ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

ITEM-86  CCL 22/08/17 - EXECUTIVE MONTHLY PERFORMANCE REVIEW - JULY 2017
Attachment A

ITEM-90  CCL 22/08/17 - SUPPLEMENTARY REPORT - EXHIBITION OF OPEN AND TRANSPARENT GOVERNANCE STRATEGY
Attachments A to D (to be distributed under separate cover)

ITEM-92  CCL 22/08/17 - ENDORSEMENT OF NEWCASTLE 2030 END OF TERM REPORT 2012-2017
Attachment A (to be distributed under separate cover)

ITEM-93  CCL 22/08/17 - ADOPTION OF THE DRAFT SMART CITY STRATEGY 2017-2021
Attachments A and B

ITEM-94  CCL 22/08/17 - SUPPLEMENTARY REPORT - EXHIBITION OF DRAFT PLANNING AGREEMENT FOR RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET, NEWCASTLE
Attachments A to F

ITEM-95  CCL 22/08/17 - SUPPLEMENTARY REPORT - EXHIBITION OF AMENDMENT TO SECTION 6.01 NEWCASTLE CITY CENTRE OF NEWCASTLE DEVELOPMENT CONTROL PLAN 2012
Attachments A to E

ITEM-96  CCL 22/08/17 SUPPLEMENTARY REPORT - LAND BOUNDED BY MOSBRI CRESCENT AND KITCHENER PARADE THE HILL - AMENDMENT TO NEWCASTLE LEP 2012
Report and Attachments A to D (to be distributed under separate cover)
CCL 22/08/17
EXECUTIVE MONTHLY PERFORMANCE REPORT - JULY 2017

Attachment A: Executive Monthly Performance Report - July 2017
Financial Summary

Operating progress at a glance
Operating Analysis
Overall budget funding summary
Overall performance graphs

Financial Detail

Overall financial position by group
Executive Management overall financial position
Planning & Regulatory overall financial position
Corporate overall financial position
Infrastructure overall financial position
Rates Income Analysis
Debtors Report

Capital

Project Program Summary
Ward 4 Capital Works Update

Investments

Introduction
Investment Policy Compliance Report
Schedule of Investment movements for period ended 31 July, 2017
Key Performance Indicator Compliance
Credit Risk Compliance
Credit Risk Compliance (continued)
Maturity Risk Compliance
Budget to Actual Interest Performance
Schedule of Investment movements for period ended 30 June, 2017
Schedule of Investment movements for period ended 31 May, 2017

Customer Services, Communications, Consultation Services & Records

Customer Service
## Operating progress at a Glance as at 31 July, 2017

<table>
<thead>
<tr>
<th>Department / Service Unit</th>
<th>Indicator</th>
<th>Comments</th>
<th>Variance ($,000)</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Management</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CEO’s Office</td>
<td></td>
<td></td>
<td>7</td>
<td>7%</td>
</tr>
<tr>
<td>Information Technology</td>
<td></td>
<td></td>
<td>63</td>
<td>11%</td>
</tr>
<tr>
<td>Human Resources</td>
<td></td>
<td></td>
<td>38</td>
<td>6%</td>
</tr>
<tr>
<td>Communication and Engagement</td>
<td></td>
<td></td>
<td>76</td>
<td>46%</td>
</tr>
<tr>
<td>Planning &amp; Regulatory</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning &amp; Regulatory Director</td>
<td></td>
<td></td>
<td>(43)</td>
<td>-134%</td>
</tr>
<tr>
<td>Development &amp; Building</td>
<td></td>
<td></td>
<td>191</td>
<td>118%</td>
</tr>
<tr>
<td>Strategic Planning</td>
<td></td>
<td></td>
<td>276</td>
<td>47%</td>
</tr>
<tr>
<td>Regulatory Services</td>
<td></td>
<td></td>
<td>(38)</td>
<td>-8%</td>
</tr>
<tr>
<td>Cultural Facilities</td>
<td></td>
<td></td>
<td>160</td>
<td>21%</td>
</tr>
<tr>
<td>Libraries</td>
<td></td>
<td></td>
<td>7</td>
<td>1%</td>
</tr>
<tr>
<td>Corporate Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corporate Services Director</td>
<td></td>
<td></td>
<td>7</td>
<td>17%</td>
</tr>
<tr>
<td>Finance</td>
<td></td>
<td>A lower level of financial assistance grant has been accrued due to uncertainty in the amount to be paid in 2017/18</td>
<td>(537)</td>
<td>-4%</td>
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<tr>
<td>Property Services</td>
<td></td>
<td></td>
<td>50</td>
<td>15%</td>
</tr>
<tr>
<td>Customer Service</td>
<td></td>
<td></td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>Legal and Governance</td>
<td></td>
<td></td>
<td>177</td>
<td>39%</td>
</tr>
<tr>
<td>Infrastructure</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Infrastructure Director</td>
<td></td>
<td></td>
<td>(40)</td>
<td>-111%</td>
</tr>
<tr>
<td>Infrastructure Planning</td>
<td></td>
<td>There has been an above average level of operational costs generated by road projects currently underway</td>
<td>(1,530)</td>
<td>-48%</td>
</tr>
<tr>
<td>Civil Works</td>
<td></td>
<td></td>
<td>475</td>
<td>32%</td>
</tr>
<tr>
<td>Projects and Contracts</td>
<td></td>
<td></td>
<td>35</td>
<td>23%</td>
</tr>
<tr>
<td>Facilities &amp; Recreation</td>
<td></td>
<td></td>
<td>423</td>
<td>19%</td>
</tr>
<tr>
<td>Waste Management</td>
<td></td>
<td></td>
<td>566</td>
<td>124%</td>
</tr>
</tbody>
</table>
## Operating Analysis as at 31 July, 2017

<table>
<thead>
<tr>
<th>Department / Service Unit</th>
<th>Indicator</th>
<th>Var ($'000)</th>
<th>Var(%)</th>
<th>Issue</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Operating Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rates and charges</td>
<td></td>
<td>0</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>User charges &amp; fees</td>
<td></td>
<td>1,431</td>
<td>25%</td>
<td></td>
<td>- The Summerhill waste management centre has generated above budget income which is partially offset by an increased state waste levy expense ($0.8m).</td>
</tr>
<tr>
<td>Interest</td>
<td></td>
<td>(8)</td>
<td>-1%</td>
<td></td>
<td>- Unbudgeted revenue has been generated through works at Ironbark Creek on behalf of Hunter Water</td>
</tr>
<tr>
<td>Other operating revenues</td>
<td></td>
<td>91</td>
<td>11%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grants &amp; contributions - Operating</td>
<td></td>
<td>(486)</td>
<td>-29%</td>
<td>Financial Assistance Grant - $0.5m</td>
<td>- 6 months of the 2017/18 financial assistance grant was paid in advance and recorded against 2016/17. It is not yet known what payments will be paid this financial year. NCC has acted conservatively and has included only 6 months of the grant in current estimates.</td>
</tr>
</tbody>
</table>

| **Operating Expenses**     |           |             |        |       |             |
| Employee costs            |           | (346)       | -5%    |       | - There has been an above average level of operational expenditure generated through current road projects. This is partially offset by the scheduling of work in Waste Management ($0.3m), Facilities and Recreation ($0.2m), Civil Works ($0.2m) and Strategic Planning ($0.2m) |
| Borrowing costs           |           | 0           | 0%     |       |             |
| Materials & contracts     |           | 682         | 16%    |       | - Expenditure on the NSW State Waste Levy is above budget due to higher than forecast tonnages. The higher levy is offset by above budget income ($0.8m) |
| Depreciation & Amortisation |       | 0           | 0%     |       |             |
| Other operating expenses  |           | 259         | 7%     |       |             |
| Net Loss from disposal of assets | | (8) | -2% |       |             |
# Overall Budget Funding Summary

**Result for the financial period ending 31 July, 2017**

<table>
<thead>
<tr>
<th></th>
<th>Full Year</th>
<th>YTD Adopted</th>
<th>YTD Actual</th>
<th>Variance $'000</th>
<th>Variance %</th>
<th>Financial Impact +ve / -ve</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Adopted</td>
<td>Result</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Budget $'000</strong></td>
<td></td>
<td>$'000</td>
<td>$'000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating Revenue</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>155,366 Rates &amp; charges</td>
<td>12,811</td>
<td>12,811</td>
<td>0</td>
<td>0</td>
<td>0%</td>
<td>+</td>
</tr>
<tr>
<td>71,297 User charges &amp; fees</td>
<td>5,696</td>
<td>7,127</td>
<td>1,431</td>
<td>25%</td>
<td></td>
<td>+</td>
</tr>
<tr>
<td>8,973 Interest</td>
<td>746</td>
<td>738</td>
<td>(8)</td>
<td>-1%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>8,638 Other operating revenues</td>
<td>811</td>
<td>902</td>
<td>91</td>
<td>11%</td>
<td></td>
<td>+</td>
</tr>
<tr>
<td>15,936 Grants &amp; contributions - Operating</td>
<td>1,255</td>
<td>769</td>
<td>(486)</td>
<td>-39%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>260,210 Total Operating Revenue</strong></td>
<td><strong>21,319</strong></td>
<td><strong>22,347</strong></td>
<td><strong>1,028</strong></td>
<td>5%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>Operating Expenses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>99,802 Employee costs</td>
<td>7,523</td>
<td>7,177</td>
<td>(346)</td>
<td>-5%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>3,764 Borrowing costs</td>
<td>290</td>
<td>290</td>
<td>0</td>
<td>0%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>57,769 Materials &amp; contracts</td>
<td>4,140</td>
<td>4,822</td>
<td>682</td>
<td>16%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>41,435 Depreciation &amp; amortisation</td>
<td>3,213</td>
<td>3,213</td>
<td>0</td>
<td>0%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>48,334 Other operating expenses</td>
<td>3,821</td>
<td>4,080</td>
<td>259</td>
<td>7%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>4,301 Net Loss from disposal of assets</td>
<td>331</td>
<td>323</td>
<td>(8)</td>
<td>-2%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td><strong>255,405 Total Operating Expenses</strong></td>
<td><strong>19,318</strong></td>
<td><strong>19,905</strong></td>
<td><strong>587</strong></td>
<td>3%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Total Operating Revenue Less Operating Expenditure</td>
<td><strong>4,805</strong></td>
<td><strong>441</strong></td>
<td>22%</td>
<td></td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>Capital Revenues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11,855 Grants &amp; contributions - Capital</td>
<td>988</td>
<td>2,917</td>
<td>1,929</td>
<td>195%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>2,548 Proceeds from the sale of Assets</td>
<td>212</td>
<td>0</td>
<td>(212)</td>
<td>-100%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>14,403 Total Capital Raising revenue</strong></td>
<td><strong>1,200</strong></td>
<td><strong>2,917</strong></td>
<td><strong>1,717</strong></td>
<td>143%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>Net Surplus/(deficit) after capital revenue</td>
<td><strong>3,201</strong></td>
<td><strong>5,359</strong></td>
<td><strong>2,158</strong></td>
<td>67%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>Adjustments for Non Cash Items</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41,435 Add back Depreciation</td>
<td>3,213</td>
<td>3,213</td>
<td>0</td>
<td>0%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>4,301 Add back loss on Disposal</td>
<td>331</td>
<td>323</td>
<td>(8)</td>
<td>-2%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>(4,600) Less land &amp; infrastructure donations</td>
<td>(383)</td>
<td>(383)</td>
<td>0</td>
<td>0%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td><strong>60,344 Funding available for capital expenditure</strong></td>
<td><strong>6,362</strong></td>
<td><strong>8,512</strong></td>
<td><strong>2,150</strong></td>
<td>34%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>Capital Expenses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38,199 Asset renewals</td>
<td>2,480</td>
<td>2,419</td>
<td>(61)</td>
<td>-2%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>7,375 2012 SRV Priority Projects</td>
<td>591</td>
<td>50</td>
<td>(541)</td>
<td>-92%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>13,835 New / upgrade</td>
<td>869</td>
<td>81</td>
<td>(788)</td>
<td>-91%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>9,262 Non-Infrastructure Projects</td>
<td>603</td>
<td>191</td>
<td>(412)</td>
<td>-68%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td><strong>68,671 Total capital spend</strong></td>
<td><strong>4,543</strong></td>
<td><strong>2,741</strong></td>
<td><strong>(1,802)</strong></td>
<td>-40%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>Loan Principal Repayment</td>
<td>240</td>
<td>240</td>
<td>0</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>(11,209) Net Funds Generated / (Used)</strong></td>
<td><strong>1,579</strong></td>
<td><strong>5,531</strong></td>
<td><strong>3,952</strong></td>
<td>250%</td>
<td>+</td>
<td></td>
</tr>
</tbody>
</table>

Note 1 - Actual and Budget results include an estimate for the Newcastle Airport
Overall Performance Graphs as at 31 July, 2017

**Operating Revenues**

- Rates & charges
- User charges
- Interest
- Other revenues
- Operating grants

**Operating Expenditure**

- Employee
- Borrowing
- Materials
- Depreciation
- Other expenses
- Loss on disposal

**Capital Expenditure**

- Asset renewals
- SRV
- New / upgrade
- Non-Infrastructure
# Newcastle City Council

## For the month ending 31 July, 2017

<table>
<thead>
<tr>
<th></th>
<th>Executive Management</th>
<th>Planning &amp; Regulatory</th>
<th>Corporate Services</th>
<th>Infrastructure</th>
<th>Airport</th>
<th>The City of Newcastle</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Operating Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Rates &amp; charges</td>
<td>93 93 11,175 1,543 12,811 0%</td>
<td>38 34 1,348 1,329 1,072 25%</td>
<td>727 719 2,934 4,418 5,696 0%</td>
<td>346 413 418 416 727 0%</td>
<td>14 17 948 474 811 5%</td>
<td></td>
</tr>
<tr>
<td>2 User charges &amp; fees</td>
<td>1,348 1,329 1,543 12,811 0%</td>
<td>304 274 2,934 4,418 5,696 0%</td>
<td>727 719 2,934 4,418 5,696 0%</td>
<td>418 416 47 73 811 11%</td>
<td>5 105 948 474 288 25%</td>
<td></td>
</tr>
<tr>
<td>3 Interest</td>
<td>727 719 2,934 4,418 5,696 0%</td>
<td>304 274 2,934 4,418 5,696 0%</td>
<td>727 719 2,934 4,418 5,696 0%</td>
<td>418 416 47 73 811 11%</td>
<td>5 105 948 474 288 25%</td>
<td></td>
</tr>
<tr>
<td>4 Other operating revenues</td>
<td>346 413 418 416 727 0%</td>
<td>14 17 948 474 811 5%</td>
<td>727 719 2,934 4,418 5,696 0%</td>
<td>418 416 47 73 811 11%</td>
<td>5 105 948 474 288 25%</td>
<td></td>
</tr>
<tr>
<td>5 Grants &amp; contributions - Operating</td>
<td>14 17 948 474 811 5%</td>
<td>727 719 2,934 4,418 5,696 0%</td>
<td>727 719 2,934 4,418 5,696 0%</td>
<td>418 416 47 73 811 11%</td>
<td>5 105 948 474 288 25%</td>
<td></td>
</tr>
</tbody>
</table>

**Total Operating Revenue**

1,792 1,940 13,572 13,058 21,319 5%

<table>
<thead>
<tr>
<th><strong>Operating Expenses</strong></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>6 Employee costs</td>
<td>1,031 979 1,832 1,747</td>
<td>820 821 3,665 3,455</td>
<td>175 175 7,523 7,177</td>
<td>(346) 5%</td>
<td>270 270 20 20</td>
<td>290 290 0%</td>
</tr>
<tr>
<td>7 Borrowing costs</td>
<td>270 270 20 20</td>
<td>270 270 20 20</td>
<td>270 270 20 20</td>
<td>270 270 20 20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Depreciation &amp; amortisation</td>
<td>80 80 400 400</td>
<td>30 30 2,565 2,565</td>
<td>138 138 3,213 3,213</td>
<td>30 30 2,565 2,565</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Other operating expenses</td>
<td>85 74 291 223</td>
<td>554 452 2,365 2,805</td>
<td>526 526 3,821 4,080</td>
<td>554 452 2,365 2,805</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Net Loss from disposal of assets</td>
<td>331 323</td>
<td>331 323</td>
<td>331 323</td>
<td>331 323</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total Operating Expenses**

1,550 1,345 3,474 2,949 11,416 3%

**Total Operating Revenue Less Operating Expenditure**

(1,498) (1,114) (1,682) (1,053) (6,604) 22%
<table>
<thead>
<tr>
<th></th>
<th>ICED Office</th>
<th>Human Resources</th>
<th>Information Technology</th>
<th>Communications &amp; Engagement</th>
<th>Executive</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>YTD Budget $’000</td>
<td>YTD Actual $’000</td>
<td>YTD Budget $’000</td>
<td>YTD Actual $’000</td>
<td>YTD Budget $’000</td>
</tr>
<tr>
<td><strong>Operating Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Rates &amp; charges</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 User charges &amp; fees</td>
<td>2</td>
<td>36</td>
<td>34</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Interest</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Other operating revenues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Grants &amp; contributions -</td>
<td>14</td>
<td>17</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Operating Revenue</strong></td>
<td>16</td>
<td>17</td>
<td>36</td>
<td>34</td>
<td>52</td>
</tr>
<tr>
<td><strong>Operating Expenses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Employee costs</td>
<td>74</td>
<td>78</td>
<td>613</td>
<td>590</td>
<td>220</td>
</tr>
<tr>
<td>7 Borrowing costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Materials &amp; contracts</td>
<td>18</td>
<td>10</td>
<td>61</td>
<td>48</td>
<td>234</td>
</tr>
<tr>
<td>9 Depreciation &amp; amortisation</td>
<td>6</td>
<td>6</td>
<td>74</td>
<td>74</td>
<td></td>
</tr>
<tr>
<td>10 Other operating expenses</td>
<td>11</td>
<td>8</td>
<td>1</td>
<td>66</td>
<td>73</td>
</tr>
<tr>
<td>11 Net Loss from disposal of assets</td>
<td>11</td>
<td>8</td>
<td>1</td>
<td>66</td>
<td>73</td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td>103</td>
<td>96</td>
<td>681</td>
<td>644</td>
<td>601</td>
</tr>
<tr>
<td><strong>Total Operating Revenue</strong></td>
<td>(103)</td>
<td>(96)</td>
<td>(665)</td>
<td>(627)</td>
<td>(565)</td>
</tr>
<tr>
<td>Less Operating Expenditure</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(1,498)</td>
<td>(1,314)</td>
<td>184</td>
<td>12%</td>
<td></td>
</tr>
</tbody>
</table>
### Operating Revenue

<table>
<thead>
<tr>
<th>Source</th>
<th>YTD Budget $’000</th>
<th>YTD Actual $’000</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Rates &amp; charges</td>
<td>93</td>
<td>93</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>2 User charges &amp; fees</td>
<td>73</td>
<td>76</td>
<td>3 $'000</td>
<td>4%</td>
</tr>
<tr>
<td>3 Interest</td>
<td>150</td>
<td>150</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>4 Other operating revenues</td>
<td>232</td>
<td>318</td>
<td>86 $'000</td>
<td>15%</td>
</tr>
<tr>
<td>5 Grants &amp; contributions - Operating</td>
<td>2</td>
<td>5</td>
<td>(450)</td>
<td>-2%</td>
</tr>
<tr>
<td><strong>Total Operating Revenue</strong></td>
<td>205</td>
<td>208</td>
<td>3 $'000</td>
<td>1%</td>
</tr>
</tbody>
</table>

### Operating Expenses

<table>
<thead>
<tr>
<th>Source</th>
<th>YTD Budget $’000</th>
<th>YTD Actual $’000</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 Employee costs</td>
<td>318</td>
<td>316</td>
<td>2 $'000</td>
<td>1%</td>
</tr>
<tr>
<td>7 Borrowing costs</td>
<td>302</td>
<td>300</td>
<td>2 $'000</td>
<td>1%</td>
</tr>
<tr>
<td>8 Materials &amp; contracts</td>
<td>159</td>
<td>227</td>
<td>68 $'000</td>
<td>44%</td>
</tr>
<tr>
<td>9 Depreciation &amp; amortisation</td>
<td>210</td>
<td>210</td>
<td>0 $'000</td>
<td>0%</td>
</tr>
<tr>
<td>10 Other operating expenses</td>
<td>66</td>
<td>60</td>
<td>6 $'000</td>
<td>10%</td>
</tr>
<tr>
<td>11 Net Loss from disposal of assets</td>
<td>25</td>
<td>14</td>
<td>11 $'000</td>
<td>44%</td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td>398</td>
<td>398</td>
<td>0 $'000</td>
<td>0%</td>
</tr>
</tbody>
</table>

### Total Operating Revenue Less Operating Expenditure

<table>
<thead>
<tr>
<th>Source</th>
<th>YTD Budget $’000</th>
<th>YTD Actual $’000</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Operating Revenue</strong></td>
<td>(32)</td>
<td>(31)</td>
<td>(1) $’000</td>
<td>3%</td>
</tr>
</tbody>
</table>

*For the month ending 31 July, 2017*
<table>
<thead>
<tr>
<th></th>
<th>Director</th>
<th>Finance</th>
<th>Property Services</th>
<th>Customer Service</th>
<th>Legal &amp; Governance</th>
<th>Corporate Services</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>YTD Budget</td>
<td>YTD Actual</td>
<td>YTD Budget</td>
<td>YTD Actual</td>
<td>YTD Budget</td>
<td>YTD Actual</td>
</tr>
<tr>
<td><strong>Operating Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Rates &amp; charges</td>
<td>11,170</td>
<td>11,170</td>
<td>5</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 User charges &amp; fees</td>
<td>42</td>
<td>34</td>
<td>231</td>
<td>227</td>
<td>30</td>
<td>13</td>
</tr>
<tr>
<td>3 Interest</td>
<td>727</td>
<td>719</td>
<td>381</td>
<td>374</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>4 Other operating revenues</td>
<td>31</td>
<td>42</td>
<td>948</td>
<td>474</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Grants &amp; contributions -Operating</td>
<td>948</td>
<td>474</td>
<td>948</td>
<td>474</td>
<td>948</td>
<td>474</td>
</tr>
<tr>
<td><strong>Total Operating Revenue</strong></td>
<td>12,918</td>
<td>12,439</td>
<td>617</td>
<td>606</td>
<td>30</td>
<td>13</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Operating Expenses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Employee costs</td>
<td>37</td>
<td>35</td>
<td>253</td>
<td>366</td>
<td>76</td>
<td>66</td>
</tr>
<tr>
<td>7 Borrowing costs</td>
<td>265</td>
<td>265</td>
<td>5</td>
<td>5</td>
<td>289</td>
<td>265</td>
</tr>
<tr>
<td>8 Materials &amp; contracts</td>
<td>5</td>
<td>45</td>
<td>147</td>
<td>104</td>
<td>65</td>
<td>70</td>
</tr>
<tr>
<td>9 Depreciation &amp; amortisation</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>10 Other operating expenses</td>
<td>289</td>
<td>250</td>
<td>36</td>
<td>28</td>
<td>229</td>
<td>174</td>
</tr>
<tr>
<td>11 Net Loss from disposal of assets</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td>42</td>
<td>35</td>
<td>868</td>
<td>926</td>
<td>289</td>
<td>228</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>355</td>
<td>336</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>465</td>
<td>281</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2,019</td>
<td>1,806</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(213)</td>
<td>(118)</td>
</tr>
<tr>
<td><strong>Total Operating Revenue Less Operating Expenditure</strong></td>
<td>(42)</td>
<td>(35)</td>
<td>12,050</td>
<td>11,513</td>
<td>328</td>
<td>378</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(458)</td>
<td>(281)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>11,553</td>
<td>11,252</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(301)</td>
<td>(281)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-3%</td>
<td></td>
</tr>
<tr>
<td>Operating Revenue</td>
<td>Director</td>
<td>Infrastructure Planning</td>
<td>Civil Works</td>
<td>Projects &amp; Contracts</td>
<td>Facilities &amp; Recreation</td>
<td>Waste Management</td>
</tr>
<tr>
<td>-------------------</td>
<td>----------</td>
<td>-------------------------</td>
<td>------------</td>
<td>---------------------</td>
<td>------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Rates &amp; charges</td>
<td>1,536</td>
<td>1,536</td>
<td>1,543</td>
<td>1,543</td>
<td>0%</td>
<td>1,484</td>
</tr>
<tr>
<td>User charges &amp; fees</td>
<td>2,429</td>
<td>3,237</td>
<td>2,934</td>
<td>4,418</td>
<td>51%</td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td>17</td>
<td>26</td>
<td>47</td>
<td>73</td>
<td>55%</td>
<td></td>
</tr>
<tr>
<td>Other operating revenues</td>
<td>169</td>
<td>84</td>
<td>288</td>
<td>173</td>
<td>115</td>
<td>40%</td>
</tr>
<tr>
<td>Operating</td>
<td>1,536</td>
<td>1,536</td>
<td>1,543</td>
<td>1,543</td>
<td>0%</td>
<td></td>
</tr>
</tbody>
</table>

| Total Operating Revenue | 184 | 516 | 473 | 654 | 4 | 139 | 238 | 4,016 | 4,795 | 4,812 | 6,207 | 1,395 | 29% |

| Operating Expenses | 6 Employee costs | 32 | 75 | 613 | 554 | 1,256 | 1,214 | 140 | 119 | 1,099 | 1,025 | 525 | 468 | 3,665 | 3,455 | (210) | -6% |
| 7 Borrowing costs | 0% |
| 8 Materials & contracts | 4 | 1 | 506 | 2,455 | 271 | 95 | 13 | 4 | 711 | 484 | 985 | 695 | 2,490 | 3,734 | 1,244 | 50% |
| 9 Depreciation & amortisation | 1,589 | 371 | 371 | 205 | 205 |
| 10 Other operating expenses | 325 | 305 | 81 | 5 | 1,844 | 2,404 | 2,365 | 2,805 | 440 | 19% |
| 11 Net Loss from disposal of assets | 331 | 323 | 31 | 23 | 331 | 323 | 331 | 323 | (8) | -2% |

| Total Operating Expenses | 36 | 76 | 3,364 | 5,286 | 1,979 | 1,685 | 154 | 123 | 2,324 | 2,000 | 3,599 | 3,772 | 11,416 | 12,882 | 1,474 | 13% |

| Total Operating Revenue Less Operating Expenditure | (36) | (76) | (3,180) | (4,710) | (1,506) | (1,031) | (154) | (119) | (2,185) | (1,762) | 457 | 1,022 | (6,604) | (6,675) | (71) | -1% |
## Rates Income as at 31 July, 2017

