such as public domain improvements (we welcome the APEX park work this year) and improved parking arrangements, are the key.

We continue to raise issues with Council, and the State Government, over unsatisfactory processes. TRRA, along with the Soldiers Point and Salamander Bay Community Groups, met with Council planners in August 2019 to discuss a range of concerns, and secured commitments to a number of improvements. However, we remain frustrated both by unhelpful legislation and by Port Stephens Council's narrow interpretation of some of the rules. Through our membership of the Better Planning Network and Environmental Defenders Office we work for changes to the planning laws, and we will continue to call on Council to use their discretion in favour of greater public participation and of more compliance enforcement.

Salamander Centre – there have been several developments during the year with the Medical Centre and Woolworths servo completed and open; construction started on the retail/office building in between; and Council approving a third servo on the site opposite McDonalds and shade sails over some of the Salamander Square parking on the eastern side. No work has commenced on the approved Aldi site, and Council's intentions for the remaining lots to the north and west of Salamander Square remain uncertain – TRRA is opposed to the original plans for an extension of the internal road around the edge of the Mambo wetlands and we also believe that Council should encourage mixed use developments, potentially including shop-top housing, for the remaining Council owned land, rather than selling or leasing sites for separate retail and commercial uses to maximise revenue.

Compiled by Planning Sub-committee Members - Nigel Waters (Convenor) and John James,