<table>
<thead>
<tr>
<th></th>
<th>YTD Budget (000's)</th>
<th>YTD Actual (000's)</th>
<th>Variance (000's)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rates and Charges</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Rates</td>
<td>10,996</td>
<td>10,996</td>
<td>0</td>
</tr>
<tr>
<td>Domestic Waste</td>
<td>1,536</td>
<td>1,536</td>
<td>0</td>
</tr>
<tr>
<td>Stormwater</td>
<td>164</td>
<td>164</td>
<td>0</td>
</tr>
<tr>
<td>Levies</td>
<td>115</td>
<td>115</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Rates</strong></td>
<td>12,811</td>
<td>12,811</td>
<td>0</td>
</tr>
</tbody>
</table>

**Rates Income as at 31 July, 2017**

- General Rates
- Domestic Waste
- Stormwater
- Levies

- YTD Budget
- YTD Actual

---

**Graphs:**

- **Bar Chart:**
  - General Rates
  - Domestic Waste
  - Stormwater
  - Levies

- **Pie Chart:**
  - General Rates
  - Domestic Waste
  - Stormwater
  - Levies
Debtors Report as at 31 July, 2017

Outstanding Rates

<table>
<thead>
<tr>
<th>Debt Recovery Action</th>
<th>No. of Properties</th>
<th>$ Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Action</td>
<td>192</td>
<td>$1,257,752</td>
</tr>
<tr>
<td>Formal Arrangements</td>
<td>106</td>
<td>$223,673</td>
</tr>
<tr>
<td>Deferral against estate</td>
<td>44</td>
<td>$659,235</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>342</strong></td>
<td><strong>2,140,660</strong></td>
</tr>
</tbody>
</table>

Aged Debtors Report (Major Debtors Report)

<table>
<thead>
<tr>
<th>Period</th>
<th>Jun-17</th>
<th>Jul-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>686,058</td>
<td>3,650,248</td>
</tr>
<tr>
<td>30 Days</td>
<td>122,714</td>
<td>160,130</td>
</tr>
<tr>
<td>60 Days</td>
<td>126,827</td>
<td>66,790</td>
</tr>
<tr>
<td>90 Days</td>
<td>672,682</td>
<td>711,107</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,608,281</strong></td>
<td><strong>4,588,275</strong></td>
</tr>
</tbody>
</table>

Debtor and Breakdown of Material Debtors

greater than $100,000

<table>
<thead>
<tr>
<th>Debtor</th>
<th>Business Unit</th>
<th>Total $</th>
<th>Current $</th>
<th>30 Days $</th>
<th>60 Days $</th>
<th>90 Days $</th>
</tr>
</thead>
<tbody>
<tr>
<td>BP Australia Pty Ltd</td>
<td>Infrastructure Planning</td>
<td>$586,023</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>$86,023</td>
</tr>
<tr>
<td>Cleanaway</td>
<td>Waste Management</td>
<td>$503,014</td>
<td>503,014</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Veolia Environmental</td>
<td>Waste Management</td>
<td>$232,066</td>
<td>232,066</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Enviropacific Services</td>
<td>Waste Management</td>
<td>$402,461</td>
<td>402,461</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Veolia Water</td>
<td>Waste Management</td>
<td>$138,139</td>
<td>138,139</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Gleeson Civil Engineering</td>
<td>Waste Management</td>
<td>$127,487</td>
<td>127,487</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>BCCEC</td>
<td>Strategic Planning</td>
<td>$226,010</td>
<td>226,010</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Hunter Water</td>
<td>Infrastructure Planning</td>
<td>$417,079</td>
<td>417,079</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Jemena</td>
<td>Infrastructure Planning</td>
<td>$144,688</td>
<td>144,688</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Treasury/Crown Finance</td>
<td>Strategic Planning</td>
<td>$370,545</td>
<td>370,545</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Volvo</td>
<td>Finance</td>
<td>$162,800</td>
<td>162,800</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
## Project Program Summary

**For the month ending 31 July, 2017**

<table>
<thead>
<tr>
<th>Adopted Budget $,000</th>
<th>Portfolio/Program</th>
<th>YTD Adopted Budget $,000</th>
<th>YTD Actual Result $,000</th>
<th>Variance to YTD budget (%)</th>
<th>% of FY Budget Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>27,279</td>
<td>Buildings, Structures and Places</td>
<td>1,886</td>
<td>381</td>
<td>81%</td>
<td>1%</td>
</tr>
<tr>
<td></td>
<td>Aquatic Centres</td>
<td>22</td>
<td>0</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>1,950</td>
<td>Blackbutt Reserve</td>
<td>139</td>
<td>13</td>
<td>91%</td>
<td>1%</td>
</tr>
<tr>
<td>1,688</td>
<td>Buildings - Council Support Services</td>
<td>126</td>
<td>44</td>
<td>65%</td>
<td>3%</td>
</tr>
<tr>
<td>1,486</td>
<td>City Centre Revitalisation</td>
<td>98</td>
<td>5</td>
<td>95%</td>
<td>0%</td>
</tr>
<tr>
<td>7,465</td>
<td>Coastal Revitalisation</td>
<td>563</td>
<td>184</td>
<td>67%</td>
<td>2%</td>
</tr>
<tr>
<td>524</td>
<td>Community Buildings</td>
<td>33</td>
<td></td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>2,880</td>
<td>Cultural Facilities</td>
<td>196</td>
<td>2</td>
<td>99%</td>
<td>0%</td>
</tr>
<tr>
<td>360</td>
<td>Libraries</td>
<td>22</td>
<td></td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>6,708</td>
<td>Recreation Parks and Sporting Facilities</td>
<td>445</td>
<td>80</td>
<td>82%</td>
<td>1%</td>
</tr>
<tr>
<td>1,413</td>
<td>Public Toilets</td>
<td>88</td>
<td>4</td>
<td>95%</td>
<td>0%</td>
</tr>
<tr>
<td>2,805</td>
<td>Retaining Walls</td>
<td>176</td>
<td>7</td>
<td>96%</td>
<td>0%</td>
</tr>
<tr>
<td>19,982</td>
<td>Roads</td>
<td>1,264</td>
<td>4,429</td>
<td>-250%</td>
<td>22%</td>
</tr>
<tr>
<td></td>
<td>Bridges</td>
<td>138</td>
<td></td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>1,946</td>
<td>Footpaths</td>
<td>121</td>
<td>157</td>
<td>-30%</td>
<td>8%</td>
</tr>
<tr>
<td>1,135</td>
<td>Road Furniture</td>
<td>72</td>
<td>19</td>
<td>74%</td>
<td>2%</td>
</tr>
<tr>
<td>3,050</td>
<td>Road Rehabilitation</td>
<td>17</td>
<td>357</td>
<td>-2000%</td>
<td>12%</td>
</tr>
<tr>
<td>11,626</td>
<td>Road Resurfacing</td>
<td>916</td>
<td>3,896</td>
<td>-325%</td>
<td>34%</td>
</tr>
<tr>
<td>7,101</td>
<td>Transport</td>
<td>455</td>
<td>67</td>
<td>85%</td>
<td>1%</td>
</tr>
<tr>
<td>2,657</td>
<td>Cycleways</td>
<td>179</td>
<td>67</td>
<td>63%</td>
<td>3%</td>
</tr>
<tr>
<td>787</td>
<td>Local Area Traffic Management</td>
<td>49</td>
<td></td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>1,000</td>
<td>Parking Infrastructure</td>
<td>62</td>
<td></td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>2,657</td>
<td>Pedestrian Access and Mobility Plan</td>
<td>165</td>
<td></td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>10,735</td>
<td>Stormwater</td>
<td>685</td>
<td>203</td>
<td>70%</td>
<td>2%</td>
</tr>
<tr>
<td></td>
<td>Flood Planning</td>
<td>2</td>
<td></td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>10,705</td>
<td>Stormwater System</td>
<td>683</td>
<td>203</td>
<td>70%</td>
<td>2%</td>
</tr>
<tr>
<td>14,615</td>
<td>Environment</td>
<td>950</td>
<td>160</td>
<td>83%</td>
<td>1%</td>
</tr>
<tr>
<td>850</td>
<td>Bushland and Watercourses</td>
<td>16</td>
<td></td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>2,390</td>
<td>Coast, Estuary and Wetlands</td>
<td>226</td>
<td>42</td>
<td>81%</td>
<td>2%</td>
</tr>
<tr>
<td>1,230</td>
<td>Street and Park Trees</td>
<td>76</td>
<td>69</td>
<td>9%</td>
<td>6%</td>
</tr>
<tr>
<td>10,145</td>
<td>Waste Management</td>
<td>632</td>
<td>49</td>
<td>92%</td>
<td>0%</td>
</tr>
<tr>
<td>4,385</td>
<td>Information Technology</td>
<td>318</td>
<td>101</td>
<td>68%</td>
<td>2%</td>
</tr>
<tr>
<td>2,530</td>
<td>Implementation and Upgrade of Applications</td>
<td>187</td>
<td>80</td>
<td>57%</td>
<td>3%</td>
</tr>
<tr>
<td>1,430</td>
<td>Infrastructure Improvements</td>
<td>91</td>
<td>6</td>
<td>93%</td>
<td>0%</td>
</tr>
<tr>
<td>425</td>
<td>Strategic and Systems Analysis</td>
<td>40</td>
<td>15</td>
<td>63%</td>
<td>4%</td>
</tr>
<tr>
<td>1,000</td>
<td>Strategic</td>
<td>69</td>
<td>81</td>
<td>-17%</td>
<td>8%</td>
</tr>
<tr>
<td>650</td>
<td>Smart City</td>
<td>43</td>
<td>43</td>
<td>0%</td>
<td>7%</td>
</tr>
<tr>
<td>350</td>
<td>Economic Development</td>
<td>26</td>
<td>37</td>
<td>-42%</td>
<td>11%</td>
</tr>
<tr>
<td></td>
<td>Strategic Plans</td>
<td>1</td>
<td></td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>3,645</td>
<td>Fleet Replacement</td>
<td>226</td>
<td>66</td>
<td>71%</td>
<td>2%</td>
</tr>
<tr>
<td>3,645</td>
<td>Fleet Replacement</td>
<td>226</td>
<td>66</td>
<td>71%</td>
<td>2%</td>
</tr>
<tr>
<td>1,551</td>
<td>Minor Capital</td>
<td>92</td>
<td>125</td>
<td>-36%</td>
<td>8%</td>
</tr>
<tr>
<td>77</td>
<td>Art Gallery Works of Art</td>
<td>5</td>
<td>81</td>
<td>-1520%</td>
<td>105%</td>
</tr>
<tr>
<td>800</td>
<td>Library Resources</td>
<td>50</td>
<td>27</td>
<td>46%</td>
<td>3%</td>
</tr>
<tr>
<td>100</td>
<td>Parking Meter Replacement</td>
<td>6</td>
<td></td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>574</td>
<td>Small Purchases</td>
<td>31</td>
<td>17</td>
<td>45%</td>
<td>3%</td>
</tr>
<tr>
<td>90,293</td>
<td>Total Works Program</td>
<td>5,945</td>
<td>5,593</td>
<td>6%</td>
<td>6%</td>
</tr>
</tbody>
</table>

**Note:** The Budget above is inclusive of operational and capital works
<table>
<thead>
<tr>
<th>Item</th>
<th>Due Date</th>
<th>Actual Date</th>
<th>Reason for delay</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) Wallsend bridge replacement</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tyrell St bridge concept design</td>
<td>Completed</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Tyrell St detail design under contract</td>
<td>Oct-17</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Anticipated construction 2018</td>
<td>2018</td>
<td></td>
<td>Services and property interaction</td>
</tr>
<tr>
<td>(ii) Minmi Road footpath and road widening between Cowper Street and Macquarie Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street lighting relocations and upgrade construction</td>
<td>Feb-17</td>
<td>Mar-17</td>
<td>Contractor availability and approval for power outage</td>
</tr>
<tr>
<td>Civil Design drawings</td>
<td>Mar-17</td>
<td>Mar-17</td>
<td>n/a</td>
</tr>
<tr>
<td>Civil construction commencement</td>
<td>Apr-17</td>
<td>Mar-17</td>
<td>n/a</td>
</tr>
<tr>
<td>Civil construction completion</td>
<td>Aug-17</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>(iii) Water main replacement and road re-sealing Anderson Drive Tarro</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Start project</td>
<td>2015</td>
<td>Sep-16</td>
<td>Funding commitment from HWC</td>
</tr>
<tr>
<td>Award tender for water main feasibility and design</td>
<td>Dec-16</td>
<td>Dec-16</td>
<td>n/a</td>
</tr>
<tr>
<td>Water main design submitted to Hunter Water Corporation</td>
<td>Jun-17</td>
<td>Jun-17</td>
<td>Scoping greater than expected</td>
</tr>
<tr>
<td>Water main Tender</td>
<td>Jul-17</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Water main commence construction</td>
<td>Nov-17</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Water main complete construction</td>
<td>Feb-18</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Civil construction commencement</td>
<td>Mar-18</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Civil construction completion</td>
<td>Jul-18</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>(iv) Wallsend and Beresfield Public Domain Plans</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wallsend Public Domain Plan Draft Concept Plan</td>
<td>Late March 2017</td>
<td>Late March 2017</td>
<td>n/a</td>
</tr>
<tr>
<td>Traffic Committee</td>
<td>10-Apr-17</td>
<td>10-Apr-17</td>
<td>n/a</td>
</tr>
<tr>
<td>Exhibition of Draft PDP</td>
<td>May-17</td>
<td>May-17</td>
<td>n/a</td>
</tr>
<tr>
<td>Report to Council for adoption of PDP</td>
<td>Jul-17</td>
<td></td>
<td>Submissions being reviewed and issues to be resolved. To be</td>
</tr>
</tbody>
</table>
Executive summary:

1. Council’s temporary surplus funds are invested consistent with Council’s Investment Policy and The Local Government Act and Regulations.

2. Application of the investment function has remained consistent with requirements outlined within Part E of Council’s Investment Policy, "Environmentally and Socially Responsible Investments (SRI)".

3. Council’s overall investment portfolio holdings are $301,084,865 comprising $290,910,830 of invested funds, and $10,174,035 Cash At Call. Further disclosure of investment portfolio composition and details of investment placements performed during the reporting period are disclosed later in this report.

4. Council achieved a Net Yield on the investment portfolio for the 12 months to 31 July 2017 of 3.02%, against the benchmark of 1.79% 90d Bloomberg AusBond Bank Bill Index.

   Council’s Investment Policy mandates a KPI Active Return (Net Return less benchmark) of 0.50%. The Active Return for the 12 months to July 2017 increased from the prior month to 1.23%.

5. The 2017/18 adopted budget for unconsolidated interest income from cash and investments is $8,470,000. This represents a decline of income relative to the actual result achieved for Financial Year 2016/17. The decline in budgeted revenue is based on Council running a net deficit budget, from a funding perspective for 2017/18 as well as continuing declining total yield.

   The budget position remains conservative and if current inputs into this forecast perform as expected an end of year positive budget variance should result.

6. Cumulative 2017/18 interest income from Council’s cash and investments is $719,494 (excluding Newcastle Airport and non-investment portfolio sources of interest). The budget to actual interest report as at 31 July 2017 is submitted to Council later in this report. Year to date performance is in excess of the adopted budget by $13,000.

7. Council’s new and rolled investments are subject to current and future economic financial market prices. The below graphs display the average of interest rate forecasts (which unchanged from the prior month) sourced from the 4 major Australian Banks as at 31 July 2017.

8. In accordance with Council’s resolution of 30 May 1995, the schedules of investments from the two previous meetings of Council are provided in detail at the conclusion of this report.
Investment policy objectives:

9.1 To provide a framework for the investing of Council’s funds at the most favourable rate of interest available to it at the time whilst having due consideration of risk and security for that investment type and ensuring that its liquidity requirements are being met.

9.2 While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity, and the return of investment.

9.3 Preservation of capital is the principal objective of the investment portfolio. Investments are to be placed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.

9.4 Investments should be allocated to ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment.

9.5 Investments are expected to achieve a market average rate of return in line with the Council’s risk tolerance.

9.6 Delegated Officers are to manage the investment portfolio as a hold to maturity investor. Deviation from this method of operation (ie sale of an investment prior to maturity) is permissible for either risk management purposes, to meet unforeseen liquidity requirements, or if deemed advantageous to do so.

9.7 All investments are to comply with the following:

9.7.1 Local Government Act 1993 (NSW) - Section 625

9.7.2 Local Government (General) Regulation 2005 (NSW)

9.7.3 Prevailing Ministerial Investment Order

9.7.4 Local Government Code of Accounting Practice and Financial Reporting

9.7.5 Division of Local Government Investment Circulars; and

9.7.6 Australian Accounting Standards

9.8 Council’s preference is to enter into environmentally and Socially Responsible Investments (SRI) where:

9.8.1 The investment is compliant with legislation and Investment Policy objectives (listed above) and parameters; and

9.8.2 The rate of return is favourable relative to comparable investments on offer to Council at the time of investment.
Portfolio composition by Interest rate type:

10 Much recent economic commentary in the media has focused on the future direction of interest rates, and the yield curve. Council continues to manage its exposure to interest rates in consultation with its Investment Adviser whilst also ensuring that the yield curve and various other economic variables are taken into account when new investments are placed. Emphasis placed on these considerations increases as the duration of investment under consideration increases.

11 Below are two graphs that disclose Council's existing exposure to future adjustments to the yield curve. These graphs demonstrate that Council retains a conservative investment exposure to fixed rates. Therefore in the event of a change in interest rates Council's investment portfolio will capture the change in yield relatively quickly.

12 The majority of fixed rate exposure maintained by Council is within shorter duration investments, primarily of 3 months or less, which is managed in a manner as to supplement liquidity requirements whilst maximising yield within the framework as set out in Council's Investment Policy.
Portfolio Summary:

<table>
<thead>
<tr>
<th>Investment type</th>
<th>May 2017</th>
<th>June 2017</th>
<th>July 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash At Call</td>
<td>7,559,042</td>
<td>5,810,998</td>
<td>10,174,035</td>
</tr>
<tr>
<td>Term Deposit: Fixed rate</td>
<td>101,778,847</td>
<td>94,278,847</td>
<td>72,278,847</td>
</tr>
<tr>
<td>Term Deposit: Floating rate</td>
<td>34,500,000</td>
<td>40,000,000</td>
<td>40,000,000</td>
</tr>
<tr>
<td>Floating Rate Note</td>
<td>159,589,587</td>
<td>159,587,008</td>
<td>159,587,118</td>
</tr>
<tr>
<td>Fixed Rate Bond</td>
<td>16,046,286</td>
<td>19,044,971</td>
<td>19,044,865</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>319,473,762</strong></td>
<td><strong>318,721,824</strong></td>
<td><strong>301,084,865</strong></td>
</tr>
</tbody>
</table>

Asset Class allocation: July 2017

Total Cash and Investments
Investment Policy compliance report
31 July 2017

New and matured Investments:

Matured Investments:

<table>
<thead>
<tr>
<th>Date matured</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Original Term</th>
<th>Original date invested</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 July 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.57%</td>
<td>126 days</td>
<td>28 Feb 2017</td>
</tr>
<tr>
<td>6 July 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$639,424</td>
<td>3.05%</td>
<td>2 yrs</td>
<td>6 July 2015</td>
</tr>
<tr>
<td>7 July 2017</td>
<td>IMB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.65%</td>
<td>155 days</td>
<td>2 Feb 2017</td>
</tr>
<tr>
<td>14 July 2017</td>
<td>Beyond Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.80%</td>
<td>154 days</td>
<td>10 Feb 2017</td>
</tr>
<tr>
<td>14 July 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.57%</td>
<td>135 days</td>
<td>01 Mar 2017</td>
</tr>
<tr>
<td>14 July 2017</td>
<td>BankWest</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.30%</td>
<td>45 days</td>
<td>30 May 2017</td>
</tr>
<tr>
<td>18 July 2017</td>
<td>Beyond Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.55%</td>
<td>70 days</td>
<td>09 May 2017</td>
</tr>
<tr>
<td>21 July 2017</td>
<td>CBA</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.60%</td>
<td>155 days</td>
<td>16 Feb 2017</td>
</tr>
<tr>
<td>28 July 2017</td>
<td>IMB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.55%</td>
<td>115 days</td>
<td>04 Apr 2017</td>
</tr>
<tr>
<td>31 July 2017</td>
<td>CBA</td>
<td>Term Deposit: Fixed Rate</td>
<td>$1,000,000</td>
<td>5.15%</td>
<td>5 yrs</td>
<td>24 Sept 2012</td>
</tr>
</tbody>
</table>

New Investments:

<table>
<thead>
<tr>
<th>Contract date</th>
<th>Settlement date</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Term</th>
<th>Maturity date</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 July 2017</td>
<td>6 July 2017</td>
<td>BoQ</td>
<td>Term Deposit: Fixed Rate</td>
<td>$639,424</td>
<td>2.65%</td>
<td>215 days</td>
<td>06 Feb 2018</td>
</tr>
<tr>
<td>31 July 2017</td>
<td>31 July 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.38%</td>
<td>81 days</td>
<td>20 Oct 2017</td>
</tr>
</tbody>
</table>

I certify that the new investments detailed above have been made in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2005, and Council's adopted Investment Policy.

Andrew Glauser
Responsible Accounting Officer
Performance measurement:

The Key Performance Indicator (KPI) for income on investments is benchmarked at 0.50% above the 1 year return on the 90 day Bloomberg AusBond Bank Bill Index).

<table>
<thead>
<tr>
<th>12m: Council return</th>
<th>12m: Benchmark + KPI</th>
<th>12m: KPI outperformance</th>
</tr>
</thead>
<tbody>
<tr>
<td>May '17</td>
<td>June '17</td>
<td>July '17</td>
</tr>
<tr>
<td>3.07%</td>
<td>2.34%</td>
<td>0.73%</td>
</tr>
<tr>
<td>3.04%</td>
<td>2.32%</td>
<td>0.72%</td>
</tr>
<tr>
<td>3.02%</td>
<td>2.29%</td>
<td>0.73%</td>
</tr>
</tbody>
</table>

Commentary:
The above graphs indicate an overall downward trend in Council Portfolio Yield. The downward trend is principally due to the downward trend in the benchmark as Councils Active Return has remained relatively consistent throughout the duration displayed.

Portfolio yield remains comfortably above inflation (underlying CPI for the Quarter to June 2017 was 1.90%). Council’s portfolio retains a theoretical natural hedge against inflationary impacts via its investment in floating rate products. Whilst ever the Reserve Bank of Australia retains inflation targeting monetary policy stance the yield generated on these investments should continue to outperform inflation.
Credit Risk compliance:

**Commentary:**
During the month of May S&P downgraded by one notch 23 Australian financial institutions. The ratings actions reflected the view held by S&P that continued build-up of economic imbalances in Australia over the past few years due to a rapid rise in private sector debt and house prices - particularly in two of the most populous cities of Sydney and Melbourne - has exposed Australian financial institutions to greater economic risks.

The impact of this rating change on Councils portfolio saw a significant reallocation from the A rated risk category to the BBB category at month end reporting in May 2017. Council retains a conservative position in relation to credit allocations and all investments retain an investment grade rating and are compliant with the existing Investment policy risk parameters.

During the months of June and July additional flexibility within Councils risk framework was attained by allowing maturing investments with ratings of BBB+ or lower to roll off, and any new investments entered then placed with higher rated institutions.
### Credit risk compliance cont:

#### Credit allocation: July 2017

<table>
<thead>
<tr>
<th>Institution</th>
<th>Institution abbreviation</th>
<th>Credit rating (S&amp;P)</th>
<th>May 2017</th>
<th>June 2017</th>
<th>June 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANZ</td>
<td>ANZ</td>
<td>AA-</td>
<td>32,983,035</td>
<td>10%</td>
<td>32,985,711</td>
</tr>
<tr>
<td>Commonwealth Bank</td>
<td>CBA</td>
<td>AA-</td>
<td>46,688,069</td>
<td>15%</td>
<td>47,940,025</td>
</tr>
<tr>
<td>National Australia Bank</td>
<td>NAB</td>
<td>AA-</td>
<td>45,234,397</td>
<td>14%</td>
<td>48,227,827</td>
</tr>
<tr>
<td>Westpac</td>
<td>WBC</td>
<td>AA-</td>
<td>36,001,347</td>
<td>11%</td>
<td>41,501,347</td>
</tr>
<tr>
<td>Rabobank</td>
<td>RABO</td>
<td>A+</td>
<td>5,001,465</td>
<td>2%</td>
<td>5,001,465</td>
</tr>
<tr>
<td>Suncorp Metway</td>
<td>SUN</td>
<td>A+</td>
<td>16,008,755</td>
<td>5%</td>
<td>19,008,755</td>
</tr>
<tr>
<td>AMP Bank *</td>
<td>AMP</td>
<td>A</td>
<td>8,507,992</td>
<td>3%</td>
<td>8,507,992</td>
</tr>
<tr>
<td>Credit Suisse AG</td>
<td>CS</td>
<td>A</td>
<td>3,000,000</td>
<td>1%</td>
<td>3,000,000</td>
</tr>
<tr>
<td>Macquarie Bank</td>
<td>MQG</td>
<td>A</td>
<td>7,500,000</td>
<td>2%</td>
<td>7,500,000</td>
</tr>
<tr>
<td>Bendigo Bank *</td>
<td>BEN</td>
<td>BBB+</td>
<td>18,515,993</td>
<td>6%</td>
<td>18,515,993</td>
</tr>
<tr>
<td>Bank of Queensland *</td>
<td>BOQ</td>
<td>BBB+</td>
<td>20,502,219</td>
<td>6%</td>
<td>17,502,219</td>
</tr>
<tr>
<td>Heritage Bank</td>
<td>HBS</td>
<td>BBB</td>
<td>4,050,000</td>
<td>1%</td>
<td>4,050,000</td>
</tr>
<tr>
<td>Beyond Bank *</td>
<td>BEY</td>
<td>BBB</td>
<td>6,000,000</td>
<td>2%</td>
<td>6,000,000</td>
</tr>
<tr>
<td>Credit Union Australia *</td>
<td>CUA</td>
<td>BBB</td>
<td>2,000,000</td>
<td>1%</td>
<td>2,000,000</td>
</tr>
<tr>
<td>Greater Bank *</td>
<td>GBS</td>
<td>BBB</td>
<td>20,000,000</td>
<td>6%</td>
<td>18,500,000</td>
</tr>
<tr>
<td>Illawarra Mutual Bank *</td>
<td>IMB</td>
<td>BBB</td>
<td>6,000,000</td>
<td>2%</td>
<td>6,000,000</td>
</tr>
<tr>
<td>ME Bank *</td>
<td>ME</td>
<td>BBB</td>
<td>18,508,351</td>
<td>6%</td>
<td>9,508,351</td>
</tr>
<tr>
<td>Newcastle Permanent *</td>
<td>NPBS</td>
<td>BBB</td>
<td>21,970,937</td>
<td>7%</td>
<td>21,970,937</td>
</tr>
<tr>
<td>Teachers Mutual *</td>
<td>TMB</td>
<td>BBB</td>
<td>1,001,202</td>
<td>0%</td>
<td>1,001,202</td>
</tr>
</tbody>
</table>
| **Total**          |                          |                     | **319,473,762** | **318,721,824** | **301,084,865** |}

**Commentary:**

Where the credit rating of an institution and investment diverge exposure is reported on a conservative basis with the lower of the two rating applied.

* = Indicates those institutions that were downgraded one notch by S&P during the month of May 2017. Institution credit rating disclosed above is reflective of credit rating post downgrade.
Maturity risk compliance:

Commentary:
The Policy mandate to holding a minimum of 30% of investments with a maximum term to maturity of 12 months is established to ensure Council retains a comfortable liquidity buffer at all times whilst also ensuring sufficient additional capacity to maintain a long term maturity profile to enable improved yields.

Although close to the 30% minimum requirement in July 2017 Council retains significant liquidity to cover forecast requirements. The mandated 30% minimum is highly conservative, established well in excess of forecast liquidity requirements, to ensure an evenly distributed longer term maturity profile can be retained.

July is historically Councils most significant negative cash flow month each year. August will see Councils cash balance increase as quarterly rates fall due at month end.
Interest Income Variance analysis:

Commentary:
The adopted budget for 2017/18 investment income is $8.5m which is $0.68m (or 7%) below the actual result achieved in the 2016/17 financial year. Reasons for this forecast decline are twofold:

1. Councils Operational Plan is forecast to deliver a cash deficit for the 2017/18 period meaning a lower principal balance of funds invested; and
2. A continued decline in portfolio yield as a result of an ongoing maturity of investments made when yields were higher (which have protected Councils returns from declining sooner).

The budget position remains conservative, however actual to budget variances may arise in the event of market conditions altering.

Total interest income generated in the month to July 2017 was $0.72m, resulting in cumulative interest income tracking above the adopted budget of $0.71m as at 31 July 2017.
New and matured Investments:

Matured Investments:

<table>
<thead>
<tr>
<th>Date matured</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Original Term</th>
<th>Original date invested</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 June 2017</td>
<td>ME Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.75%</td>
<td>175 days</td>
<td>13 Dec 2016</td>
</tr>
<tr>
<td>13 June 2017</td>
<td>ME Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.77%</td>
<td>176 days</td>
<td>19 Dec 2016</td>
</tr>
<tr>
<td>20 June 2017</td>
<td>Bankwest</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.50%</td>
<td>60 days</td>
<td>21 Apr 2017</td>
</tr>
<tr>
<td>22 June 2017</td>
<td>Greater Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$1,500,000</td>
<td>3.20%</td>
<td>2 yrs</td>
<td>22 Jun 2015</td>
</tr>
<tr>
<td>23 June 2017</td>
<td>ME Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.77%</td>
<td>171 days</td>
<td>03 Jan 2017</td>
</tr>
<tr>
<td>30 June 2017</td>
<td>Bank of QLD</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.65%</td>
<td>150 days</td>
<td>31 Jan 2017</td>
</tr>
</tbody>
</table>

New Investments:

<table>
<thead>
<tr>
<th>Contract date</th>
<th>Settlement date</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Term</th>
<th>Maturity date</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 June 2017</td>
<td>6 June 2017</td>
<td>Westpac</td>
<td>Term Deposit: Floating Rate</td>
<td>$3,000,000</td>
<td>90 bbsw + 1.00%</td>
<td>4 yrs</td>
<td>07 June 2021</td>
</tr>
<tr>
<td>9 June 2017</td>
<td>9 June 2017</td>
<td>Bankwest</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.45%</td>
<td>70 days</td>
<td>18 Aug 2017</td>
</tr>
<tr>
<td>20 June 2017</td>
<td>20 June 2017</td>
<td>Bankwest</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.45%</td>
<td>108 days</td>
<td>06 Oct 2017</td>
</tr>
<tr>
<td>27 June 2017</td>
<td>5 July 2017</td>
<td>NAB</td>
<td>Fixed Rate Bond</td>
<td>$2,993,430</td>
<td>3.05%</td>
<td>5 yrs</td>
<td>05 Jul 2022</td>
</tr>
<tr>
<td>30 June 2017</td>
<td>30 June 2017</td>
<td>Suncorp Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.46%</td>
<td>105 days</td>
<td>13 Oct 2017</td>
</tr>
<tr>
<td>30 June 2017</td>
<td>30 June 2017</td>
<td>Westpac</td>
<td>Term Deposit: Floating Rate</td>
<td>$2,500,000</td>
<td>90d bbsw + 1.00%</td>
<td>4 yrs</td>
<td>30 June 2021</td>
</tr>
</tbody>
</table>

I certify that the new investments detailed above have been made in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2005, and Council's adopted Investment Policy.

Andrew Glauser
Responsible Accounting Officer
New and matured Investments:

Matured Investments:

<table>
<thead>
<tr>
<th>Date matured</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Original Term</th>
<th>Original date invested</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 May 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.60%</td>
<td>105 days</td>
<td>20 Jan 2017</td>
</tr>
<tr>
<td>10 May 2017</td>
<td>NAB</td>
<td>Term Deposit: Floating Rate</td>
<td>$2,000,000</td>
<td>90d bbsw + 1.22%</td>
<td>4 yrs</td>
<td>10 May 2013</td>
</tr>
<tr>
<td>17 May 2017</td>
<td>Bendigo Bank</td>
<td>Floating Rate Note</td>
<td>$1,500,000</td>
<td>90d bbsw + 1.20%</td>
<td>4 yrs</td>
<td>17 May 2013</td>
</tr>
<tr>
<td>19 May 2017</td>
<td>Maitland Mutual</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.40%</td>
<td>115 days</td>
<td>24 Jan 2017</td>
</tr>
<tr>
<td>22 May 2017</td>
<td>NAB</td>
<td>Term Deposit: Floating Rate</td>
<td>$2,000,000</td>
<td>90d bbsw + 1.16%</td>
<td>4 yrs</td>
<td>20 May 2013</td>
</tr>
</tbody>
</table>

New Investments:

<table>
<thead>
<tr>
<th>Date invested</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Term</th>
<th>Maturity date</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 May 2017</td>
<td>Heritage Bank</td>
<td>Floating Rate Note</td>
<td>$2,050,000</td>
<td>90 bbsw + 1.30%</td>
<td>3 yrs</td>
<td>4 May 2020</td>
</tr>
<tr>
<td>20 May 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.51%</td>
<td>130 days</td>
<td>12 Sept 2017</td>
</tr>
<tr>
<td>9 May 2017</td>
<td>Beyond Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.55%</td>
<td>70 days</td>
<td>18 Jul 2017</td>
</tr>
<tr>
<td>17 May 2017</td>
<td>Suncorp</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.51%</td>
<td>128 days</td>
<td>22 Sept 2017</td>
</tr>
<tr>
<td>17 May 2017</td>
<td>Westpac</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>Yrs 1-2 3.00% Yrs 3-5 90d bbsw + 1.05%</td>
<td>5 yrs</td>
<td>17 May 2022</td>
</tr>
<tr>
<td>30 May 2017</td>
<td>BankWest</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.30%</td>
<td>45 days</td>
<td>18 Jul 2017</td>
</tr>
<tr>
<td>31 May 2017</td>
<td>BankWest</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.50%</td>
<td>121 days</td>
<td>29 Sept 2017</td>
</tr>
<tr>
<td>31 May 2017</td>
<td>Suncorp</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.52%</td>
<td>142 days</td>
<td>20 Oct 2017</td>
</tr>
</tbody>
</table>

I certify that the new investments detailed above have been made in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2005, and Council's adopted Investment Policy.

Andrew Glauser
Acting Responsible Accounting Officer
Customer Service

Monthly Performance Report

July 2017

Monthly Overview

Highlights

- Counter and back office areas processed 1,030 payments in July, totalling over $1.5 million in revenue.

- The Customer Contact Centre (CCC) answered 60% of calls within 30 seconds in July compared to the 50% result in June. The 80% service level target was achieved several times across July.

- Customer wait times for phone calls were 65 seconds in July (on average), down from the 100 seconds result in June. Wait times for front counter enquiries were 1:50 minutes on average for July. June's result was 2:00 minutes.

- The CCC received eight compliments across the month, with most being from internal customers. Some verbatim comments are below:-
  
  - "... being so helpful..."
  - "...my enquiry has been dealt with in an efficient and courteous manner."
  - " ... the best customer service officer that the Council has"
  - "Your team truly do an amazing job..."

- In Records, the incoming correspondence for July was 5,464 being 14.2% more than June 2017 (4,787) and 42.8% more than the same month last year (3,826).

Opportunities to Improve

- Counter enquiries were 17:20 minutes per transaction, slightly up from the 17:10 result achieved in June.

- Waste accounts and rate notices went out across the month which generated a spike in calls. Due to a higher than normal number of calls being received in a short period there was an impact to Service Level.

- Phone quality scores were 52.1% in July, down from the 57.9% result achieved in June. July was the first month on the phone for six new starters which helped contribute to the lower result. The Team Leaders are working with the new starters to develop and improve their call quality.

- Some staff that were new to mail application processing were being trained over the month. This meant it was taking slightly longer to process applications. With 506 applications received and 475 applications processed, the end of month 'on hand' application figure was 62, up from 31 at the end of June.
Communications and Engagement worked throughout July to promote the Supercars Newcastle 500 event and the comprehensive urban renewal program involved. The main focal point of July was the reconstruction of Watt St, with a full closure being announced to expedite the works. This will enable the street to be open to through traffic again by end of August.

The Unit published a Watt St Reconstruction brochure, including a map detailing the works and improvements as well as a signage series Fast tracked improvements to the east end.

Connecting Newcastle: Update 2017 was also finalised and released with a media conference at McDonald Jones Stadium. The vision supports light rail extension with a Broadmeadow connection as a the first priority.

The media team managed announcements that a Matildas vs Brazil match would be played in Newcastle in September and that Wallabies would be in Newcastle for a week of training sessions in July at No 2 sportsground. The Wallabies were very active on social media during their visit generating positive coverage for the city.

The Spring 2017 edition of Council News was developed, with our Smart City strategy as the cover feature. Council News is delivered to 86,000 letterboxes in the local government area.

The C&E Unit has been running a series of 4 page wrap-arounds in the Newcastle Herald on Council’s priority projects. Blackbutt Reserve was the latest subject. The wrap complemented news coverage around the new adventure playground at Richley Reserve, generated by a media release and renders.
We managed three projects through our dedicated engagement hub during July, following is a summary of the visitors to the site and their level of engagement with these projects.

<table>
<thead>
<tr>
<th>Project</th>
<th>Total Visits</th>
<th>Visitors Per Day</th>
<th>Engaged Visitors</th>
<th>Informed Visitors</th>
<th>Aware Visitors</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAUD STREET, WARATAH</td>
<td>1.4K</td>
<td>311</td>
<td>164</td>
<td>518</td>
<td></td>
</tr>
<tr>
<td>NEWCASTLE 2030</td>
<td>4K</td>
<td>102</td>
<td>10</td>
<td>62</td>
<td>1.1K</td>
</tr>
<tr>
<td>STOCKTON ACTIVE</td>
<td>364</td>
<td>22</td>
<td>13</td>
<td>159</td>
<td>289</td>
</tr>
</tbody>
</table>

**Communications and Engagement**

**NewcastleCouncil**
- 10,701 followers
- 2,574 likes, comments, shares
- 11,827 People Reached
- 5,215 Video Views
- 119 Reactions, Comments & Shares

**CityNewcastle**
- 6,381 followers
- 283 likes, retweets, replies
- Top Tweet: earned 9,275 impressions
- Top mention: earned 338 engagements

**Qantas Wallabies**
- Your #Wallabies have hit the ground running in @CityNewcastle
- pic.twitter.com/ILT8BcXeQp

CityNewcastle
- 960 followers
- 969 likes, comments
- @citynewcastle: #ShineOnNexy this week is the amazing Fire spectators. It is great to see such an awesome new neighbour move to town 100% correct @takeahington great guy. #ON
- #ShineOnNexy
- #ShineOnNexyWaldoday
- #NewcastleCityCouncil
- @takeahington: My partner is a genius @takeahington

CityNewcastle
- 120 likes
- Add a comment...
**Communications and Engagement**

<table>
<thead>
<tr>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supercars Newcastle 500: Two editions of the Newcastle 500 e-newsletter, Watt St reconstruction information newsletter developed and delivered to all letterboxes in east end, developed a signage series for Watts St and for the Foreshore area promoting benefits of civil works, Supercars blog posts on intranet, website updates, Major Events Residents Working Group meeting, face to face meetings with business owners.</td>
</tr>
<tr>
<td>Community Strategic Plan: Five community workshops, along with stalls at NAIDOC Family Fun Day and Hunter Homeless Connect Day. Budget simulation tool launched. Animation video produced to explain the various way the community can get have involved with engagement on CSP.</td>
</tr>
<tr>
<td>July School Holidays - What’s On guide.</td>
</tr>
<tr>
<td>Newcastle Art Gallery prospectus - design prospectus to seek partnerships and funding for 2019 exhibition of Japanese ceramics</td>
</tr>
<tr>
<td>Newcastle Art Gallery, Kilgour Prize 2017 - marketing and communications for competition including People’s Choice award</td>
</tr>
<tr>
<td>Newcastle Art Gallery, The Phantom Show - ongoing promotion of exhibition and related public programs</td>
</tr>
<tr>
<td>Civic Theatre Season 2017 - marketing for Mr Stink, Merchant of Venice, Landscape w Monsters</td>
</tr>
<tr>
<td>Newcastle Venues branding refresh with rebuilding of website, collateral and packaging, advertising style guide</td>
</tr>
<tr>
<td>Newcastle Business Events and Newcastle Venues - developed Functions Guide, as well as advertising and editorial to promote function bookings at our venues</td>
</tr>
<tr>
<td>Delivery Program and Operational Plan - promotion of adopted Delivery Program and budget</td>
</tr>
<tr>
<td>Communications plans are being delivered for the following infrastructure projects:</td>
</tr>
<tr>
<td>• South Stockton Active Hub - promotion of skate park and playground concept plan on public exhibition, including a site on our new engagement platform with a survey and option to lodge submission online.</td>
</tr>
<tr>
<td>• Kotara Park creek rehabilitation</td>
</tr>
<tr>
<td>• Power Street, Islington drainage rehabilitation work</td>
</tr>
<tr>
<td>• Blackbutt Reserve new pathways and adventure playground</td>
</tr>
<tr>
<td>• Merewether Baths closure for maintenance works</td>
</tr>
<tr>
<td>• Donald Street, Hamilton intersection improvement and shared pathway</td>
</tr>
<tr>
<td>• City Library refurbishment</td>
</tr>
<tr>
<td>• North Stockton boat ramp upgrade</td>
</tr>
<tr>
<td>• Shortland Esplanade stage of Bathers Way project</td>
</tr>
<tr>
<td>• The Hill stage of Bathers Way project</td>
</tr>
<tr>
<td>• Swan St and Council St, Cooks Hill drainage rehabilitation and tree removals</td>
</tr>
<tr>
<td>• Young Street, Carrington road upgrade</td>
</tr>
<tr>
<td>• Glebe Road, The Junction road upgrade</td>
</tr>
<tr>
<td>• Maude Street Waratah proposed traffic changes on public exhibition</td>
</tr>
<tr>
<td>Communications plans are being delivered for the following programs:</td>
</tr>
<tr>
<td>• Water Safety Education Program</td>
</tr>
<tr>
<td>• Council volunteers - project to recruit and retain volunteers including survey of volunteers exiting the program</td>
</tr>
<tr>
<td>• Whale Tales Discovery Talks</td>
</tr>
<tr>
<td>• Ocean Action Pod</td>
</tr>
<tr>
<td>The C&amp;E Unit is delivering a campaign rates by email to increase the percentage of ratepayers who receive their notice online reducing operational costs as well as paper usage</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Planning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Smart City Strategy - development of site on engagement platform for public exhibition of strategy, promotion of the exhibition. Development of printed materials including Strategy document, At a Glance Strategy handout, fact Sheet, and social media content</td>
</tr>
<tr>
<td>Newcastle Museum - annual satisfaction survey</td>
</tr>
<tr>
<td>Sponsorship and Grants programs</td>
</tr>
<tr>
<td>Newcastle Art Gallery; John Olsen visit and gift, Abstraction exhibition</td>
</tr>
<tr>
<td>Newcastle Art Gallery, Kilgour Prize 2017</td>
</tr>
<tr>
<td>Cycling education and promotion</td>
</tr>
<tr>
<td>Anderson Drive Tarro watermain replacement, road resurfacing, and footway construction.</td>
</tr>
<tr>
<td>Development of a wet weather website to advise of sporting ground and facility closures</td>
</tr>
<tr>
<td>Civic Theatre Season 2018</td>
</tr>
</tbody>
</table>
CCL 22/8/17
ADOPTION OF THE NEWCASTLE SMART CITY STRATEGY 2017-2021

Attachment A: Newcastle Smart City Strategy 2017-2021

DISTRIBUTED UNDER SEPARATE COVER
Newcastle City Council acknowledges the traditional country of the Awabakal and Worimi peoples. We recognise and respect their cultural heritage, beliefs and continuing relationship with the land, and that they are the proud survivors of more than two hundred years of dispossession.

Council reiterates its commitment to addressing disadvantages and attaining justice for Aboriginal and Torres Strait Islander peoples of this community.
NEWCASTLE: OUR CITY

Newcastle is the second largest non-capital urban centre, and the second oldest city in Australia. The Newcastle Local Government Area (LGA) is home to 152,948 people (2016 census) and welcomes about 41 million visitors each year. Our LGA is expected to continue to grow with an additional 32,000 people anticipated by 2036.

Newcastle is the cultural and economic capital of the Hunter - Australia’s largest regional economy contributing around 8 percent of the economic activity in NSW, with a regional output of approximately $44.5 billion in 2017.

Newcastle has international profile as a major port city, gateway to the world for the Hunter’s rich resources. A four time winner of the World Festival and Events City award, it is increasingly being acknowledged by international travel brands Lonely Planet and National Geographic as a must-visit destination, a ‘hidden gem’ and a smart city, creatively rising to the challenges of 21st century urban life.

We are known for our skilled workforce, high-standards of research and a business environment typified by cross-company collaboration and networking. Our services sector is strong in health and social care, finance and insurance, company collaboration and networking. Our services sector is highly capable and efficient and is facing the challenges of global competition with new products and an emphasis on quality outputs.

The highest number of artists per capita of any city in Australia drives an eclectic cultural scene, and enjoys a vibrant café culture and evening economy amid a rapidly renewing streetscape. Generations of these artists and performers are now morphing into contemporary practice within the new creative industries, while our traditional tinkerers and inventors are finding a place for their talents in high-value jobs such as aerospace, medical technology and advanced manufacturing.

Our city recognises that modern communications and technology can remove barriers and open up opportunities to join bigger markets through high-tech, creative and knowledge-based industries.

We are making these opportunities a reality.

Population Growth 2011-2015

7.9% Newcastle
8.1% Hunter Region

Hunter Region and Newcastle GRP 2016

$44.5b Hunter
$36.2b Newcastle
$26b Tasmania
$23.6b NT

Development & Infrastructure Investment

63% Government
27% Public Investment
9% Private

Growth in University Degrees in Newcastle by M/F

70% Male
30% Female

Enrolments in Science, Technology, Engineering, Mathematics & Medicine 2015

826 Science
735 Technology
588 Engineering
421 Medicine

IP in 2015 (Newcastle & Lake Macquarie)

515 Trademark Applications
113 Patent Applications

Major Industries - Employment % (Dec 2016)

Health Care & Social Assistance
Manufacturing
Retail Trade
Education & Training
Professional, Scientific & Technical Services
Accommodation & Food Services
Public Administration & Safety
Construction
Transport, Postal & Warehousing
Financial & Insurance Services
Mining
Other

Innovation in Hunter Businesses

31% How to organisation
70% How to industry
22% How to market
16% How to Australia
4% How to world

Regional Strategic Growth Areas

Advanced Manufacturing
Creative Industries
Defence / Aerospace
Food / Agribusiness
Medical Technology & Pharmaceuticals
Mining Equipment, Technology & Support
Energy Resources

World Class Research Institutions: Areas of research strength

University of Newcastle
- Health & Medicine
- Science & Engineering
- Energy & Environment
- Sociology & Social Work
- Creative Industries
- 1360 currently enrolled PhDs
- 705 international students

University of New South Wales
- Science & IT
- Engineering
- Social Science
- Health
- Medicine
- Total 2015 46% of total

Hunter Medical Research Institute
- Neuroscience & Mental Health
- Cancer Research
- Information Based Medicine
- Public Health

Commonwealth Scientific & Industrial Research Organisation
- Renewable Energy & Low Emission Technologies
- Energy Storage & Battery Technologies
- Electrical Grids & Energy Modelling
- Energy Efficient Buildings & Facilities

Newcastle Institute for Energy & Resources
- Resources Productivity & Efficiency
- Energy technologies
- Advanced Materials
- Land Use and Sustainability

First in Family Tertiary Degrees

63.7% of undergraduate enrolment is first in family
52% of low socio-economic status enrolments are first in family (currently 3331 students)
The Smart City Strategy will:
• Improve operational efficiency
• Achieve higher levels of sustainability
• Better service local community needs
• Stimulate economic development activity
• Increase community inclusion and participation
• Position Newcastle as a smart city internationally

About This Strategy
Cities and regions globally are increasingly shifting towards innovation for growth, development and the benefit of their communities. This movement is being driven by the use of technology and the need to address challenges such as urban sprawl and environmental issues. The Smart City Strategy 2017-2021 is a four-year framework outlining the key priorities and actions to be delivered by Council in its commitment to leading Newcastle’s transition to a smart and innovative city.

Newcastle 2030
Newcastle 2030 is the roadmap for delivering the community’s shared vision for Newcastle. It outlines Newcastle’s strategic directions and highlights the key focus areas for action and investment. The Smart City Strategy supports and is aligned with Newcastle 2030 objectives.

Newcastle 2030 Vision
In 2030 Newcastle will be:
• A vibrant, diverse and resilient green economy built on educational excellence and research
• A city that supports and encourages innovation and creativity at all levels
• A city that attracts and retains talent, expeditions and investment
• A city that celebrates its unique identity and protects its natural assets
• A city that builds resilience and prepares for future challenges
• A city that fosters a distinctive culture and encourages creative expression
• A city that offers a diverse and vibrant lifestyle and attracts new residents and visitors
• A city that is open, collaborative and inclusive

Smart City Initiative
The Newcastle Smart City Strategy is the roadmap for delivering the city’s strategic directions and objectives. It outlines Newcastle’s role in working towards the delivery of our shared community vision for Newcastle.
Federal

National Innovation and Science Agenda
$1.1 billion worth of Initiatives over four years to drive smart ideas that create business growth, local jobs and global success with a focus on four key pillars—culture and capital, collaboration, talent and skills government as exemplar—providing a framework for Australian innovation policy.

Smart Cities Plan
The Smart Cities Plan sets out the Australian Government’s vision for our cities—metropolitan and regional—and its commitment to smart investment, smart policy and smart technology.

State

Open Data Action Plan (2016)
The release of usable and up-to-date datasets provides benefits that apply across government, to individuals and industry, and contributes to wider social and economic benefits. Open, transparent and accountable government is boosted by the availability of information on how government works and what it does.

Hunter Region

Smart Specialisation Strategy for the Hunter
The Smart Specialisation Strategy (S3) is an integral part of RDA Hunter’s economic development agenda to advance the region’s innovation network and grow the Hunter’s international competitiveness. Smart specialisation is an OECD framework implemented widely across the European Union to deliver regional economic transformation through analysis of local competencies and discovery of new areas of opportunity.

Hunter Regional Plan 2036
The NSW Government’s vision for the Hunter is to be ‘the leading regional economy in Australia with a vibrant new metropolitan city at its heart’. To achieve this vision the Government has set four goals for the region:
1. A leading regional economy in Australia
2. A biodiversity-rich natural environment
3. Thriving communities
4. Greater housing choice and jobs.

City of Newcastle

Newcastle Smart City Initiative
• Vibrant, diverse and resilient green economy built on educational excellence and research
• Culture that supports and encourages innovation and creativity at all levels
• Thriving city that attracts people to live, work, visit and invest

Newcastle City Council strategies

Non-Government Initiatives
• STEM+M Strategy 2025 (2016) (University of Newcastle)
• NeW Futures Strategic Plan 2016-2025 (University of Newcastle)

Other Hunter Councils
• Lake Macquarie City Council - Digital Economy Strategy

Newcastle Urban Transformation & Transport Program
The Newcastle Urban Transformation & Transport Program aims to strengthen connections between the city and the waterfront, create new jobs, provide more public space and amenity and deliver better transport. Led by UrbanGrowth NSW, the program is part of the NSW Government’s $500 million plus commitment to revitalise Newcastle’s city centre.

Newcastle 2030 Strategic Directions: a connected city, a protected and enhanced environment, vibrant and activated public places, a caring and inclusive community, a liveable and distinctive built environment, open and collaborative leadership

PLANNING CONTEXT

Australia
Newcastle City Council, the University of Newcastle city campus, and the city’s residents, businesses and tourists. An innovation hub is being built at the intersection of innovation programs, the innovation hub will facilitate the launch of spinoffs, start-ups and mature companies; attract investment and businesses to the Hunter Region; encourage innovation and commercialisation; and produce the next generation of entrepreneurs, business leaders and inventors.

**Digital Precinct**

The digital precinct is a designated zone in the future CBD of the city with high speed fibre broadband (fttp). This concentrated capability, along with additional investment in a technology-integrated public domain, will give Newcastle a key competitive advantage in attracting and retaining high-tech, digital and creative industries to stay or locate in the city.

The Hunter Innovation Project is creating a city environment attracting entrepreneurs, start-ups and SMEs to locate, cluster and co-create a dynamic digital and innovation precinct in the heart of Newcastle.

**Living Lab**

A living lab is a model of collaborative innovation. Strategic work is underway across the region to establish a living lab in Newcastle. By bringing together research, industry, government and community, living labs are able to apply the expertise and experience of multiple disciplines and sectors to complex problems.

A living lab may focus on a service, product, technology or policy innovation, or any combination of these. Newcastle’s Living Lab will create inter-disciplinary and applied research and technology development by inviting technology vendors, start-ups and research institutes to work with a range of end-users to co-create solutions. Establishing a specific city-scale test-bedding environment will effectively enhance the reputation and ‘pull’ of our city in terms of inward investment, and our regional goals around talent attraction and retention.

**Hunter Regional Incubator**

Newcastle and the wider Hunter Region are home to world-class research institutions and a vibrant innovation ecosystem centred on energy and resources, manufacturing and engineering, health technologies, defence/aerospace, the creative industries and a rapidly growing start-up and entrepreneurial sector.

Newcastle City Council has formed a collaboration of Hunter Region business, research, technical, administrative and entrepreneurial leadership to strategically develop an ecosystem with a particular focus on innovation growth areas.

The success of the Hunter Innovation Project has spurred Council to both instigate and seek out other collaborative approaches to the complex problems of smart city development. A number of other multi-stakeholder projects are currently underway that demonstrate clear improvements in the innovation ecosystem, and provide a greater chance of meeting our objectives.

Newcastle is also actively collaborating beyond the city and region in order to advance smart city thinking and practice by providing platforms for sharing knowledge, experience and solutions. As a member of the Australian Smart Communities Association (ASCA), Newcastle is linked to our peer Australian smart cities to share knowledge and adoption of solutions that capitalise on the connectivity, reach and scale of the rapidly growing digital and technology sectors.

This network collaborative model is also being applied at an international scale. In 2017 Newcastle joined the Global Smart Cities and Communities Coalition (GSC3), a global alliance of smart cities. Its members, including Amsterdam, Eindhoven, Chicago and Austin, are key reference points as we develop our own specific smart city approach. These cities face challenges similar to Newcastle’s and have addressed them through models from which we can learn. GSC3 also links cities to important global smart city partners, including financial institutions, research centres and universities, advisory services and thought leaders such as the Brookings Institute, Massachusetts Institute of Technology (MIT), European Network of Living Labs (ENoLL), and Metro Labs, among others.

Collaboration plays a fundamental role in enabling Newcastle and the Hunter to realise its potential as a key innovation ecosystem within Australia and the world.
Smart City Vision

Newcastle smart city is an open, collaborative, and connected city that uses technology to make things easier, more liveable and sustainable for all people.

This Smart City vision encapsulates the primary themes that emerged from our engagement process of collaboration, connectivity, efficiency, openness and people. The Newcastle Smart City Principles are an expansion of these themes.

<table>
<thead>
<tr>
<th>Smart City Principles</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collaboration</td>
<td>Ensure organisations are working together to realise or achieve positive change and success</td>
</tr>
<tr>
<td>Connectivity</td>
<td>Ensure the capacity for interconnection of people, platforms, systems and applications</td>
</tr>
<tr>
<td>Efficiency</td>
<td>Ensure orderly, capable, competent and valuable outcomes</td>
</tr>
<tr>
<td>Openness</td>
<td>Ensure access to data and a subsequent increase in transparency, acceptance, tolerance, receptiveness and understanding</td>
</tr>
<tr>
<td>People</td>
<td>Embrace and engage community, humanity and citizens</td>
</tr>
</tbody>
</table>

Delivering Our Vision

To deliver a smart city, two paradigms need to be combined: the digital and the non-digital. Only through integrating these two dimensions can we model the optimum outcome for Newcastle as a whole. Our focus on the digital economy must be balanced by seeking outcomes that benefit the non-digital community and that are culturally driven. We have considered influences across all sectors of society, prioritising inclusion, activation, creativity and community.

The delivery of the Smart City Strategy also works across two main timeframes. As Newcastle goes through the challenges of urban renewal, the Smart City Initiative will leverage these opportunities. Projects will be delivered within the life of this strategy to 2021. Funding for Smart City initiatives will be proposed and endorsed through annual Council operational planning. Grant funding opportunities are continually being sought. However, this strategy also seeks to lay appropriate groundwork for projects turning on a broader horizon measured in decades, and which will not reach fruition in the life of this strategy but in the full course of Newcastle’s emergence as a dynamic and innovative city.
Newcastle is undergoing a long-term transition from a primarily industrial city to one with diversified economic foundations. It is currently the focus of a NSW Government revitalisation agenda and is experiencing major urban renewal including light rail, growth in residential population and the development of a new university campus in the city centre.

Within this environment, the smart city initiative is a key contributor to the future of Newcastle.

Council has taken a leading role in development of Newcastle as a smart and innovative city.

What is a smart city?
Globally there is no single definition of a smart city. Each city must determine their interpretation, and their own objectives. Newcastle City Council’s definition is a convergence of three interconnected statements.

- A smart city is one that puts the community at its centre
- A smart city enjoys smart and digitally connected public and urban infrastructure
- A smart city works to develop a thriving ecosystem to drive innovation and creativity

Smart cities are more than just places where technology is overlaid on a city structure. Just as important are more traditional city values of liveability, community, health, sustainability and economic resilience. Our smart city will underpin diversification of the local economy and drive inward investment along with the commercialisation of local and regional innovation.

Why do we need a smart city?
Our research and engagement has revealed five underlying drivers:

1. Attract and retain smart people
2. Innovation and creativity
3. Collaboration, education and training
4. Increased liveability, amenity and attractiveness
5. Pride and promotion

The Hunter is on the crest of a transition that will reshape the way that we interact and do business. This transition provides the perfect opportunity to build on the region’s natural competitive advantages, exploit its depth of research talent, harness the almost perfect geometry the region has in terms of its overall population base and workforce and leverage these ingredients to shape our region into one that can be renowned for its innovation and excellence.
1. Attract and retain smart people

Smart City Strategy 2017-2021

The four ideas of nurturing, retaining, returning and attracting talented people are cornerstones of the smart city endeavor.

The current era of rapid technological change has been termed the 4th industrial revolution. This term suggests that we are at the onset of a series of a magnitude equivalent to the steam engine, electricity and the internet. The industrial revolution is driven by digitisation, the production and consumption of data, and the capacity of connected devices through the Internet of Things (IoT). Its revolution is driven by digitisation, the production and consumption of data, and the capacity of connected devices through the Internet of Things (IoT). Its breakdown of boundaries between the virtual and the physical, as we access, analyse and make inferences from data, and change how we interact with inanimate objects; asking them to carry out forms of work that only a short time ago did not exist.

Increasing the number of talented people calling the city home is critical to providing opportunity for ideas to thrive, by supporting a culture that nurtures and respects thinking, creativity and risk.

A number of significant initiatives are underway across the city to attract talent:

• The STEM schools initiative and MADE Program
• Growing numbers of incubators and accelerator programs
• The Hunter Innovation Project
• Ecosystem development programs including the Innovation Hub, Startup Crescent and the University of Newcastle’s Regional Innovation Network

Statistics show that the Hunter loses many university graduates annually to larger employment markets in Australia and internationally. Recent community engagement identified a number of reasons why graduates end up moving to major cities to provide greater economic opportunity, to accentuate their lifestyle advantages.

The four ideas of nurturing, retaining, returning and attracting talented people are cornerstones of the smart city endeavor.

2. Innovation and Creativity

The Smart City Strategy strives to achieve and implement innovation and creativity across all sectors, including a smarter landscape and collaborative thinking identified as key tools for both creating and coping with change as the city moves into the future. The Smart City Strategy will augment the urban renewal programs to provide greater economic opportunity, to accentuate the city and its outstanding natural settings and lifestyle advantages.

Newcastle has difficulty retaining its educated youth, suggesting that there are not enough high-paying jobs or a suitable corporate environment to make a business, yet currently exist. The only way to prepare for this is to produce creative, adaptable and innovative thinkers that best produce it can be learnt by a model of thinking that best applies knowledge and skills individually.

Innovation is difficult and unpredictable but the entrepreneurial and collaborative models of thinking that best produce it can be learnt by a culture and adopted as normal. For the smart city to take full advantage of these opportunities there is a need to develop an experimental mindset and methodologies for risk, and providing permission to fail, learn and start over.

It is estimated that over 50 percent of the jobs of the future to be undertaken by the next generation do not yet currently exist. The only way to prepare for this is to provide creative, adaptable and innovative thinkers that best produce it can be learnt by a model of thinking that best applies knowledge and skills individually.

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Improving business and culture create the ultimate attractant for other talented people. It is well documented that the creative and entrepreneurial class seeks dynamic opportunities. However, there is a great need to retain our talented graduates throughout the periods in their lives when they have an appetite for risk and a drive to create. The businesses and culture they create are the ultimate product of the smart city endeavor.

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3. Collaboration, education and training

A city encompasses many different types of knowledge. The Newcastle Smart City strategy focuses on knowledge types that advance the local economy and society - those that give rise to creativity, innovation and problem solving. A city can only transition to a smart city through the long-term commitment of a wide variety of stakeholders. Collaboration is essential. The transition itself is a difficult and complex change management process where new ways of thinking are adopted, and new approaches to doing things are developed, practiced and implemented. These new approaches will necessarily exist side-by-side with legacy systems and traditional methods, providing further potential for fragmentation.

People from across the city working collectively towards common goals, developing the necessary processes to support the transition, is the only way it can happen.

What is needed is careful attention to collaboration around educational pathways extending from primary school through VET sectors and tertiary education. Also important are re-training opportunities for workers in downturn sectors being impacted by increasing automation. There is a need for general community programs to introduce new ideas and skills in a way that is not intimidating for the novice or layperson.

Good examples of current activities aiming to nurture collaborative education and training are:

- University of Newcastle’s innovation and entrepreneurship degree
- NSW TAFE’s Newcastle SkillsPoint Centre in manufacturing and robotics
- STEM Schools program featuring industry collaboration
- The STEMships program being piloted by the NSW Department of Industry
- NCC Libraries partnership with TAFE to deliver mechatronics and coding workshops
- University of Newcastle’s innovation and collaborative education and training are:

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  - NSW TAFE’s Newcastle SkillsPoint Centre in manufacturing and robotics
  - STEM Schools program featuring industry collaboration
  - The STEMships program being piloted by the NSW Department of Industry
  - NCC Libraries partnership with TAFE to deliver mechatronics and coding workshops
- Career mentorship and advice programs
- Industry partnerships and collaborations
- Support for local entrepreneurs and start-ups
- Access to training and education resources
- Opportunities for internships and apprenticeships
- Community education programs

Council is not a lead player in formal education or training. In these arenas our role is to advocate for appropriate approaches in alignment with our vision. At an informal level of community education, Council is provider and funder of various community development programs, most prominently through our libraries, the Newcastle Museum and other cultural facilities. These facilities will play an important role in translating the opportunities of the smart city for the community. This strategy provides a framework to support the collaboration of stakeholders and alignment of efforts across the city.

4. Liveability, amenity and attractiveness

Liveability is crucial to the creation of a sustainable city community, as is the quality of amenity within its built urban fabric. The liveability, amenity and attractiveness of a city refers to the quality of social space, its economic dynamism, and the overall ability of local authorities and other stakeholders to develop a progressive and inclusive economy.

A smart city is one that focuses its resources on improving wellbeing, liveability and amenity. Its goal is to turn the ingenuity of its people towards creation of a better city and improved living environment, and a more connected and cohesive community. An attractive city, one blessed with ample green spaces, high quality public domain, and vibrant city economies across the day and into the night is a critical element in efforts to attract and retain talent.

The city has a unique opportunity to build upon is natural advantages which include high quality city beaches, open waterfront space, its human scale and heritage building stock, and its regional location as gateway to the recreational offerings of the Hunter Valley, Lake Macquarie and Port Stephens.

Newcastle is in the midst of unprecedented public investment in the key spaces of the city aiming to deliver improvements to liveability and amenity.

The integration of technology into the urban liveability agenda raises the prospect of utilising sensor technology to collect ‘open data’ on key city systems such as traffic movements, parking, pedestrian mobility and way-finding throughout the city. When integrated, this data can provide powerful insight into how the city functions, and will further enhance urban, transport and development evaluation, and safety and emergency responses.

Key projects underway enhancing the liveability and amenity of the city centre include:

- Smart parking, lighting and free public WiFi
- Transport network upgrades including CBD light rail and transport on-demand buses
- Award-winning Bathers Way development and coastal revitalisation
- Improvements and upgrades to the city’s green heart at Blackbutt
- Waterfront redevelopments continuing to deliver on Honeysuckle’s potential
- City centre light rail and new north-south connectivity between the city and the harbour
- Public domain upgrades for Hunter Street and East End, Civic Park, Wheeler Place, Market Street Lawn and the West End

The Smart City Strategy will work with key partners to identify and implement opportunities for utilising technology in creating a more liveable city that is simpler to move around, and making it a vibrant and easy place in which to undertake business and socialise.
5. Pride and Promotion

Newcastle boasts a number of assets that provide the foundations for it to become a globally recognised Smart City. With a strong industrial past, the city not only has the hard infrastructure but also the skills, knowledge and reputation. Other assets include its strong creative community of people who create, think, scale, its ideas, its walkable scale, its liveability and its quality education system.

Recent community consultation events have identified that Newcastle residents are proud of their city and want to be able to continue to uplift and maintain the city’s assets and identity.

However, in order to attract and retain creative and innovative people as well as see business growth and success, Newcastle needs to promote civic pride. Civic pride will need to be promoted at a civic, community and individual level through successful execution of cultural policies that facilitate and promote identity formation.

A smart city is one that uses its resources effectively, and that harnesses its human potential and provides opportunity for its people. A smart city therefore engages its people in the process of shaping the future of the city, and gives them reason to be proud.

Pride and Promotion

The vision for Newcastle as a smart and innovative city requires all three levels of government, the community, educational and research providers, and business and industry sectors to work together to create a common vision that the city is a smart city.

Stakeholder engagement with these groups has been central to ensuring that the Strategy is a shared vision. Stakeholders have been asked to ‘Define what a smart city is within the Newcastle context’ and ‘Collect ideas for what was possible and input into how to get there’.

Newcastle City Council

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Smart City Strategy 2017-2021

Novocastrians have many reasons to be proud. The city is the Australian exemplar of successful transition to a new, post-industrial knowledge-based economy. At the same time, the engineering and manufacturing expertise and depth of capability bequeathed us by the industrial past is acknowledged as genuinely world-class. This is an incredible resource in the region which will be supported and further developed.

Many challenges remain, particularly related to ongoing diversification of the economy, the need to provide high quality jobs and to address youth underemployment.

There are numerous current initiatives from across the city that are contributing to the promotion of the city:

- World-class research institutes including University of Newcastle, CSIRO Energy, Newcastle Institute for Energy and Resources, and Hunter Medical Research Institute
- World awards
- Acknowledgment by Lonely Planet and National Geographic as a must-see destination
- Global interest in the homegrown Renew Newcastle cultural-led revitalisation model

The Newcastle Smart City Strategy is a collaborative strategic planning document that guides both Council and city stakeholders and partners into the future with confidence.
THE ENGAGEMENT PROCESS

Inception
Council recognises a need for a new strategy to guide the rapidly developing Smart City initiative.

Opportunity Paper
A comprehensive review of existing literature and background information was undertaken. The International Panel provided a strong body of knowledge to draw from, along with peer-reviewed research, which specifically assessed the feasibility of the report structure.

Stakeholder Survey
A qualitative online survey was distributed to Smart City stakeholders. 50 surveys were received from businesses and outlining ideas to make Newcastle smarter and more innovative.

Smart City Summit
90 city organisations attended workshop and panel discussion.

Engagement Report
A report was produced outlining key findings, themes and priorities based on previous consultation activities.

Council Staff Focus Groups
11 Focus groups held with Council staff to road-test concepts and develop project ideas.

Draft Strategy
This draft Newcastle Smart City Strategy 2017-2021 was submitted for adoption by Council.

Advisory Committee
The Smart City Advisory Committee has been established to provide feedback and technical advice as the initiative is implemented.

Public Exhibition
Draft strategy put on public exhibition with comment invited from the community and feedback incorporated into the final strategy.

SMART CITY STRATEGY
Newcastle Smart City Strategy 2017-2021 adopted by Council and implemented with partners.

Key Engagement Findings:

Common priorities:
- Provide free WiFi in public spaces
- Lay the foundation infrastructure to support smart city goals
- Create a roadmap and support network for innovators and start-ups
- Improve public and collaborative spaces
- Create pride in and promotion of local achievements
- Leverage Newcastle’s industrial and manufacturing past
- Look towards a future that includes renewable and smart technology
- Take risks, collaborate and share knowledge
- Turn ideas into business reality
- Self-promote as a city

Common themes:
- Collaboration
- Connectivity
- Efficiency
- Openness
- People

Potential Challenges to Newcastle becoming a smart city included:
- Difficulty attracting and retaining talented and skilled people due to a lack of diverse, well-paid jobs
- Current lack of regional advocacy and coordination
- Limited or ageing infrastructure, particularly transport and internet
- A wealth of ideas but no roadmap or support system to turn ‘smart’ ideas into business success
- Majority of influencers and ‘purse strings’ are Sydney-based
- Newcastle's parochialism and apparent inability to celebrate its smart achievements and people

Common themes:
- Collaboration
- Connectivity
- Efficiency
- Openness
- People

Strengths that enable Newcastle to transition to a smart city:
- A willingness and energy to become a smart city underpinned by burgeoning investment
- A diverse, creative, innovative and connected community
- Strong manufacturing and professional associations
- Committed businesses
- A world-class university and other quality higher education facilities
- A strong manufacturing and industrial past and existing infrastructure supported by manufacturing and professional associations
- A useable and walkable scale city for testing innovations, products and services
- It's status as a ‘5-minute city’ with proximity to larger centres
- A high standard of living, including the city's climate
- World-class research institutions such as CSIRO and NIER
- International gateways through port and airport
- Experiencing a generational renewal process transforming infrastructure and built form
- A local start-up culture of innovators, problem solvers and positivity with an appetite for risk
- A dynamic local government with dedicated Smart City resources

Stakeholders attended five themed focus groups:
- Smarter City Precinct Planning
- Hunter Innovation Project
- Regional Incubator Strategy
- Advanced Manufacturing Technologies
- Entrepreneurial and Innovation Education

Tech Meetup
60 participants attended a meet-up representing innovation, grassroots, creatives and the tech industry.

Digital Natives
19 parents and 5 teachers attended an interactive workshop with high school aged young people at the Newcastle Museum.

Primary School
24 students from Newcastle East Primary participated in a visioning workshop.

Council Staff Workshop
Video, visual and participatory workshop held with 40 staff.
The smart city has a University at its heart. NewSpace uses new ways of teaching and researching to drive forward our thinking about the challenges of the future.

Interactive smart screens around the CBD provide information to help people find out the latest on what's going on in the city.

Fibre optic cables run underground throughout the city bringing high-speed data and information to business, students, visitors and residents. The fibre-enabled city is attractive and more liveable.

City data collected through the IoT Platform is provided to the Innovation Hub for entrepreneurs, start-ups, researchers and students to experiment and collaborate on ideas for improving the city.

Sensors linked to the IoT platform collect data on everyday items and transform them into smart infrastructure. Bin sensors will detect when bins are full and optimise collection routes.

An IoT platform connects almost any device in the city to the internet and to each other. Apps, sensors, and smart city applications generate data on the city.

Sensor-based interactive lighting and water features create a dynamic public domain and provide entertainment and bring innovation to the city streets.

Free public WiFi is available providing high-speed quality internet access no matter where you are in the CBD.

A city app makes information on the city easily available. What's on in Newcastle, how to get to music venues and restaurants, or real-time transport info is simple and up-to-date.

Light rail stops with sensor-based smart lighting and technologies including interactive information screens, device charging, WiFi hotspot and help points to make life easier and safer.

Buildings are powered by the sun through solar panels connected to battery storage.

Electric vehicle charge points are available around the city to recharge electric cars and other e-vehicles, all powered by the smart grid.

All forms of transport are linked together to make getting around simple and seamless. Timetables are synced and vehicle locations provided in real-time to provide a better travel experience.

Newcastle City Council
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Smart City Strategy 2017-2021
This is an indicative illustration only.
STRATEGIES AND ACTIONS

The Smart City Strategy has been structured around six major focus areas, depicted as the Smart City Mandala. This mandala represents a model of smart city prioritisation and development adopted from Boyd Cohen’s ground-breaking international framework.

The engagement process undertaken in preparation of this strategy sought to apply this smart city model to the local cultural and economic context. In order to achieve this goal a specific high-level objective was developed for each of the six focus areas, tailored to reflect community ambition and stakeholder feedback, and collectively deliver on the Newcastle smart city vision.

The six objectives aim to deliver positive change to the community, as well as improve planning, management and infrastructure. In addition, they reflect and integrate with the seven strategic directions that form the basis for Newcastle 2030.

Six focus areas

To further develop the approach as a response to the local context, each focus area within the Mandala is underpinned by a number of supporting sub-strategies, which have been developed through internal and external stakeholder engagement and according to international best practice.

These sub-strategies will be delivered through a program of corresponding actions that will build on one another over the life of the strategy.

The overall result is the adoption of international best practice methodology, thoroughly prioritised and developed to the local conditions and opportunities. The remainder of this document outlines the strategic framework and action plan across four years of the Newcastle Smart City Strategy.

How to read the following strategies and actions tables

<table>
<thead>
<tr>
<th>Year the project is scheduled:</th>
<th>1</th>
<th>2017 - 18</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>2018 - 19</td>
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<td>3</td>
<td>2019 - 20</td>
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<td>4</td>
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<td>5+</td>
<td>2021+</td>
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Council’s Role is broken into five key areas of responsibility

<table>
<thead>
<tr>
<th>Lead</th>
<th>Council lead action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collaborate</td>
<td>Council as an equal partner</td>
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<tr>
<td>Support</td>
<td>Council as an enabler</td>
</tr>
<tr>
<td>Advocate</td>
<td>Council taking an advocacy role</td>
</tr>
<tr>
<td>Investigate</td>
<td>Council conducting research and feasibility studies</td>
</tr>
</tbody>
</table>
# Summary of Key Strategies

## Smart Mobility

**Objective:** A city with connected technology-enabled infrastructure for multiple modes of mobility that innovates towards future modes of transport and prioritises walking and cycling.

### Program 1: ICT Integrated Multi-Modal Transport Planning

**Strategy:** Deploy information communication technology initiatives that collect and leverage data supporting integrated transport.

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Task Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>Work with all levels of government and Transport for Newcastle to incorporate Information and Communications Technology (ICT) and data into transport planning.</td>
</tr>
<tr>
<td>1.2</td>
<td>Advocate for Transport for Newcastle in the delivery of innovative rapid bus transit transport models including transport on-demand (TOD) and dynamic routing between key city sites.</td>
</tr>
<tr>
<td>1.3</td>
<td>Deploy IoT-based smart traffic monitoring systems and collect real-time data analytics on city centre transport networks.</td>
</tr>
<tr>
<td>1.4</td>
<td>Utilise real-time transport data to support efficient transport options including multi-modal Mobility-as-a-Service (MaaS) systems and dynamic signalling infrastructure.</td>
</tr>
<tr>
<td>1.5</td>
<td>Collect transport data from multiple stakeholders in the open data portal and publish through city apps and digital platforms.</td>
</tr>
</tbody>
</table>

### Program 2: Active Travel

**Strategy:** Deploy and leverage city technology and digital platforms to enhance the delivery of cycleway and walkable city infrastructure.

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Task Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1</td>
<td>Use crowdsourcing methods and technology to collect data on informal city cycle routes and incorporate into cycleways planning.</td>
</tr>
<tr>
<td>2.2</td>
<td>Develop a program for incorporating sensor-based triggering technologies into cycleways such as light-up/stop at key intersections and LED lighting or luminous materials for key commuter routes.</td>
</tr>
<tr>
<td>2.3</td>
<td>Support bike share networks, including E-Bikes, through strategic planning of infrastructure and network facilities.</td>
</tr>
<tr>
<td>2.4</td>
<td>Deploy night-time wayfinding systems utilising digital components (apps, projections) to increase safe pedestrian mobility within night-time precincts.</td>
</tr>
</tbody>
</table>

### Program 3: Future Mobilities

**Strategy:** Develop and deliver strategy and infrastructure to enable the adoption and integration of future modes of transport and mobility.

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Task Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1</td>
<td>Develop the city centre IoT platform to enable use of the city as a test-bed facility for new mobilities technology including MaaS networks and regulatory innovations.</td>
</tr>
<tr>
<td>3.2</td>
<td>Develop a plan for the transition of Council’s fleet towards electric vehicles, including E-Bikes for Council staff to use for short city centre work-related trips.</td>
</tr>
<tr>
<td>3.3</td>
<td>Pilot smart transport real-time dynamic signalling through the city centre to manage vehicle flow and congestion and advocate for wider deployment.</td>
</tr>
<tr>
<td>3.4</td>
<td>Work with research partners, transport providers and the استثناء the development and test new mobilities technologies and regulatory innovations in Newcastle.</td>
</tr>
<tr>
<td>3.5</td>
<td>Investigate opportunities for including rideshare (e.g. GoGet) as a proportion of Council’s fleet to reduce fleet costs and increase vehicle use.</td>
</tr>
</tbody>
</table>
**SMART GOVERNANCE**

**Objective:** A global smart city with coordinated leadership and collaboration across government, industry and business, which leads the way and connects with its citizens.

The smart governance theme focuses on how Council operates and sets policy to achieve the smart city vision. This includes our own adoption and use of technology and digital services, how we think about data and use it to improve asset management and our service delivery and make these processes more transparent, and how we organise our relationships across the city with external partners, industry, start-ups and citizens.

### Smart Governance Strategies

<table>
<thead>
<tr>
<th>Program 1</th>
<th>Digital Transformation and e-Services</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strategy</strong></td>
<td>Adopt digital technologies and service platforms across the city to improve Council planning, asset management and service delivery</td>
</tr>
<tr>
<td>1.1</td>
<td>Develop and implement corporate cloud hybrid data storage and recovery including investigating opportunities for a regional data centre co-invested with key city partners</td>
</tr>
<tr>
<td>1.2</td>
<td>Upgrade real time management of Council assets including GPS system for heavy fleet, digital asset inventory and integrated works programming</td>
</tr>
<tr>
<td>1.3</td>
<td>Enable digital services including online submission and tracking of development applications, public exhibition submissions and grants management</td>
</tr>
<tr>
<td>1.4</td>
<td>Investigate online and remote customer service assistance through telepresence facilities and virtual conversational interfaces such as digital concierges</td>
</tr>
<tr>
<td><strong>Objective:</strong></td>
<td>1-2 Lead/Collaborate</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Program 2</th>
<th>Open Data</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strategy</strong></td>
<td>Create and adopt policy frameworks, open standards and information technology platforms to make appropriate city datasets accessible and available to increase productivity and growth</td>
</tr>
<tr>
<td>2.1</td>
<td>Adopt Internet of Things (IoT) and metadata standards to ensure interoperability and searchability of diverse data sets</td>
</tr>
<tr>
<td>2.2</td>
<td>Develop a strategic approach to open data within Council that includes open-by-default clauses and data licensing frameworks</td>
</tr>
<tr>
<td>2.3</td>
<td>Create a city open data portal to make freely available council open data sets, city IoT data, and archival big data</td>
</tr>
<tr>
<td>2.4</td>
<td>Establish data-sharing arrangements with city stakeholders and data partners to publish open data through the open data portal</td>
</tr>
<tr>
<td><strong>Objective:</strong></td>
<td>2-3 Investigate</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Program 3</th>
<th>Collaborative City</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strategy</strong></td>
<td>Develop partnering frameworks that create opportunities for city and industry stakeholders to partner effectively and efficiently with Council across a range of initiatives</td>
</tr>
<tr>
<td>3.1</td>
<td>Develop the iQ events series as a regular city stakeholder engagement and collaborative strategic program</td>
</tr>
<tr>
<td>3.2</td>
<td>Develop a City Partnering Framework to identify and promote all opportunities for partnering with the City on the Newcastle Smart City Initiative and the Hunter Innovation Project</td>
</tr>
<tr>
<td>3.3</td>
<td>Engage with key city land and asset owners to integrate smart city technology capabilities as part of flagship city revitalisation projects</td>
</tr>
<tr>
<td>3.4</td>
<td>Create an online portal for informing industry and start-ups about current and future project partnering opportunities and as a mechanism to receive innovative partner proposals</td>
</tr>
<tr>
<td><strong>Objective:</strong></td>
<td>3-4 Advocate</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Program 4</th>
<th>Digital Citizenship</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strategy</strong></td>
<td>Use digital platforms to enable improved communication and engagement between citizens and Council including fostering the capacity for community to influence decision-making</td>
</tr>
<tr>
<td>4.1</td>
<td>Accelerate adoption and rollout of digital consultation tools and platforms</td>
</tr>
<tr>
<td>4.2</td>
<td>Explore and evaluate digital and app technology enabling resident reporting of issues relating to Council assets and services</td>
</tr>
<tr>
<td>4.3</td>
<td>Develop a digital citizen engagement platform to improve Council-to-citizen and peer-to-peer (P2P) communication between city residents, workers, visitors and business and to incentivise behaviour change through challenge and rewards style programs</td>
</tr>
<tr>
<td>4.4</td>
<td>Utilise social media data mining to map social networks and identify and engage with key influencers and change agents across issues</td>
</tr>
<tr>
<td><strong>Objective:</strong></td>
<td>1-3 Lead</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Program 5</th>
<th>Start-Up Led Innovation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strategy</strong></td>
<td>Enable strategic interaction with start-ups, entrepreneurs and innovators to access and leverage entrepreneurial and disruptive thinking within Council</td>
</tr>
<tr>
<td>5.1</td>
<td>Support innovation-based events and programs that enable Council to propose challenges for collaborative problem solving</td>
</tr>
<tr>
<td>5.2</td>
<td>Run an annual staff engagement and voting process for identifying Council challenges and opportunities to be addressed through hackathon challenges and start-up engagement</td>
</tr>
<tr>
<td>5.3</td>
<td>Develop a ‘Start-Up Matchmaker’ program of bi-annual pitch events to connect Council business units with start-ups, and supported by an internal pilot development fund to part-subsidise innovative proof of concept projects</td>
</tr>
<tr>
<td>5.4</td>
<td>Develop a business case for an annual Start-up in Residence Program (SRP) to embed a start-up inside an interdisciplinary Council team to co-design a solution to a key challenge priority</td>
</tr>
<tr>
<td><strong>Objective:</strong></td>
<td>3-4 Lead</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Program 6</th>
<th>Smart Policy and Procurement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strategy</strong></td>
<td>Enhance policy frameworks to maximise the local economic and innovation benefits of Council strategic procurement</td>
</tr>
<tr>
<td>6.1</td>
<td>Review and update relevant policy frameworks to appropriately support the adoption of innovative proposals, fast-track pilot technology deployments, and local economic development in tender and procurement processes</td>
</tr>
<tr>
<td>6.2</td>
<td>Create a technology, digital and innovation-themed competitive grants stream within the Economic Development Sponsorship Program designed to foster smart city-related activities</td>
</tr>
<tr>
<td>6.3</td>
<td>Ensure that savings and revenue from smart city infrastructure deployments are directed to a general fund for maintaining existing and funding future smart city projects</td>
</tr>
<tr>
<td>6.4</td>
<td>Explore the creation, with city partners, of a City Fund for investing in technology focused creative industries that are unique to the Hunter Region</td>
</tr>
<tr>
<td><strong>Objective:</strong></td>
<td>1-2 Lead</td>
</tr>
</tbody>
</table>

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**SMART LIVING**

**Objective:** A city that makes life easier for everyone, which uses smart technology in its public places, and that develops new ways of connecting people and improving city amenity.

The smart living theme will identify, deploy and leverage technology and digital applications to improve the livability, amenity and experience of the city. It hinges foremost on the development of advanced digital connectivity and smart technology in the city centre, which enables sensors and devices to connect and share information, and to generate insights from this data to identify further opportunities for city improvements and community engagement.

**Program 1** Smart City Infrastructure

**Strategy:** Develop and deploy city-scale technology infrastructure to improve the amenity of the city and the lives of its residents and visitors.

1.1 Deploy WiFi with free public access across the City Centre, including within Council-owned cultural facilities and public buildings
1.2 Create a secure Internet of Things (IoT) platform in the city centre that includes sensor array and integrated data analytics, and utilise for smart city applications
1.3 Develop a smart parking network in the city centre including sensors, wayfinding and payments apps, dynamic signage and digital permit systems
1.4 Deploy an electric vehicle (EV) charge point network and infrastructure and promote through an EV-friendly city campaign
1.5 Incorporate technology infrastructure products into the public domain technical manual to ensure the progressive rollout of smart city infrastructure beyond the city centre
1.6 Pilot smart crime prevention applications with key city partners including Newcastle Police to improve community safety and security

**Program 2** Digitally Interactive Places

**Strategy:** Deploy interactive technologies into a high quality public domain to create well-loved, active, safe and engaging public spaces.

2.1 Install a network of interactive digital screens in public spaces throughout the city and centre and local town centres and create an open-ended range of city apps to improve city amenity, local business opportunities and information services
2.2 Develop a program for installing a Bluetooth beacon network across the city and utilise to provide place specific wayfinding and city information
2.3 Utilise beacon network and sensor technologies to create interactive interpretation sites and deliver city information including interactive city tours, creative placemaking content and environmental education
2.4 Utilise sensor-based technology in the design of play features within public space design (e.g. interactive lighting and water features)

**Program 3** Virtual City

**Strategy:** Invest in digital applications to improve planning processes, infrastructure delivery and maintenance and citizen engagement.

3.1 Continue to build capability within the 3-D city model including exploration of innovative data capture and enabling importation of digital assets from professional and community stakeholders
3.2 Encourage virtual reality (VR) and augmented reality (AR) applications for heritage, arts and culture, events, education and training
3.3 Provide and promote access to the 3-D city model across Council to leverage its use for predictive urban planning, modelling and novel Council applications
3.4 Investigate augmented reality (AR) applications that can be used in city development processes to inform community and gather feedback

**SMART ENVIRONMENT**

**Objective:** A city that applies technology and innovation to create a cleaner and more sustainable future.

The smart environment theme aims to enhance the use of innovative technology and data in natural, aquatic and built environment management. This includes accelerating the adoption of renewables, visioning transformation of the Summerhill site into a future energy centre, encouraging a higher quality of urban design and a greener city, and getting smarter about our resources, including water sensitive design and re-use of waste.

**Program 1** Greener Places

**Strategy:** Deliver technology interventions that enhance sustainability in urban places, parks, waterways and building management.

1.1 Review and update Newcastle 2020 Carbon and Water Management Action Plan
1.2 Develop a program for installing Internet of Things (IoT) sensor clusters across the local government area (LGA) to monitor environmental conditions in urban, natural and aquatic environments
1.3 Pilot with CSIRO and other research institutes intelligent building controls and occupant engagement in key Council facilities to create smarter, more energy efficient buildings
1.4 Implement smart controls and management systems for booking and managing Council-owned park floodlights
1.5 Pilot with CSIRO predictive electric hot water heating and storage in key Council facilities to improve energy and water efficiency
1.6 Develop business case for enhancing building management systems in Council facilities towards fully IoT-enabled building information modelling (BIM) and remote monitoring and management capability

**Program 2** Smarter Waste

**Strategy:** Use technology and data to encourage sustainability in resource use, and improve the efficiency of waste collection and processing.

2.1 Pilot and deploy smart bin infrastructure in the city centre, including the use of waste data to identify key bin locations based on demand
2.2 Utilise sensors for domestic garbage pick-up to collect waste data to charge by weight and incentivise recycling
2.3 Install reverse vending machines to engage the community and provide incentives to reduce waste through a container deposit scheme
2.4 Investigate and pilot large-scale waste-to-energy technology and plant as part of long-term transformation of Summerhill into an Energy Centre

**Program 3** Sustainable Energy

**Strategy:** Pilot and deploy technologies that improve energy and resource sustainability across Council and the broader community.

3.1 Work with Ausgrid to pilot LED upgrades and seek Clean Energy Finance Corporation (CEFC) funding to accelerate whole-of-local government area (LGA) LED street light replacement program
3.2 Develop a mid-scale Summerhill Solar Farm project (5 megawatt capacity) to offset Council energy use and greenhouse emissions
3.3 Trial and deploy smart lighting across the city centre via integrated smart pole technology and then roll out to town centres
3.4 Develop Virtual Net Metering capabilities to aggregate city’s solar capacity and offset energy usage across key assets (towards 100% renewable)
3.5 Expand solar battery storage capacity and create scalable, off-grid storage networks across Council assets
3.6 Investigate opportunities with state and federal government to facilitate loan finance for accelerating uptake of community solar PV battery storage and EV
## SMART PEOPLE

**Objective:** A city that invests in people and attracts talent to the area, which creates opportunities through emerging smart technologies and enables everyone to participate

A smart city is ultimately about people. Newcastle is actively promoting its assets and facilities to engage and retain smart people. This theme of the strategy will deliver initiatives that aim to address the digital divide, and ensure an inclusive city environment. It will work to equip community with the skills to engage fully with the smart city and create opportunities for creative expression and economic growth through provision of open access technology and data platforms.

### Smart People Strategies

#### Program 1: City Data

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Description</th>
<th>Lead/Collaborate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>Develop a city App for easy access to Council services and information on the city</td>
<td>1-2 Collaborate</td>
</tr>
<tr>
<td>1.2</td>
<td>Create a customisable city dashboard for quick visualisation of key city data indicators for citizens and visitors</td>
<td>2 Lead</td>
</tr>
<tr>
<td>1.3</td>
<td>Develop experimental 'sandbox' and appropriate licensing agreements for high value real-time city IoT data for innovation hubs, researchers and entrepreneurs</td>
<td>2-3 Collaborate</td>
</tr>
<tr>
<td>1.4</td>
<td>Encourage community use of city data through free access and promotional programs encouraging people to identify and request datasets they want on the portal, dashboard and sandbox</td>
<td>2-4 Collaborate</td>
</tr>
</tbody>
</table>

#### Program 2: Digital Inclusion

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Description</th>
<th>Lead/Collaborate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1</td>
<td>Incorporate standards enhancing disability inclusion principles into all smart city technology installations, digital platforms and city apps</td>
<td>1 Collaborate</td>
</tr>
<tr>
<td>2.2</td>
<td>Adapt programming to increase community levels of digital literacy around cyber security, e-commerce, privacy and big data</td>
<td>1-4 Lead</td>
</tr>
<tr>
<td>2.3</td>
<td>Provide support for community access courses such as USA, Children's University, Tech Savvy Seniors and Coder Clubs</td>
<td>1-4 Support</td>
</tr>
<tr>
<td>2.4</td>
<td>Create ‘We Lend Tech’, a lendable collection through the Newcastle Region Library that provides affordable access to internet, mobile devices, virtual and augmented reality and other emerging technologies</td>
<td>2-4 Lead</td>
</tr>
<tr>
<td>2.5</td>
<td>Pilot, deploy and promote inclusive smart assistive technology in the public domain to improve equity of access to the city</td>
<td>2-4 Collaborate</td>
</tr>
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</table>

#### Program 3: Digital Creative Newcastle

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Description</th>
<th>Lead/Collaborate</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1</td>
<td>Increase the regular presentation of technology-based arts and science creative content across Council's cultural facilities (Gallery/ Museum/Theatre)</td>
<td>1-4 Lead</td>
</tr>
<tr>
<td>3.2</td>
<td>Pilot and undertake the digitisation of city creative works collections and make them available through virtual programming and self-curated collections</td>
<td>1-4 Lead/Collaborate</td>
</tr>
<tr>
<td>3.3</td>
<td>Facilitate and broker relationships between creative producers and funders through creative hackathons and pitch events</td>
<td>2-4 Collaborate</td>
</tr>
<tr>
<td>3.4</td>
<td>Support local cultural production by providing local designers, creatives and tech start-ups access to city digital platforms to showcase original creative content</td>
<td>3-4 Support</td>
</tr>
</tbody>
</table>

#### Program 4: Community Lab

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Description</th>
<th>Lead/Collaborate</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>Develop a community lab program including free IoT sensor kits, access to city data and the low-power wide-area network (LPWAN) and specialist mentoring and expert advice to encourage community IoT projects</td>
<td>1-3 Lead/Collaborate</td>
</tr>
<tr>
<td>4.2</td>
<td>Establish a community Makerspace in the Newcastle Region Library and use for technology-centric community programming such as coding clubs, robotics and mechatronics workshops, IoT labs, and citizen science courses</td>
<td>1-4 Lead</td>
</tr>
<tr>
<td>4.3</td>
<td>Develop integrated programming with University of Newcastle and NSW TAFE tech centres and digital fabrication studios to enable community lab participants access to specialised equipment, or to progress into more formal innovation processes</td>
<td>2 Collaborate</td>
</tr>
<tr>
<td>4.4</td>
<td>Create a ‘supernova-style’ interactive demonstration space to showcase and translate new technologies for the general community</td>
<td>2-3 Lead</td>
</tr>
<tr>
<td>4.5</td>
<td>Recruit an active panel of community members interested in participating as test audiences and co-creators in Living Lab projects</td>
<td>2-4 Lead</td>
</tr>
</tbody>
</table>
Objective: A city that invests in innovation and provides a roadmap to attract and develop businesses and industries in the future to Newcastle.

The Smart Economy: A city that invests in innovation and attracts creative, diverse and dynamic industry and service sector to support successful business outcomes and attract industry and investment in smart sectors.

Newcastle City Council is committed to supporting smart technology-led sectors, and develop business attraction and promotional strategies to bring the industries of the 21st century. The smart economy theme will work to further encourage diversification of the city and regional economy towards growth areas of the 21st century. Newcastle's strengthening economy is a result of diligent collaboration between the government, local businesses and the community. This focus area will undertake to better understand and exploit Newcastle's potential starting from the core of the city and the broader region.

**Objective**

**Theme: Smart Economy**

**Objective**

**Smart Economy Strategies**

1. **Innovation Ecosystem**
   - Strategy
     - Actively develop the regional innovation ecosystem's capacity to nurture businesses, artists, entrepreneurs and investors.
     - Create a Living Lab as a model of collaborative innovation based on regional, national and international start-ups.
     - Engage with government and the finance sector to identify and implement incentives and support packages for start-ups and small to medium enterprises (SMEs).
   - Program 5: City Image
     - Strategy
     - Develop new approaches to incentive structures and promotional strategies to attract 21st century businesses and industries working in the digital economy and creative Industries.

2. **City Digital Precinct**
   - Strategy
     - Seed the creation of a digitally connected innovation district in the Newcastle city centre to attract businesses and industries working in the digital economy and creative industries.
     - Develop a model of collaborative industry innovation to fast-track research, development and deployment of technology prototypes and solutions.
     - Foster new approaches to incentive structures and promotional strategies.
     - Partner with stakeholders to develop and deliver coordinated and targeted promotional programs for future industries in Newcastle.

3. **Collaborative Living Lab**
   - Strategy
     - Develop a Living Lab as a model of collaborative innovation based on regional, national and international start-ups.
     - Engage with government and the finance sector to identify and implement incentives and support packages for start-ups and small to medium enterprises (SMEs).

4. **Attract Future Industries**
   - Strategy
     - Plan for future industries across the local government area including appropriate land use, and identifying a city competitive advantages and incentive framework.
     - Develop and deliver an international profile, signature technology and innovation promotion and destination branding channels.
     - Engage with NSW and Federal Government agencies to develop incentive packages to attract key industry and research players to city.

5. **City Image**
   - Strategy
     - Engage with government and the finance sector to identify and implement incentives and support packages for start-ups and small to medium enterprises (SMEs).
     - Promote Newcastle and the Hunter Region nationally, signatories, start-ups and industry, start-ups and industry, and internationally.
     - Develop and deliver an international profile, signature technology and innovation promotion and destination branding channels.
     - Partner with stakeholders to develop and deliver coordinated and targeted promotional programs for future industries in Newcastle.

6. **Program 5: City Image**
   - Strategy
     - Develop new approaches to incentive structures and promotional strategies to attract 21st century businesses and industries working in the digital economy and creative industries.

7. **Program 4: Attract Future Industries**
   - Strategy
     - Plan for future industries across the local government area including appropriate land use, and identifying a city competitive advantages and incentive framework.
     - Develop and deliver an international profile, signature technology and innovation promotion and destination branding channels.
     - Engage with NSW and Federal Government agencies to develop incentive packages to attract key industry and research players to city.

8. **Program 3: Collaborative Living Lab**
   - Strategy
     - Develop a Living Lab as a model of collaborative innovation based on regional, national and international start-ups.
     - Engage with government and the finance sector to identify and implement incentives and support packages for start-ups and small to medium enterprises (SMEs).

9. **Program 2: City Digital Precinct**
   - Strategy
     - Seed the creation of a digitally connected innovation district in the Newcastle city centre to attract businesses and industries working in the digital economy and creative industries.
     - Develop a model of collaborative industry innovation to fast-track research, development and deployment of technology prototypes and solutions.
     - Foster new approaches to incentive structures and promotional strategies.
     - Partner with stakeholders to develop and deliver coordinated and targeted promotional programs for future industries in Newcastle.

10. **Program 1: Innovation Ecosystem**
    - Strategy
      - Actively develop the regional innovation ecosystem's capacity to nurture businesses, artists, entrepreneurs and investors.
      - Create a Living Lab as a model of collaborative innovation based on regional, national and international start-ups.
      - Engage with government and the finance sector to identify and implement incentives and support packages for start-ups and small to medium enterprises (SMEs).

11. **Program 5: City Image**
    - Strategy
      - Develop new approaches to incentive structures and promotional strategies to attract 21st century businesses and industries working in the digital economy and creative industries.
      - Promote Newcastle and the Hunter Region nationally, signatories, start-ups and industry, start-ups and industry, and internationally.
      - Develop and deliver an international profile, signature technology and innovation promotion and destination branding channels.
      - Partner with stakeholders to develop and deliver coordinated and targeted promotional programs for future industries in Newcastle.

12. **Program 4: Attract Future Industries**
    - Strategy
      - Plan for future industries across the local government area including appropriate land use, and identifying a city competitive advantages and incentive framework.
      - Develop and deliver an international profile, signature technology and innovation promotion and destination branding channels.
      - Engage with NSW and Federal Government agencies to develop incentive packages to attract key industry and research players to city.

13. **Program 3: Collaborative Living Lab**
    - Strategy
      - Develop a Living Lab as a model of collaborative innovation based on regional, national and international start-ups.
      - Engage with government and the finance sector to identify and implement incentives and support packages for start-ups and small to medium enterprises (SMEs).

14. **Program 2: City Digital Precinct**
    - Strategy
      - Seed the creation of a digitally connected innovation district in the Newcastle city centre to attract businesses and industries working in the digital economy and creative industries.
      - Develop a model of collaborative industry innovation to fast-track research, development and deployment of technology prototypes and solutions.
      - Foster new approaches to incentive structures and promotional strategies.
      - Partner with stakeholders to develop and deliver coordinated and targeted promotional programs for future industries in Newcastle.

15. **Program 1: Innovation Ecosystem**
    - Strategy
      - Actively develop the regional innovation ecosystem's capacity to nurture businesses, artists, entrepreneurs and investors.
      - Create a Living Lab as a model of collaborative innovation based on regional, national and international start-ups.
      - Engage with government and the finance sector to identify and implement incentives and support packages for start-ups and small to medium enterprises (SMEs).
THANK YOU

This strategy documents the findings of a comprehensive review of existing literature and initiatives as well as other background research undertaken by Smart Planning and Design, with the support of an international expert panel including: Cogility, Hitachi, David Lock Associates UK, SMEC, ITP and Urban Tide.

The project includes information and insight from the stakeholder engagement program undertaken by Cred Consulting (CRED) and John O’Callaghan Consulting (JOC), and documented in the report.

The development of the strategic framework, underpinning this document was supported by Smart Planning and Design.

Council would like to thank all participants in the engagement and strategic development processes that have lead to this document.
CCL 22/8/17
ADOPTION OF THE NEWCASTLE SMART CITY STRATEGY 2017-2021

Attachment B: Public Submissions Report

DISTRIBUTED UNDER SEPARATE COVER
<table>
<thead>
<tr>
<th>No.</th>
<th>ECM Reference</th>
<th>SOURCE</th>
<th>Summary of submission</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>ECM 5235974</td>
<td><a href="mailto:smartcity@ncc.nsw.gov.au">smartcity@ncc.nsw.gov.au</a></td>
<td>Well done mate</td>
<td>Noted</td>
<td>Positive feedback to strategy. No response required</td>
</tr>
<tr>
<td>2.1</td>
<td>ECM 5236110</td>
<td>EngagementHQ</td>
<td>Nokia appreciates the opportunity to provide feedback on Newcastle's draft Smart City Strategy, 2017-2021. Nokia is pleased to have participated in workshops to prepare this draft strategy. The following feedback is offered in context of Nokia's global experience with transformational cities together with engagements and research in Australia over the past three years. Nokia would be pleased to discuss the suggestions following.</td>
<td>Noted. Nokia provide a detailed engagement with the strategy. Individual comments are addressed below.</td>
<td>Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined. Newcastle has no formal relationship with Nokia.</td>
</tr>
<tr>
<td>2.2</td>
<td>ECM 5236110</td>
<td>Survey Tool 2</td>
<td>2.1 - The strategy is well rounded and consistent with priorities expressed by many other cities.</td>
<td>Noted</td>
<td>Positive feedback to strategy. No response required</td>
</tr>
<tr>
<td>2.3</td>
<td>ECM 5236110</td>
<td></td>
<td>2.2 - If the full strategy is to be realised the timeline of 4 years is ambitious. Possibly the strategy needs to be discussed as a staged evolution of the city. The final year goal seems to be targeted at 2030.</td>
<td>Supported in part</td>
<td>Consideration has been given to manageable workload and forecasting actions over the 4+ years of the Strategy. See section Delivering Our Vision on page 13 for reference to multiple delivery timeframes including phrasing identifying the multi-decade transformational agenda.</td>
</tr>
<tr>
<td>2.4</td>
<td>ECM 5236110</td>
<td></td>
<td>2.3 - There seems to be insufficient emphasis on bringing along all sectors and stakeholders of the city community. Possibly an emphasis on gain measures for different people clusters and the need for personalisation of the city for individuals could be additions.</td>
<td>Not supported</td>
<td>The strategy is explicit in accounting for different community sectors. See Smart People theme for a range of actions that are focused on a diversity of community groups.</td>
</tr>
<tr>
<td>2.5</td>
<td>ECM 5236110</td>
<td></td>
<td>2.4 - There appears to be a lack of consideration of operating a transformed/digital city. City Operations using 360 degree management practices is a necessary investment and probably does not exist. It embodies lean operations practices incorporating new skills, structures and technology platforms. There should possibly be explicit statements in the strategy.</td>
<td>Not supported</td>
<td>The strategy does not identify all aspects of city administration and should be read in conjunction with existing NCC strategy, policy and vision.</td>
</tr>
<tr>
<td>2.6</td>
<td>ECM 5236110</td>
<td></td>
<td>2.5 - There appear to be inconsistencies in describing the required city ecosystem to drive outcomes going forward. Normally an ecosystem supporting such digital transformation is a collaboration between government, business, academia and people. Academia is not treated consistently and seems to be missed in several references.</td>
<td>Not supported</td>
<td>The development of the Strategy has cultivated a strong relation with UON which is at the heart of the smart city endeavour. Collaboration is identified as both a key principle and approach, and a driver to smart city transformation. Multiple projects reflect multi-sector collaboration.</td>
</tr>
<tr>
<td>2.7</td>
<td>ECM 5236110</td>
<td></td>
<td>2.6 - A primary concern was expressed about lack of high paying local jobs to retain/attract talent and younger people. Many cities have the same concern and therefore is a point of competition between cities. A perspective is that these jobs will be determined by market forces and not institutional policy. It follows that the more valuable the market the higher value the jobs. Also in this digital era markets have no boundaries. Hence the importance of global connectedness and higher aspirations. Both attributes are essential to sustain high value jobs and for attracting talent. The city should possibly consider its role in cultivating digital markets and in cultivating high order economic aspirations.</td>
<td>Not supported</td>
<td>The comments are already adequately outlined in the strategy.</td>
</tr>
<tr>
<td>ECM 5236110</td>
<td>2.8</td>
<td>- New digital markets underpin the lucrative digital economy. They are disruptive, multi-dimensional and global. The opportunity is to cultivate local businesses which serve global markets. This requires an innovation and market framework which appears to be understated in the strategy. An explicit theme(s) which should possibly be more self-evident is that city operations will be data driven, highly automated and naturally disruptive. Supported in part</td>
<td>More explicit identification of ecosystem development and future industries as cultivating local business to global markets is adopted. Smart Economy 1.4 has had text change added ‘for local business’ to account for this.</td>
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<tr>
<td>ECM 5236110</td>
<td>2.9</td>
<td>- There is a strong flavour of city centric outcomes. As per the planning context, the value of Newcastle will be enhanced if it also has distinct relevance to State and Federal Government outcomes. These important interdependencies are possibly not explicit enough. Supported in part</td>
<td>Planning context infographic adequately addresses strategic interdependencies within a multi-tier governance structure. Smart Economy 3.2 has had text change added ‘that address local state and national level urban challenges and priorities’ to reflect this priority of the Living Lab model.</td>
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<tr>
<td>ECM 5236110</td>
<td>2.1 3.1.1 - ICT Integrated Multi-modal Transport Planning:</td>
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<td>ECM 5236110</td>
<td>2.11</td>
<td>3.1.1.1 - There is also a likely need to influence government policy on public/private data collection and shared transport options</td>
<td>Noted The objective of enabling regulatory innovation is identified in the strategy.</td>
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<tr>
<td>ECM 5236110</td>
<td>2.12</td>
<td>3.1.1.2 - It may also be helpful to comment on use of priority systems to support disaster and emergency vehicles.</td>
<td>Noted The objective of enabling improved traffic flow is identified in action Smart Mobility 3.3. Emergency vehicle prioritisation is one use case application of real-time traffic monitoring and dynamic signalling.</td>
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<tr>
<td>ECM 5236110</td>
<td>2.13</td>
<td>3.2.1 - Digital Transformation and e-Services: there are also significant examples of Augmented Reality applications to improve quality of workmanship and the productivity of workers.</td>
<td>Noted Piloting and potential adoption of AR applications for Council services is mentioned in Smart Living 3.2</td>
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<td>ECM 5236110</td>
<td>2.14</td>
<td>3.2.2 - Open Data: should possibly be mentioned as a City asset rather than Council asset. Ultimately this is expected to be a blend of public and private data as a basis for data and analytics driven innovation.</td>
<td>Noted Smart Governance 2.0 has had text change to replace ‘Council’ with ‘city’</td>
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<td>ECM 5236110</td>
<td>2.15</td>
<td>3.2.3 - Collaborative City: suggest the orientation should be toward open collaboration in which the Council is an active partner. Innovation around the city will come from everyone and from anywhere. There is little predictability in the model and it is not just about Council acquired infrastructure and services.</td>
<td>Noted The objective of open collaboration is well documented throughout the strategy.</td>
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<td>ECM 5236110</td>
<td>2.16</td>
<td>3.2.4 - Digital Citizenship: Is there a reason the City digital platform is exclusively for Citizen to Council communications? People to people and people to business as well as business to business and other variants are examples of how social cohesion might be strengthened.</td>
<td>Supported Smart Governance 4.3 had text change to replace ‘with...’ with ‘between city residents, workers, visitors and business’ to more explicitly document intentions to enable peer-to-peer (P2P) engagement and interaction.</td>
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<td>ECM 5236110</td>
<td>2.17</td>
<td>3.2.5 - Start-up Led Innovation: Is there a reason that the Council is at the centre of this strategy? Entrepreneurial innovation is likely to come from outside the Council and the Council should otherwise be receptive.</td>
<td>Noted The Strategy to harness start-up led innovation refers to how Council will engage with the entrepreneurial sector. It is not meant to describe wider ecosystem activity.</td>
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<tr>
<td>ECM 5236110</td>
<td>2.18</td>
<td>3.2.6 - Smart Policy and Procurement: significant hurdles to new ideas exist in procurement because of risk aversion and lack of entrepreneurial skills. It might be useful to more explicitly articulate the spirit of change required.</td>
<td>Noted Assessment of appropriate policy adjustment will occur throughout the implementation of the strategy.</td>
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<tr>
<td>ECM 5236110</td>
<td>2.19</td>
<td>3.3.1 - Smart City Infrastructure:</td>
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</table>
2.2 ECM 5236110

3.3.1.1 - The future of digital access infrastructure will be driven by Small Cell Technologies which incorporates robust wifi. Small Cells will need dense spatial placement to achieve the performance required for next generation applications. A city can leverage its total assets, street assets as well as in-building assets, to facilitate deployment of Small Cells. In many cases this may be better done with Mobile Network Operators who can supply carrier spectrum and possibly lease back the Small Cell infrastructure. New business models are possible.

Noted

Council is aware of small cell opportunities and is exploring potential options.

2.21 ECM 5236110

3.3.1.2 - Cyber Security is a high priority requirement in all these infrastructures and needs to be mentioned. Cyber Security is as much about asset protection as it is about building trust of all users and stakeholders across the city.

Supported

Smart Living 1.1 added text 'secure Internet of Things.' to emphasise security.

Recently appointed UoN Professor of Cyber Security will provide best practice advice.

2.22 ECM 5236110

3.3.2 - Digitally Interactive Places: correct spelling of Interactive

Supported

Updated Smart Living 2.0 to fix spelling mistake

2.23 ECM 5236110

3.3.3 - Virtual City: talented people have a choice of where to live in the world. Possibly there should be more emphasis on personalisation for blended lifestyles reflecting the personal convenience and fulfilment achievable in the city.

Noted

General Comment only

2.24 ECM 5236110

3.4.1 - Greener places: traditional Building Management Systems are highly proprietary and lock away important management data. There is a growing ecosystem of small Australian businesses already present in this space which could be leveraged for data driven building automation, urban fabric integration and personalisation for employees and visitors.

Noted

The strategy is explicit in outlining openness of data as a fundamental principle.

2.25 ECM 5236110

3.4.2 - Smarter waste: there is also the possibility of waste tracking for greater accountability of waste management.

Noted

Multiple waste management initiatives are being implemented outside of the scope of the Strategy.

2.26 ECM 5236110

3.4.3 - Sustainable Energy: why is this initiative on energy self-generation just referencing Council? All businesses and residents could participate in a community scheme.

Supported

Tex change to Smart Environment 3.4 to replace 'Council's' with 'city's'

Added new action 3.6 to investigate potential for facilitation of community loans with State and Federal Government to fasttrack distributed energy generation and storage

2.27 ECM 5236110

3.5.1 - City Data: the City App could be part of a Personalisation Model for the city to be experienced as a place to live rather than just being efficiently transaction driven.

Noted

General Comment only

2.28 ECM 5236110

3.5.2 - Digital Inclusion: this could also incorporate community innovation. Empower everybody in the local community to innovate for themselves, the community and the city. This empowerment is a basis of the digital economy. Community Lab initiative relates.

Noted

The strategy clearly outlines the objective to enable community innovation with several actions in Smart People theme focused on enabling programs.

2.29 ECM 5236110

3.5.3 - Digital Creative Newcastle: creativity has no real boundaries and the biggest challenge is reaching audiences. Newcastle could incorporate open displays in public places and equip street furniture to exhibit art, stories and music created within the city. Creative and digitally equipped street furniture could become a new industry with export potential.

Noted

These ideas are already mentioned in the strategy, for examples see Smart Living 2.0 Digitally Interactive Places

2.3 ECM 5236110

3.5.4 - Community Lab: there is an emphasis on LPWAN and this is possibly a starting point. However, higher value applications will incorporate video and video analytics. These should not be discounted in the time horizon of the strategy. Also, there is not much mention or context for younger people to contribute. Possibly there needs to be mention of graded programs according to age demographics or as appropriate to connect with the whole community.

Noted

Smart People 2.3, and the Community Lab (Smart People 4.0) outlines a range of actions designed to foster children and young people engagement in the project. See Smart People 4.3 for explicit mention of graded programs with partners TAFE and UON.
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<tr>
<td><strong>2.31 ECM 5236110</strong></td>
<td><strong>3.6.1 - Innovation Ecosystem:</strong> there is also a need to establish a strong mentoring foundation for any innovation ecosystem. Mentoring will include Go to Market assistance.</td>
<td>Noted</td>
<td>Extensive research, strategy and partner engagement underpins Smart Economy 1.1 referencing the Regional Incubator Network, which acknowledges the significance of mentoring. Smart Economy 1.4 encompasses support structures and pathways to assist with market access.</td>
</tr>
<tr>
<td><strong>2.32 ECM 5236110</strong></td>
<td><strong>3.6.2 - City Digital Precinct:</strong> essential is quality of connection coverage and performance linked into easily digestible, reliable and secure Cloud application infrastructure. Coverage will include line access as well as wireless access. Most often used access will be wireless (mobile, IOT and Wi-Fi). This must accommodate ease of connection and uniform high bandwidth. For relativity, line connections in similar precincts in Bristol, UK are at 30Gbps to a premise. There also needs to be ease of connection and deployment of any authorised IOT devices.</td>
<td>Noted</td>
<td>General Comment only</td>
</tr>
<tr>
<td><strong>2.33 ECM 5236110</strong></td>
<td><strong>3.6.3 - Collaborative Living Lab:</strong> the Lab should play to specific and ideally differentiating strengths of Newcastle. This might be built around the high-tech industries already present and the specialist areas of the University. Increasingly the bricks and mortar Universities need an external immersive learning environment for students to select the University in the first place.</td>
<td>Noted</td>
<td>These ideas already form parts of the living lab strategic approach developed with key city partners.</td>
</tr>
<tr>
<td><strong>2.34 ECM 5236110</strong></td>
<td><strong>3.6.4 - Attract Future Industries:</strong> access to talent is generally the key attraction for businesses, coupled with connectedness (local and global) and entrepreneurialism. These are foundational requirements and basis of sustainable success. Possibly needed to be more explicit in the strategy.</td>
<td>Noted</td>
<td>Attracting and retaining talent is explicitly identified in the strategy as a key driver and objective.</td>
</tr>
<tr>
<td><strong>2.35 ECM 5236110</strong></td>
<td><strong>3.6.5 - City Image:</strong> this also needs to appeal to the community itself and is likely best based on the known strengths and values of Newcastle. Examples might be lifestyle, multi-culturalism, safety, vibrancy, industrial calibre and social inclusiveness.</td>
<td>Noted</td>
<td>Civic Pride is explicitly identified in the strategy as a key driver and objective. Narrative around civic pride encompasses many aspects of this comment. Engagement and promotional city activities will include local city and regional audiences for example Smart Economy 5.1 and 5.3.</td>
</tr>
<tr>
<td><strong>2.36 ECM 5236107</strong></td>
<td>I'm not sure if the strategy completely captures the potential use of renewable energy and battery storage both within council and in the LGA? For example, new structures such as the light rail interchange and the port cruise terminal should all have solar energy installed on them for their own use and for use in the local grid. We should be exploring new energy projects like hydrogen fuels and waste-to-energy options. Clean transport options need to be extended and incentivised for vehicles such as electric vehicles - busses, trucks, cars and bikes. The electrified transport sector should be supported by 100% renewables. Electricity should also be transferable between loads and customers (virtual net metering).</td>
<td>Supported in part</td>
<td>Light rail and cruise terminal are not council assets. Some future energy projects are included where appropriate. Transport options suggested are mentioned throughout the strategy. Electricity options suggested are mentioned throughout the strategy. Added SEN 1.5 to more explicitly highlight smart city strategy ambitions to leverage sustainability objectives of Council</td>
</tr>
<tr>
<td><strong>3 ECM 5236106</strong></td>
<td><a href="mailto:smartcity@ncc.nsw.gov.au">smartcity@ncc.nsw.gov.au</a></td>
<td>Great Strategy</td>
<td>Positive feedback to strategy. No response required</td>
</tr>
<tr>
<td>ECM 5236105</td>
<td><a href="mailto:smartcity@ncc.nsw.gov.au">smartcity@ncc.nsw.gov.au</a></td>
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| Whilst the document is correct to identify a lot of energetic startup activity emerging in Newcastle – not all the digital potential is in that space and even the icon of Silicon Valley started with a major player, Fairchild Semiconductor, moving from the east to west coast to set up shop in among the then farmland.  

A few years back Fujitsu Consulting looked at the digital space in Newcastle and identified the lower cost of facilities and lower cost of staff (related to better lifestyle options still available here) which could be a draw card to some Sydney based software and other digital companies (and I know of at least one now on Hunter Street after moving from Sydney.  

The other attractive ingredient for Sydney based companies that could be pitched is the relatively lower rate of staff turnover. Newcastle IT professionals often stay longer with companies than the rapid turnover rates that occur in Sydney.  

Stability of staff after the investment in training on platforms and gaining of business specific knowledge has always been a major challenge in the digital space.  

So I would just encourage a bit more of an outward focus in the document to bring companies in – the existing Newcastle based players are already positive – just seeking support. | Strategies aimed at business attraction and developing future industries already feature in the strategy. See strategies Smart Economy 3.0, 4.0 and 5.0 |

**Noted**

<table>
<thead>
<tr>
<th>ECM 5236104</th>
<th><a href="mailto:smartcity@ncc.nsw.gov.au">smartcity@ncc.nsw.gov.au</a></th>
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<tbody>
<tr>
<td>Textual commentary on draft strategy embedded into PDF, which helped to inform revisions to text as captured throughout the table.</td>
<td>Submission provided context about clarifying descriptions and intentions in some bodies of strategy.</td>
</tr>
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</table>

**Noted**

<table>
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<tr>
<th>ECM 5236213</th>
<th><a href="mailto:smartcity@ncc.nsw.gov.au">smartcity@ncc.nsw.gov.au</a></th>
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</table>
| The problem is... Flooding.  

Flooding is a big problem in Newcastle. See the links below for some info regarding the extents and issues around flooding  

So, The problems around flooding are widely recognised, NCC devote significant effort to managing flooding. We have drainage assets, existing and planned to deal with flooding. We have people who dedicate a great deal of time to flooding and dealing with it. We spend a lot of money on it. We have lots of civil engineers on the case... we have multi-million dollar budgets to spend surely the problem will be solved shortly? No, in fact... Flooding in problem areas is just getting worse! | General Comment only |
### 6.1 ECM 5236213 smartcity@ncc.nsw.gov.au

How! Why? Back in 1987, the great publication "Australian Rainfall and Runoff - A guide to Flood Estimation" was released and this became the bible of drainage design and flood management for the next 30 years. In classic 80's thinking, we would simply build the problem away. In urban areas, flooding would be addressed by improved conveyance (flow via pipes and drains). The plan was to improve the capacity of the drainage networks across urban Australia until the good citizens would not have to worry about flooding anymore. But… it didn’t really work, this approach was found to be fundamentally flawed.

**Noted**

### 6.2 ECM 5236213 smartcity@ncc.nsw.gov.au

Enter 2016… The bible of drainage is revised, Australian Rainfall and Runoff (AR&R) 2016 is released. Released to the engineering community years later than anticipated due to the inherent inefficiencies of getting over 100 drainage academics and "industry leaders" to develop and new drainage design guide the new AR&R places focus on new flooding solutions. One of these is flood storage. This concept has been around for ages but what does it look like?


**Noted**

### 6.3 ECM 5236213 smartcity@ncc.nsw.gov.au

Now, you cannot put detention basins everywhere because there is no space. We already used all the space in urban environments for houses, roads, services corridors, recreational spaces. So… detention basins are out. We have roads everywhere though. Under road tank systems then…. Except they cost an absolute fortune. About $2000 per m3 of water storage last time I checked. Rainwater tanks then…. Which we do already. New dwellings are required to have rainwater tanks as they should. But, the problem with domestic rainwater tanks are - they are not council owned, and, in really big storms they tend to be full before the storm really hits. If only the good citizens had "Smart Rainwater Tanks", remotely emptied prior to the onset of extreme weather events like the Pasha Bulka storm. To a civil engineer this will seem a very problematic idea…

**Noted**

### 6.4 ECM 5236213 smartcity@ncc.nsw.gov.au

Add a mechanical engineer and an electrical engineer and it will be less problematic. Add a town planner to the team and it will work. This idea of active stormwater storage is not new. To enforce, encourage, subsidise residential rainwater tanks is not new. To combine the two with real time management is new. And when we are struggling for solutions to urban flooding it may be the most cost effective solution.

**Reference Smart Environment 1.1 for projects utilising sensor technology to manage environmental conditions including rainfall and potential flooding.**

**Supported in part**

**Project scoping with Hunter Water to commence post-adoption of strategy to identify potential pilots and initiatives**

### 6.5 ECM 5236213 smartcity@ncc.nsw.gov.au

Furthermore, this idea can be utilised to provide environmental flows to natural assets urban waterways like you might find at in Glenrock. A massive concept in when we are looking at naturalisation of urban water ways. Control would be via a program like SCADA, although something more suitable (and cheaper could be available).

**Noted**

**Natural environment management projects of this scale are beyond the scope of the smart city project.**
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| 7 | ECM 5217323  | EngagementHQ Survey Tool 2 | There seems to be a gap in the draft strategy around smart water use and related energy use for hot water heating, particularly given the Smart Environment theme and its objective.

In addition to smart water meters, the CSIRO believe there is an enormous opportunity around the smarter scheduling and control of electric hot water heaters (and solar hot water heaters with electric boost) for saving energy and even storing it for later use.

With the ever increasing capacity of roof-top solar PV, households could be heating their electric hot water system using excess electricity generated locally throughout the day, instead of each and every night from the grid.

For solar hot water systems with electric boost, smart sensors and software that measure and predict water usage patterns could be used to more intelligently schedule electric boost during the night only when it is required e.g. when it is forecast to be a cloudy day (no sun), and it is predicted that hot water is required by the household immediately in the morning.

Furthermore, outdated direct load control (ripple control) of hot water heaters could be eliminated, thus avoiding noisy ripple control signals in the electricity network that can often adversely affect the operation of ceiling/pedestal fans (noise), electronic light dimmers (flashing) and other sensitive electronic equipment.

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| 7.1 | ECM 5217323  | EngagementHQ Survey Tool 2 | For the Smart Environment Strategies - Program 1 Greener Places, can we reword the following:

1.2 Pilot with CSIRO Energy predictive Building Management System (BMS) in key Council facilities to create smarter, more energy efficient buildings

To something like this:

1.2 Pilot with CSIRO intelligent building controls and occupant engagement in key Council facilities to create smarter, more energy efficient buildings

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|   |   |   | Added references in Smart Environment objective to water and aquatic environments to make explicit our commitment to managing water resources using technology

Amended Smart Environment 1.0 to include reference to waterways

Added Smart Environment 1.5 as per submission

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|   |   |   | Updated Smart Environment 1.3 to reflect submission input

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|   |   |   | Noted
Further to my submission below, it appears we may have access to some internal funding to investigate and pilot 'predictive control of hot water heating/storage' (commercial and residential), with smart acoustic water sensors developed by CSIRO Land&Water. This is certainly something that a CSIRO Postdoc could look within the Smart Cities & Suburbs context.

Is there a possibility to include an additional collaborative pilot in the SMART ENVIRONMENT theme that would tick a box or two around energy and water efficiency?

New project proposal: Program 3 Sustainable Energy
3.6 Pilot with CSIRO predictive electric hot water heating and storage in key Council facilities and residential dwellings to improve energy and water efficiency —— Year 2-4 —— Collaborate

<p>| 7.2 | ECM 5217323 | EngagementHQ Survey Tool 2 | Further to my submission below, it appears we may have access to some internal funding to investigate and pilot 'predictive control of hot water heating/storage' (commercial and residential), with smart acoustic water sensors developed by CSIRO Land&amp;Water. This is certainly something that a CSIRO Postdoc could look within the Smart Cities &amp; Suburbs context. Is there a possibility to include an additional collaborative pilot in the SMART ENVIRONMENT theme that would tick a box or two around energy and water efficiency? New project proposal: Program 3 Sustainable Energy 3.6 Pilot with CSIRO predictive electric hot water heating and storage in key Council facilities and residential dwellings to improve energy and water efficiency —— Year 2-4 —— Collaborate Supported |
| 8 | ECM 5236570 | The University of Newcastle (UON) welcomes the opportunity to support the draft Smart City Strategy. As a research-intensive University, UON recognises the great potential of an open, collaborative and community minded Smart City Strategy proposed by Newcastle City Council (NCC). A key goal in UON’s New Futures Strategic Plan 2016-2025 is to deliver innovative solutions with global impact, but while the aspiration is global, the execution is firmly local. Our ongoing strong working relationship with Newcastle City Council is valued by UON and we believe our University has much to offer in terms of the key themes proposed in the Smart City Strategy around mobility, governance, environment, people, living and economy. We would like to commend NCC for driving the development of the forward thinking Smart City Strategy and for the openness to date in recognising the importance of our role in providing tertiary education and research capability that provides a vital foundation allayer for Newcastle’s future as a city. It is also pleasing for the University to see that the Smart City Strategy is in effect a living and working framework, with our already established partnership in the Hunter Innovation Project and more recently offering research capability for the Cities and Suburbs funding grant. It is in this regard we trust that our collaborative relationship will continue so as we build the city’s innovation enabling infrastructure in its many forms, we discuss the possible pursuit of any future external funding sources. We look forward to the adoption of the Smart City Strategy and continuing to build... | Added new project to highlight role of water-energy sustainability as part of building efficiency optimisation. See Smart Environment 1.5 as per submission Positive feedback to strategy. No response required. UON is a key partner in the Smart City strategy as documented in the strategy. Supported |</p>
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<tbody>
<tr>
<td>9</td>
<td>ECM 5236569</td>
<td>Congratulations on Newcastle’s draft Smart City Strategy (2017 - 2021)! I believe that it comprehensively covers they key aspects needed to achieve Newcastle’s economic transformation. I can appreciate the amount of time, research, collaboration and thought that went into the development of the City’s over arcing vision and each of its focus areas. As you will remember from our earlier interactions, [UI!], has extensive experience partnering with over 60 clients worldwide to help them realise their smart city goals. We are successful at this because of our commercial experience coupled with a strong foundation of IT research along with product development and commercialisation. The [UI!] UrbanPulse open urban informatics platform provides a key piece of the smart city puzzle - the foundation on which to integrate new and legacy data, apply analytics and deliver smart services. We would very much like to arrange a call in the next weeks to discuss how [UI!]’s experience can help underpin Newcastle’s success in delivering on its Smart City Strategy.</td>
</tr>
<tr>
<td>10</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 2 Could Newcastle council work with NBN co and the federal government to come up with a road map for proper FTTP rollout across greater Newcastle? Could a strategic partnership be created with state rail to run bike paths alongside the rail lines - they’re all straight, flat, and would provide nearly unbroken access into the city.</td>
</tr>
<tr>
<td>11</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 2 I really like the strategy for the city and I would like to actively participate where required. Currently I’m starting a smart patrolling system (SmartGuardPatrol) which can help with any of the city needs for patrolling (hospital patrols, security patrols, maintenance patrols or any other patrolling service) Looking forward to be part of this great vision!</td>
</tr>
<tr>
<td>12</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1 Is there any other outcome you would like to see the strategy achieve? Position Newcastle as a viable destination for companies to establish advanced technology and manufacturing centres.</td>
</tr>
<tr>
<td>13</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1 Is there any other principle you think should be included in the strategy? If so, please leave your idea. Ensure that the investment in smart city systems and infrastructure is contributing to balanced economic growth.</td>
</tr>
</tbody>
</table>

**Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined. Newcastle has no formal relationship with Urban Institute (UI!)**

**LGA wide FTTP upgrade is prohibitively expensive within existing commercial models.**

**Active travel inside rail corridor is generally not supported for safety reasons. Projects are underway within Council related to utilising parts of rail corridor (existing and disused) to create bike path networks. While some of these projects may include smart technology as enablers, their development is outside of the scope of the strategy.**

**Positioning Newcastle as a centre for technology development is explicit in the strategy. Highlighting the role of advanced manufacturing and our engineering capability is central to several actions planned or underway.**

**Investment in smart city technology by Council will occur within Council operational planning and budgeting procedures. Broader economic impacts of the strategy are hard to guage but considerable strategic focus lies in economic development.**
<p>| 13.1 | ECM 5237877 | EngagementHQ Survey Tool 1 | What do you think is missing? | Conveying the focus on developing real solutions to real problems. Smart City propaganda is often focused on solutions looking for problems. I think the evolution of smart city outcomes will come from getting the right focus on the supporting communication and transportation systems. This will attract business and consequently people who will drive the need for smart city applications. | Noted | Already in the strategy |
| 14.1 | ECM 5237877 | EngagementHQ Survey Tool 1 | Smart Living: | I think this would be an important place to activate some conversation or change to the way that the buildings look and are constructed within the city center. The way that Newcastle is developing as a city is not generally reflected in built form and as such items such as autonomous vehicles, ride sharing and reducing car parking spaces for developments should be considered. Although this is one specific issue, this could be applied to many other aspects of the built environment. | Noted | Impacts of technology integration particularly related to mobility innovations are considered in the strategy. |
| 15.1 | ECM 5237877 | EngagementHQ Survey Tool 1 | Smart Environment: | Maintain effort to reduce Newcastle’s greenhouse gas emissions by 30% by 2020. Reference: <a href="http://www.onestepoffthegrid.com.au">www.onestepoffthegrid.com.au</a> | Supported | Added Smart Environment 1.1 to more explicitly highlight smart city strategy ambitions to leverage and deliver on the sustainability objectives of Council |
| 15.2 | ECM 5237877 | EngagementHQ Survey Tool 1 | Smart Economy: | Hydrogen Economy. This idea is a fair way off yet. | Noted | No response required. |
| 15.3 | ECM 5237877 | EngagementHQ Survey Tool 1 | Is there any other principle you think should be included in the strategy? If so, please leave your idea. | No | Noted | No response required. |
| 15.4 | ECM 5237877 | EngagementHQ Survey Tool 1 | What do you think is missing? | Idea of incorporating the concept of flywheel technology for Smart Grid stability to help avoid potential blackouts that occurred in South Australia in September 2016. This technology is being developed by several companies including ABB. Reference: <a href="http://www.abb.com">www.abb.com</a> - ABB PowerStore | Noted | Energy grid is a private industry regulated at State and Federal level, and not within NCC remit. |</p>
<table>
<thead>
<tr>
<th>ECM 5237877</th>
<th>EngagementHQ Survey Tool 1</th>
<th>What do you think is missing?</th>
<th>Not supported</th>
<th>Noted</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td></td>
<td>Talks a lot about the University with all the future partnerships, but doesn’t mention collaborating and partnering with all the local startups, co-working spaces, incubators and tech groups that have been in this space for years. It’s like nothing existed before this strategy. Commitment to allow local startups and companies equal opportunity to access living lab infrastructure and a commitment to allow local startup and ecosystem to choose their own representatives to be involved in any further planning.</td>
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<tr>
<th>ECM 5237877</th>
<th>EngagementHQ Survey Tool 1</th>
<th>Is there any other principle you think should be included in the strategy? If so, please leave your idea.</th>
<th>Noted</th>
<th>Transport and mobility is a key theme within the strategy.</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td></td>
<td>Just fix the roads and transport the town is chocked and grid locked.</td>
<td></td>
<td>Smart Living 1.1 added text 'secure Internet of Things.'</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Security against terrorism</td>
<td></td>
<td>Recently appointed UoN Professor of Cyber Security will provide best practice advice</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Added Smart Living 1.6 'Pilot smart crime prevention applications with key city partners including Newcastle Police to improve community safety and security'</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>ECM 5237877</th>
<th>EngagementHQ Survey Tool 1</th>
<th>Is there any other outcome you would like to see the strategy achieve?</th>
<th>Supported</th>
<th>Noted</th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td></td>
<td>Security against terrorism</td>
<td></td>
<td>Active travel is a theme within the strategy. Other strategies linked to smart mobility seek to accelerate and support adoption of rideshare, carshare and electric cars.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Security against terrorism</td>
<td></td>
<td>Smart Mobility: Consider smart transport options such as shared bicycles and cars</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Security against terrorism</td>
<td></td>
<td>Strategy outlines numerous initiatives and examples</td>
</tr>
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<tr>
<th>ECM 5237877</th>
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<tr>
<td>19</td>
<td></td>
<td>Some examples of smart city other than smart bins, parking space availability e.g. some good examples from overseas e.g. Barcelona.</td>
<td></td>
<td>Universal Basic Income is a federal debate related to national tax and welfare structures and not within a local Council remit. Shifts to employment patterns related to increased automation are mentioned in the strategy. The primary focus bein the need to provide supported pathways for retraining and re-skilling, principally undertaken by education providers and government agencies.</td>
</tr>
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<tr>
<th>ECM 5237877</th>
<th>EngagementHQ Survey Tool 1</th>
<th>Is there any other outcome you would like to see the strategy achieve?</th>
<th>Not supported</th>
<th>Not supported</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td></td>
<td>Achieve a policy regarding a Universal Basic Income that provides financial assistance to Newcastle residents that are made redundant due to occupations being taken up by technologies/machines.</td>
<td></td>
<td>Universal Basic Income is a federal debate related to national tax and welfare structures and not within a local Council remit.</td>
</tr>
</tbody>
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<tr>
<th>ECM 5237877</th>
<th>EngagementHQ Survey Tool 1</th>
<th>Is there any other principle you think should be included in the strategy? If so, please leave your idea.</th>
<th>Not Supported</th>
<th>Not supported</th>
</tr>
</thead>
<tbody>
<tr>
<td>20.1</td>
<td></td>
<td>A principle should be 'To provide a universal basic income to smart city residents.' This Principle relates to the idea that machines and technologies will become increasingly adept at performing certain tasks that humans once dominated. The potential loss of human jobs is a noted threat and the concept of a Universal Basic Income is being trialed in countries like Finland and Netherlands.</td>
<td></td>
<td>Universal Basic Income is a federal debate related to national tax and welfare structures and not within a local Council remit.</td>
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<tr>
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<th>EngagementHQ Survey Tool 1</th>
<th>What do you think is missing?</th>
<th>Noted</th>
<th>Not supported</th>
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</thead>
<tbody>
<tr>
<td>20.2</td>
<td></td>
<td>The need to consider loss of human jobs to technological advances.</td>
<td></td>
<td>Industry transition into new sectors is addressed where appropriate in the strategy in terms of Council remit and sphere of influence.</td>
</tr>
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<tr>
<th>ECM 5237877</th>
<th>EngagementHQ Survey Tool 1</th>
<th>Smart Governance:</th>
<th>Not Supported</th>
<th>Not supported</th>
</tr>
</thead>
<tbody>
<tr>
<td>20.1</td>
<td></td>
<td>Incorporate 'Arnstein's Ladder' into community consultation policy</td>
<td></td>
<td>NSCS does not outline a consultation policy, which is addressed in Council's community engagement framework.</td>
</tr>
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<tr>
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<th>What do you think is missing?</th>
<th>Noted</th>
<th>Not supported</th>
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<tr>
<td>20.3</td>
<td></td>
<td>Industry transition into new sectors is addressed where appropriate in the strategy in terms of Council remit and sphere of influence.</td>
<td></td>
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</tbody>
</table>
|   | ECM 5237877 | EngagementHQ Survey Tool 1 | **Is there any other outcome you would like to see the strategy achieve?**  
Smart Governance: In my view NCC has failed all of the principles with regard to the public transport and Supercars. In both cases the present Council has destroyed a couple of the main attractions to the area; the historic precinct and public transport. Therefore the present Governance is not capable and needs re-training   | N/A | Supercars related |
|---|---|---|---|---|---|
| 21 | ECM 5237877 | EngagementHQ Survey Tool 1 | **Is there any other principle you think should be included in the strategy? If so, please leave your idea.**  
A transition city need to have a strategy in place to move from fossil fuels to clean energy. This needs to be stated and not covered up in a mother-hood statement.   | Noted | The strategy outlines NCC plans for transition including actions on renewables and electric vehicles. This dimension of the strategy has been further strengthened through addition of Smart Environment 1.1 |
| 21.1 | ECM 5237877 | EngagementHQ Survey Tool 1 | **You said that you did not think it was a good vision. Tell us why or suggest an alternative vision?**  
as mentioned above the vision needs to have firm fixed and achievable goals that can be measured.   | Not Supported | The Vision is not an appropriate location within the strategy for outlining the evaluation framework. Measurable outcomes are related to specific projects within the strategy. |
| 22 | ECM 5237877 | EngagementHQ Survey Tool 1 | **What are your main reasons for being dissatisfied with the Draft Smart City Strategy?**  
Unfortunately the strategy is just words. Council’s actions, in particular in allowing Supercars to take over the loveliest and most visited area of Newcastle, thereby destroying it for at least the next 5 years, display a stupidity that defies belief. What is smart about it?? Many residents are horrified at what is happening here and how Council’s governance has fallen so short of expectation. And who would ever want to move to a city that seems to care so little for its heritage?? I am ashamed of this city’s current predicament and the idea that Council is promoting us as a Smart City is hypocritical.   | N/A | Supercars related |
| 22.1 | ECM 5237877 | EngagementHQ Survey Tool 1 | **Is there any other outcome you would like to see the strategy achieve?**  
I would like to see the OECD recognise us, but not under false pretences which is the current situation. Shame on you, Newcastle city Council!! As if a motor race through a heritage zone has any place in our lovely city!   | N/A | Supercars related |
| 22.2 | ECM 5237877 | EngagementHQ Survey Tool 1 | **Smart Governance:**  
There has been no evidence so far of good governance - several years of chaos in Council have been followed by the disgraceful decision to sign up for the Supercars race without any consultation and certainly without any cost-benefit analysis (despite NSW Auditor-General’s reports about heavy losses to communities where Supercars have been before). This objective has definitely not been met by this Council. Meanwhile our rates go up....   | N/A | Supercars related |
| 22.3 | ECM 5237877 | EngagementHQ Survey Tool 1 | **Is there any other principle you think should be included in the strategy? If so, please leave your idea.**  
engagement with the community - but in a real way and not with false or misleading information or empty reassurances, which is what is happening in the East end at the moment. It is an absolute disgrace!!!   | N/A | Supercars related |
| 22.4 | ECM 5237877 | EngagementHQ Survey Tool 1 | **What do you think is missing?**  
What is missing?? Do you think we are blind??? What is missing is any sign of our Council being smart!!!  
There is a disconnect between the flowery prose in the glossy brochure and the ugly reality on the ground.  
I repeat - there is nothing smart about allowing a motor race through a residential zone, particularly one with such important heritage value.   | N/A | Supercars related |
<table>
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<tr>
<th>23</th>
<th>ECM 5237877</th>
<th>EngagementHQ Survey Tool 1</th>
<th>What are your main reasons for being dissatisfied with the Draft Smart City Strategy? Hypocrisy and shortsightedness of NCC is palpable. &quot;Smart city&quot; without a Council willing to respond to community concerns about livability and usability of the city. There is a profound disregard to the needs of workers and residents to have parking, green shady spaces, public transport that is affordable, and community events that enhance a community. The Supercars Newcastle 500 fiasco and destruction of mature trees which enhance the city, removal of parking spaces, disregard for local businesses and residents are proof of council hyperbole and its goal of prioritising big business and developers rather than community needs.</th>
<th>Not Supported</th>
<th>Parking, green places, public transport and public domain all feature in the strategy. The strategy does not relate to the Supercars event.</th>
</tr>
</thead>
<tbody>
<tr>
<td>23.1</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Is there any other outcome you would like to see the strategy achieve? Honesty, integrity and transparency of processes and decisions. Declaration of conflicts of interest.</td>
<td>Not Supported</td>
<td>Transparency added to the description of the principle of openness to emphasise that the smart city approach is about increasing visibility and interaction of government with community. NSCS should be read in conjunction with other council plans that relate more specifically to the governance and legal frameworks within which Council operates.</td>
</tr>
<tr>
<td>23.2</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Smart Governance: &quot;Smart Governance&quot; is worthless if actions don't reflect objectives. The proof is in the implementation, not the hyperbole.</td>
<td>Noted</td>
<td>General comment only</td>
</tr>
<tr>
<td>23.3</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Smart Living: Hard to have &quot;Smart Living&quot; when the parking spaces and trees are removed from the city. &quot;Undesirable Living&quot; occurs when the city sells itself to the interests of private companies who create a gated enclave of residents and businesses to run a dangerous car race in the inner city around heritage listed buildings and out the front of people's homes. This race prevents businesses from trading, residents from accessing their homes, visitors from parking their cars, or children walking or riding to school. Shame on NCC for its flagrant disregard for the needs of its electorate, instead prioritising private business interests. NCC is naive and callous, at best.</td>
<td>N/A</td>
<td>Supercars related</td>
</tr>
<tr>
<td>23.4</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Smart People: Smart People already live in this city and are disgusted by the short sighted actions of NCC.</td>
<td>Supported in part</td>
<td>The Strategy is cognisant, and explicit in acknowledging, that smart people already live in the city and are a primary resource in the transition underway. The smart city strategy is a very long term strategy.</td>
</tr>
<tr>
<td>23.5</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Smart Environment: It is decidedly stupid to cut down trees, run a car race past people's homes, remove parking spaces, and inflict noise pollution at dangerous levels, and remove access to homes and businesses. The combined light rail and supercars fiasco does not create a desirable environment for work, travel or living.</td>
<td>N/A</td>
<td>Supercars/Light Rail related</td>
</tr>
</tbody>
</table>
| ECM 5237877 | EngagementHQ Survey Tool 1 | **Smart Mobility:**  
Barricading homes, restricting pedestrian and car access during construction works for Newcastle 500 is directly in conflict with mobility and accessibility within the city. I am aware of wheelchair and disabled residents who plan to vacate their homes every November, due to the Newcastle 500. They are not in a position to "rent their homes out for a fortune" as Nuatali Nelmes thinks is appropriate. NCC has shown it is not interested in improving the mobility of people in the city, but removing access wherever it can. When the light rail is built, their will no doubt be a removal of the fare-free bus zone. Yet another impediment to mobility and transport within the city. | **Supercars related** |
| --- | --- | --- | --- |
| ECM 5237877 | EngagementHQ Survey Tool 1 | **Smart Economy:**  
NCC is gullible and naive to accept Newcastle 500 on Supercars terms and conditions. The inflated economic expectations are yet to be revealed as a hoax. Shame on NCC for not doing its due diligence before selling out the electorate to private business interests. | **Supercars related** |
| ECM 5237877 | EngagementHQ Survey Tool 1 | **Is there any other principle you think should be included in the strategy? If so, please leave your idea.**  
Honesty, transparency and equity. | **Supported in part** |
| **ECM 5237877** | **EngagementHQ Survey Tool 1** | **What are your main reasons for being dissatisfied with the Draft Smart City Strategy?**  
Public transport has been reduced: removing a train service to the New university is just not smart. Nor is the lack of bike paths, the lack of regard for the residents, removing over 200 mature trees from Newcastle East and running a racetrack through the populated historic area | **Not related to the strategy** |
| **ECM 5237877** | **EngagementHQ Survey Tool 1** | **Is there any other outcome you would like to see the strategy achieve?**  
Increased pedestrian and bike paths down the rail corridor | **Supported** |
| **ECM 5237877** | **EngagementHQ Survey Tool 1** | **Smart Governance:**  
Smart is not a word I would use for the current council apart from the green members | **Political statement** |
| **ECM 5237877** | **EngagementHQ Survey Tool 1** | **Smart Living:**  
Should include greening our city, not removing trees | **Noted** |
| **ECM 5237877** | **EngagementHQ Survey Tool 1** | **Smart People:**  
encourage cultural events not bogan events like supercars that support corporate greed and cost ratepayers | **Noted** |
| **ECM 5237877** | **EngagementHQ Survey Tool 1** | **Smart Environment:**  
Do not chop down trees that are healthy and run racing car tracks through the foreshore park that NCC highlighted in National geographic as the beautiful East End that now no longer exists | **Supercars related** |
<table>
<thead>
<tr>
<th></th>
<th>ECM 5237877</th>
<th>EngagementHQ Survey Tool 1</th>
<th>Smart Mobility: Give us the promised bike track and pedestrian walkways promised when the railway was removed</th>
<th>N/A</th>
<th>Not in scope of NSCS</th>
</tr>
</thead>
<tbody>
<tr>
<td>24.7</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Smart Economy: Stop spending ratepayers monies on car races</td>
<td>N/A</td>
<td>Supercars related</td>
</tr>
<tr>
<td>24.8</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>What do you think is missing? see above comments</td>
<td>Noted</td>
<td>General comment only</td>
</tr>
<tr>
<td></td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Is there any other outcome you would like to see the strategy achieve? Connecting the other suburbs to the city as I live in Merewether Heights and have no option but drive into the city as the bus takes over 40mins which is the only public transport option. Also look at parking options as a worry for so many workers and families wanting to come to the city. Green space where people can enjoy the city nobody wants a concrete jungle that is complete sold off to developers but I guess that more Honeysuckle Development Corp.</td>
<td>Supported in part.</td>
<td>Public transport is not NCC remit, however Smart Mobility 1.0 identifies actions seeking to support transport providers in understanding commuter behaviours through data and better planning transport networks responsive to need. Smart Parking features as an initiative in the strategy Public domain upgrades will be enhanced through integrated technology</td>
</tr>
<tr>
<td>25.1</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>What do you think is missing? Usable green space for families Parking Connecting the suburbs to the city</td>
<td>Noted</td>
<td>As above</td>
</tr>
<tr>
<td>25.1</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>What do you think is missing? Usable green space for families Parking Connecting the suburbs to the city</td>
<td>Noted</td>
<td>As above</td>
</tr>
<tr>
<td>26</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>What are your main reasons for being dissatisfied with the Draft Smart City Strategy? Not everybody is switched on to new technology, i.e. Wifi, apps etc.</td>
<td>Noted</td>
<td>Initiatives to help develop tech literacy and address digital divide are included in strategy Smart People 2.0 Digital Inclusion, and 4.0 Community Lab</td>
</tr>
<tr>
<td>26.1</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>You said that you did not think it was a good vision. Tell us why or suggest an alternative vision? This is obviously going to cost enormous amounts of money, where will this come from??</td>
<td>Supported</td>
<td>Added to delivering our vision section (p13) the statement: ‘Funding for Smart City initiatives will be proposed and endorsed through annual Council operational planning. Grant funding opportunities are continually being sought.’</td>
</tr>
<tr>
<td>27</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Smart Economy: Please communicate relentlessly on how small and medium local businesses can get involved and help the strategy become reality. The concept is all good, but at this stage I can’t see how I can take action to leverage or support that transition period for Newcastle. LinkedIn is a good channel to communicate with me.</td>
<td>Noted</td>
<td>A NSCS communications strategy is in place and identifies local business as a key stakeholder. A number of strategies aim to improve citizen awareness of businesses (for example Smart Governance 4.3, and Smart People 1.1) and provide mechanisms to communicate effectively with smart city stakeholders.</td>
</tr>
<tr>
<td>28</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Is there any other outcome you would like to see the strategy achieve? Better digital engagement with citizens rather the just reading things in the Herald. Also more digital engagement with SME’s rather than a paper-based newsletter.</td>
<td>Supported</td>
<td>Strategies utilising digital platforms for citizen engagement are already featured in the strategy see Smart Governance 4.0, and Smart People 1.0</td>
</tr>
<tr>
<td>28.1</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Smart Governance: Ongoing engagement with citizens via Apps and communications, not just Facebook which I don’t use because it’s a pure advertising platform that uses our data</td>
<td>Supported</td>
<td>Strategies utilising digital platforms for citizen engagement are already featured in the strategy see Smart Governance 4.0, and Smart People 1.0</td>
</tr>
<tr>
<td>28.2</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Smart Environment: How council can help us live more sustainability ie tips, hacks, increased knowledge sharing would like these via email push notifications</td>
<td>Supported</td>
<td>Potential content for specific communications programs/campaigns delivered through NCC channels and platforms for example ‘digital citizen engagement platform’ ‘Smart Governance 4.0, and ‘city app’ Smart People 1.0</td>
</tr>
</tbody>
</table>
### Smart Economy:

Tell me about new business and venues within our city so we can try them and know their story and what they're all about. Would love to help more small business owners.

**See Smart People 1.1, Smart Governance 4.3 for examples of initiatives that drive local business opportunity through digital platforms.**

Is there any other outcome you would like to see the strategy achieve?

- **Improve planning and project execution efficiencies**
  - **Noted**
  - **Improved planning and business decisions through data-led insight are fundamental to the project.**

Is there any other principle you think should be included in the strategy? If so, please leave your idea.

- **The 5 principles are too fluffy & numerous.** **Simplify the outcomes to the basic needs to provide capacity for interconnections and to deliver valueable outcomes.**
  - **Not supported**
  - **The 5 principles were developed through considerable stakeholder consultation and reflect core values underpinning the strategic framework and actions.**

### Smart Governance:

More opportunities for meaningful participation in council decision making. More transparency.

**Digital citizenship / open data will enable more accessible decision-making.**

### Smart People:

Need to work on delivering new jobs beyond the service economy.

**Economic development and business support including support for emerging industries underpins several strategies, see Smart Economy theme.**

### Smart Environment:

- **Carbon neutrality is missing as a goal.** **Supported in part**
  - **Added Smart Environment 1.1 to more explicitly highlight smart city strategy ambitions to leverage sustainability objectives of Council.**

**What do you think is missing?**

- **Water?! Where's smart stormwater, drainage and flood planning?** **Supported**
  - **Reference Smart Environment 1.2 for projects utilising sensor technology to manage environmental conditions including rainfall and water sensitive design, to make explicit Council commitment to managing water resources using technology.**

Discussions planned with Hunter Water to identify potential initiatives for pilots and proof of concept projects.
<table>
<thead>
<tr>
<th>Page</th>
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<tbody>
<tr>
<td>31</td>
<td>Smart Environment: Building Newcastle’s economic impact and increasing jobs is an important part to the growth of the city and to retain “smart” people.</td>
</tr>
<tr>
<td>32</td>
<td>Smart Environment:</td>
</tr>
<tr>
<td>32.1</td>
<td>Is there any other outcome you would like to see the strategy achieve?</td>
</tr>
<tr>
<td>33</td>
<td>Smart Economy:</td>
</tr>
<tr>
<td>33.1</td>
<td>Is there any other outcome you would like to see the strategy achieve?</td>
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<td>34</td>
<td>Smart Economy:</td>
</tr>
<tr>
<td>34.1</td>
<td>Is there any other outcome you would like to see the strategy achieve?</td>
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<tr>
<td>35</td>
<td>Smart Environment:</td>
</tr>
<tr>
<td>35.1</td>
<td>Is there any other outcome you would like to see the strategy achieve?</td>
</tr>
<tr>
<td>36</td>
<td>Smart Economy:</td>
</tr>
<tr>
<td>36.1</td>
<td>Is there any other outcome you would like to see the strategy achieve?</td>
</tr>
</tbody>
</table>

Noted

Comment does not define "regenerative technology". Council is conducting research into areas of technology advancement that are part of the themes of the strategy.
| ECM 5237877 | EngagementHQ Survey Tool 1 | **Is there any other principle you think should be included in the strategy? If so, please leave your idea.**  
Ensure a practice where the Smart City concept is comprehensible across generations and demographics. Inclusiveness should be the key word. | Noted | The Strategy is explicit that the ideas represented constitute a version of the smart city concept developed locally for Newcastle. Multiple actions aim to translate the smart city and associated concepts to the broad community, see Smart People 2.0 Digital Inclusion |
| --- | --- | --- | --- | --- |
| ECM 5237877 | EngagementHQ Survey Tool 1 | **You said that you did not think it was a good vision. Tell us why or suggest an alternative vision?**  
Needs an element of Newcastle being at the forefront or keeping up with the world. I would swap technology with innovation. It doesn't have to be hard-core tech solutions all the time. | Noted | Innovation features heavily as a driver and mechanism for achieving smart city objectives |
| ECM 5237877 | EngagementHQ Survey Tool 1 | **What do you think is missing?**  
But I'm sure it's covered off in the full doc’. I just want to reiterate we need to own an element of smart cities. We're not the first Smart City in the world, but can we can innovate and lead one sector. | Noted | Supportive comment |
| ECM 5237877 | EngagementHQ Survey Tool 1 | **Is there any other outcome you would like to see the strategy achieve?**  
Stronger funding/support for tech startups. | Supported in part | Funding businesses is not NCC remit. Initiatives are in place to support start-ups. |
| ECM 5237877 | EngagementHQ Survey Tool 1 | **Is there any other outcome you would like to see the strategy achieve?**  
I want to see how it will affect to old people and Un-education people as well? | Noted | Multiple actions aim to translate the smart city and associated concepts to the broad community, see Smart People 2.0 Digital Inclusion |
| ECM 5237877 | EngagementHQ Survey Tool 1 | **Smart Economy:**  
What'll be the basic economic for the city? | Noted | The smart city strategy envisages and works towards a diversified economy for the city that includes continued growth in the professional and services sectors, and adds renewed growth in technology, advanced manufacturing and creative industries. |
| ECM 5237877 | EngagementHQ Survey Tool 1 | **What are your main reasons for being dissatisfied with the Draft Smart City Strategy?**  
It seems limited to the Central part of Newcastle and also seems to just want to create an App and some smart parking meters instead of some real changes that put the community at its centre. How about roaming council meetings around the city to different locations and out to Beresfield and Tarro?  
I read about smart bins and yet my bin keeps getting missed in delivery. So if we have such poor quality of service now why do we not focus on improving that. | Supported in part | See Smart Living 1.5 for actions designed to ensure the rollout of smart city infrastructure beyond city centre  
Use of sensor technology is one way to improve service delivery  
Pattern and location of Council meetings is not in scope of the Strategy |
| ECM 5237877 | EngagementHQ Survey Tool 1 | **Is there any other outcome you would like to see the strategy achieve?**  
Think about how we can link into current smart trends such as the shared service economy. There are apps to share your toilet, bike and others. How is NCC linking into those and adapting services. | Supported in part | Sharing economy platforms are included in strategy where appropriate to Council role, for example care share, bike share and ride share are all mentioned. Also action Smart Governance 4.3 digital citizen engagement platform has the potential to develop mechanisms for increasing sharing economy within local P2P networks. |
| ECM 5237877 | EngagementHQ Survey Tool 1 | **Smart Economy:**
What about ensuring tenders by the council feed into local businesses? How many technical tenders go out to Sydney or Brisbane based companies? Surely some collaboration with industries within the Hunter to allow them to expand and support the council (and in learning this to then support other areas). Maitland council you can see working with local businesses who have offices in Newcastle for their websites (https://www.cibis.com.au/cibis-client/maitland-city-council) but I can’t find similar stories about Newcastle council actually doing the same. | Supported | See Smart Governance 6.1 for initiatives designed to consider policy amendments prioritising local economic development |
<p>| ECM 5237877 | EngagementHQ Survey Tool 1 | Is there any other principle you think should be included in the strategy? If so, please leave your idea. Support and build the local technology and economies. Build that into current practise within council. | Noted | Local economic development in relevant sectors underpins extensive parts of the strategy including Smart Economy 1.0. See strategy Smart Governance 5.0 and 6.0 for actions related to ensuring Council practice is able to best support local economy where appropriate. |
| ECM 5237877 | EngagementHQ Survey Tool 1 | You said that you did not think it was a good vision. Tell us why or suggest an alternative vision? Newcastle smart city is an open and connected city that is at the forefront of sustainable technologies across the nation. | Noted. Not Supported | Suggested vision is limited in focus in reducing emphasis on collaboration and liveability |
| ECM 5237877 | EngagementHQ Survey Tool 1 | What do you think is missing? See about actually building existing technologies and business within Newcastle so that work does not have to go to Sydney or Brisbane for technology. | Noted | Smart Economy strategies all aim to attract businesses to Newcastle to increase opportunity for local employment and development of high performing local businesses. Retaining and attracting talent is identified as an underlying driver. |
| ECM 5237877 | EngagementHQ Survey Tool 1 | Smart Mobility: You’ve really shot yourself in the foot by taking out the rail line that goes all the way into Newcastle. I’ll certainly never visit again and neither will a whole load of other people who don’t drive including backpackers and older tourists - the very people you should be encouraging to visit Newcastle. How bad is it expecting people with heavy luggage to change at Broadmeadow and get on a bus! | Not supported | State government decision. Tourism visitation to the city centre is at record levels. |
| ECM 5237877 | EngagementHQ Survey Tool 1 | What are your main reasons for being dissatisfied with the Draft Smart City Strategy? Seems to be focused on the CBD (my impression could be incorrect) | Noted | Initially the city centre is the focus for deployment of smart city technologies. See Smart Living 1.5 for strategies to ensure progressive rollout beyond city centre. Many other themes for example Smart Economy and Smart Environment have areas of deployment and impact much broader than the city centre to encompass the LGA and in some cases the entire Hunter Region (see for example Smart Economy 1.0) |
| ECM 5237877 | EngagementHQ Survey Tool 1 | Is there any other outcome you would like to see the strategy achieve? Supporting decentralised community | Noted | General comment only |
| ECM 5237877 | EngagementHQ Survey Tool 1 | What do you think is missing? I’ve made some suggestions re business sustainability and cultural events via social pinpoint. Congratulations on the strategy, it’s great. | Noted | Supportive statement |
| ECM 5237877 | EngagementHQ Survey Tool 1 | Is there any other outcome you would like to see the strategy achieve? Making cycling and walking the most attractive travel modes. This needs data on walking and cycling, collected by pavement sensors. These modes are undervalued as they are not currently counted. Applying modern technology to making public transport faster and more convenient to use would be valuable. | Noted | Active Travel and improving the transport network through collecting and applying data are key strategies within the Smart Mobility theme. |</p>
<table>
<thead>
<tr>
<th>ECM 5237877 EngagementHQ Survey Tool 1</th>
<th>What are your main reasons for being dissatisfied with the Draft Smart City Strategy? Lengthy, non-refined 'strategies' without depth or clear objectives.</th>
<th>Not supported</th>
<th>Each strategy encompasses a set of specific defined and measurable actions that build upon one another over the life of the strategy.</th>
</tr>
</thead>
<tbody>
<tr>
<td>ECM 5237877 EngagementHQ Survey Tool 1</td>
<td>Is there any other outcome you would like to see the strategy achieve? Much greater mobility and choice of transport. Fast, efficient links. Look at Newcastle UK’s Metro system (30 years old) which is fast, efficient, reliable and provides much more effective transport for all commuters in a city which is much larger than Newcastle Australia.</td>
<td>Noted</td>
<td>Mobility is a core theme with multiple initiatives.</td>
</tr>
<tr>
<td>ECM 5237877 EngagementHQ Survey Tool 1</td>
<td>Is there any other principle you think should be included in the strategy? If so, please leave your idea. Set out the principals so that they have much more clarity and depth of meaning. Flower words, set out in idealistic gobbledygook.</td>
<td>Not supported</td>
<td>Principles were developed through stakeholder engagement and accurately reflect the ambition of the consultations. Each principle can be read as underpinning each strategy.</td>
</tr>
<tr>
<td>ECM 5237877 EngagementHQ Survey Tool 1</td>
<td>What do you think is missing? Firm plans for better transport links, options and goals.</td>
<td>Noted</td>
<td>Transport is not a core NCC role. Actions include appropriate support, advocacy and partnership.</td>
</tr>
<tr>
<td>Social Pinpoint</td>
<td>I’d love to see more environmental support for sustainable food practices. The Smart City Strategy contemplates some great applications of technology; I’d also like to see clever thinking applied to low-tech aspects of Newcastle to help us be ‘smarter’. For example, urban farming of ingredients to be purchased by local restaurants, grown in the compost of food waste from those restaurants. Feedback Organic, and others, have made great progress locally and could be supported. Green rooftops! <a href="https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2162/admin_thumb_green-roof.jpg">Image</a></td>
<td>Supported in part</td>
<td>Capacity for low-tech solutions to contribute to outcomes is included in strategy.</td>
</tr>
<tr>
<td>Social Pinpoint</td>
<td>The Smart City Strategy is great. Let’s not forget the importance of simply having awesome things to do around here to attract and retain talented people. We have the highest artist population per capita and council’s ongoing support of band venues, art galleries, sporting facilities (e.g. Bar Beach Bowl is amazing) helps keep Newcastle interesting. This was pivotal for Los Angeles becoming ‘Silicon Beach’ and slowing the ‘brain drain’ to San Francisco. <a href="https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2161/admin_thumb_concert-crowd-blue.jpg">Image</a></td>
<td>Noted</td>
<td>The strategy acknowledges the role of lifestyle in attracting/retaining talent</td>
</tr>
<tr>
<td>Social Pinpoint</td>
<td>Create solar projects on local land contaminated by mining and industrial activities. Building solar projects on land contaminated by industrial activities and accidents is a growing trend worldwide. There is even a proposed 100-megawatt Chernobyl solar project.</td>
<td>Supported</td>
<td>See Smart Environment 3.3 for reference to solar farm at Summerhill Waste Management Centre</td>
</tr>
<tr>
<td>Social Pinpoint</td>
<td>Newcastle Innovator Alumni/Ambassador Program. Newcastle has been a great exporter of talent over the years, especially innovators, entrepreneurs, creatives and investors. Let’s develop a program to connect and recruit influential novacastrians, especially overseas to represent our innovative and startup city scene in a positive light and by doing so help to increase awareness.</td>
<td>Supported</td>
<td>Added SE 5.5 ‘Undertake strategic smart city marketing campaigns such as Newcastle 360 which leverage city alumni networks as ambassadors’ - Year 1 - Lead/Collaborate</td>
</tr>
<tr>
<td>ECM</td>
<td>Social Pinpoint</td>
<td>Proposal</td>
<td>Support</td>
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<tr>
<td>50</td>
<td>Create an accessibility app mapping disability friendly buildings, streets, transport, pathways, toilets, parking [real-time information notifying spaces are occupied or unoccupied], etc...</td>
<td>Supported</td>
<td>A similar project has been scoped as a pilot in partnership with Community Development under the DIAP. This pilot project will be deployed as part of Smart Living 2.2.</td>
</tr>
<tr>
<td>51</td>
<td>Better recycling and green waste facilities. Classes to help local families learn to become more sustainable in their own home, i.e. produce less waste, compost more, worm farm. The sustainability section of Newcastle council is seriously lacking. Have a look at Lake Macquarie council for inspiration.</td>
<td>Supported in part</td>
<td>Waste management programs are in place through delivery program beyond the smart city strategy.</td>
</tr>
<tr>
<td>52</td>
<td>The Smart City means that, location will be less important. I would like to see the public transport and other smart infrastructure focus on the suburbs as well as the Newcastle CBD and the surrounding centres of adjoining LGAs.</td>
<td>Supported</td>
<td>See Smart Living 1.5 for rollout beyond city centre.</td>
</tr>
<tr>
<td>53</td>
<td>The link between Innovation and the Creative economy is so so important. We have strengths as a community in both and this needs to be fostered further.</td>
<td>Supported</td>
<td>See Smart People 3.0 for strategy and initiatives seeking to integrate creative industries into smart city. The UON School of Creative Industries (SOCI) is now located in the city centre as part of the UON campus with a new professor providing strategic advice.</td>
</tr>
<tr>
<td>54</td>
<td>The $5 value of a smart economy is so important for Newcastle, to ensure that we retain our best and brightest and really define ourselves as the &quot;Smart&quot; capital of Australia, the Asian Pacific and even Globally!</td>
<td>Noted</td>
<td>Supportive statement.</td>
</tr>
<tr>
<td>55</td>
<td>Consider supporting Smart Energy ideas such as Wireless Sensor Networking and energy storage technologies through start up companies. One company called Granite Power, supported by University of Newcastle specialises in solar thermal technologies. There was a recent demonstration project carried out at Wallsend Public Pool in 2014 that incorporated a solar thermal array along with a low cost Organic Rankine cycle turbine to produce electricity along with heat that was used to heat the pool. <a href="https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2115/admin_thumb_IMG_0430.jpg">https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2115/admin_thumb_IMG_0430.jpg</a></td>
<td>Noted</td>
<td>NCC supported and operates the granite power solar thermal at Wallsend pool. It is a good example of NCC supporting innovative businesses to deploy proof of concept projects. Wireless sensor technologies feature heavily in Smart Living 1.1 related to IoT networks and platforms.</td>
</tr>
<tr>
<td>56</td>
<td>Awesome! Fantastic idea. Newcastle is well suited to this!</td>
<td>Noted</td>
<td>Supportive statement.</td>
</tr>
<tr>
<td>57</td>
<td>Smart lighting and light installations like the city evolutions project but not just localised to the one area. Think Sydney's vivid and this incorporated with outdoor live gigs and outdoor cinemas. <a href="https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2100/admin_thumb_vivid.png">https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2100/admin_thumb_vivid.png</a></td>
<td>Supported</td>
<td>Similar themes are part of tech festival currently in scoping phase see action Smart Economy 5.3.</td>
</tr>
<tr>
<td>58</td>
<td>Encourage more activation in Newcastle’s lane ways with small wine bars and coffee shops, will create a mini Melbourne vibe and make the lane ways feel safer. <a href="https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2099/admin_thumb_activated.png">https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2099/admin_thumb_activated.png</a></td>
<td>Noted</td>
<td>Out of scope for smart city strategy, although the value of safe and vibrant cultural scene is acknowledged as a significant factor in attracting and retaining talent. See forthcoming Newcastle After Dark Strategy for actions more specifically related to developing the city’s night-time economy.</td>
</tr>
<tr>
<td>59</td>
<td>Having a Newcastle app would be great. If it could include location based updates for Newcastle events. For example when you sign in to say you are at an event, it sends you updates to tell you when certain activities are taking place and then at the end of the event asks you what you thought via a 3 question survey.</td>
<td>Noted</td>
<td>In planning. See Smart People 1.1 develop a city app for council services and information on the city.</td>
</tr>
<tr>
<td>60</td>
<td>I would like to add to this idea. All local tourist apps and interactive signs in the city need to multilingual, especially mandarin, bengali, hindi</td>
<td>Supported</td>
<td>Digital wayfinding capabilities delivered through Smart Living 2.0 will enable multilingual capabilities.</td>
</tr>
<tr>
<td>ECM 523787</td>
<td>Social Pinpoint</td>
<td>Reinvent the role of the public library in 2017. Could they become the next start-up incubators or innovation labs?</td>
<td>Supported</td>
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</tr>
<tr>
<td>62 ECM 523787</td>
<td>Social Pinpoint</td>
<td>More public art to help attract the tourist dollar. I think it would be great to see something done with the Carrington silos given their prominence in the harbour landscape. They are in a prime position for something like they did in Victoria with the Silo Trail exhibition, an event where they painted massive scale murals on some rural grain silos. <a href="https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2098/admin_thumb_7496944-1x1-700x700.jpg">https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2098/admin_thumb_7496944-1x1-700x700.jpg</a></td>
<td>Noted</td>
</tr>
<tr>
<td>63 ECM 523787</td>
<td>Social Pinpoint</td>
<td>I would like to see public car-sharing services like GoGet available throughout the city. These services would help reduce the need for car ownership in the CBD and inner suburbs. <a href="https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2097/admin_thumb_Silver_yaris_in_pod_car_share_bay_lower_res.jpg">https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2097/admin_thumb_Silver_yaris_in_pod_car_share_bay_lower_res.jpg</a></td>
<td>Noted</td>
</tr>
<tr>
<td>64 ECM 523787</td>
<td>Social Pinpoint</td>
<td>Interactive Light Festival Establish an open-air interactive light festival along the foreshore and Fort Scratchley with a program of virtual reality, light shows, digital art and 3D video mapping using city open data, sensors, mesh and wifi networks and other infrastructure.</td>
<td>Supported</td>
</tr>
<tr>
<td>65 ECM 523787</td>
<td>Social Pinpoint</td>
<td>Air Quality Monitoring Sensor Network Deploy an environmental sensor network across Stockton and rail corridor to monitor emissions of factories, and coal dust. Make the data open.</td>
<td>Noted</td>
</tr>
<tr>
<td>66 ECM 523787</td>
<td>Social Pinpoint</td>
<td>Provide lots of options and access for people that cannot afford their own computers and smart phones, via libraries, service centres, tech kiosks etc. Provide training and support to up-skil people 'left behind' by the technology revolution and always provide options that don't require access to technology or digital literacy. Use plain English - not tech jargon.</td>
<td>Noted</td>
</tr>
<tr>
<td>67 ECM 523787</td>
<td>Social Pinpoint</td>
<td>Create an online guide to the start-up community - including groups, events, training, incubators, accelerators, co-working workspaces and jobs.</td>
<td>Supported</td>
</tr>
<tr>
<td>68 ECM 523787</td>
<td>Social Pinpoint</td>
<td>Adopt zero emissions and 100% renewable energy targets</td>
<td>Supported in part</td>
</tr>
<tr>
<td>69 ECM 523787</td>
<td>Social Pinpoint</td>
<td>Compile and promote a list of favorite Newcastle-centric apps so that, wherever you are, you can have the City at your fingertips. Including dining, attractions, transport, cultural, local gov and retail apps.</td>
<td>Supported</td>
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<td>70a</td>
<td>ECM 5237703</td>
<td>EngagementHQ Survey Tool 2</td>
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<td>We would like to congratulate the Newcastle City Council and the entire Smart City team for the commitment to developing a smart and innovative Newcastle. Smart cities are about improving the liveability of their citizens. A smart city needs a smart transport infrastructure. Newcastle is in the midst of its biggest transport system shake-up in decades. The NSW Government’s Urban Transformation and Transport Program will revitalise Newcastle through its light rail system and a new transport interchange. Newcastle is the first Australian city to have a privately operated multi-modal transport network. Construction of the light-rail system has commenced while the new inner-city university campus is already completed. BYKKO is pleased to learn about the Smart Mobility strategies designed to incorporating ICT integrated multi-modal transport planning, active travel and future modes of transport and mobility. We believe bike sharing should form part of any integrated modern transport strategy. There are hundreds of cities around the world that are as small or smaller than Newcastle, where bike sharing schemes are improving the liveability by reducing the private car use and its associated problems: parking shortages, congestion, population obesity and air pollution. A digitally enabled e-bike share network using real-time GPS analytics to manage demand, optimise capacity and enable better customer outcomes integrated with the internet of things (IoT) network and public transport infrastructure would provide valuable data to plan and build Newcastle as a smart city.</td>
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<td>Noted</td>
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<th>70b</th>
<th>ECM 5237703</th>
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<tr>
<td>A Newcastle-based company, BYKKO is Australia’s first electric bike-share provider. We use impressive data technology (usage mapping, trip reports, activity feedback) and we provide European-manufactured lightweight power-assisted bikes suitable for people of all fitness and ability levels. BYKKO technology creates intelligent transport networks that actively gather data which helps managing demand, optimising capacity and more importantly delivering a better customer outcome. Our state-of-the-art systems offer an alternative option for integrated transport as part of Newcastle’s smart city strategy and will enhance the way Novocastrians move around the city. International research has found e-bikes encourage more people to cycle. A three-month trial over summer based in the West End with the support of the City of Newcastle “Make Your Place” community grant was an unqualified success and participants said more e-bike stations should be installed around the city.</td>
<td></td>
</tr>
<tr>
<td>Noted</td>
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</tbody>
</table>

Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined.

Supportive statement. Industry Pitch.
| 70c | ECM 5237703 | An electric bike share network is an important “last-mile” solution within the integrated transport mix, and will expand the accessibility of the light rail, ferry, train and bus network well beyond the 400 metres walking distance. As we see in the Netherlands, cycling dramatically increases the catchment area of train stations, hypothetically by as much as 25 times, since cycling is 5 times faster than walking. In Newcastle an e-bike share network will extend the catchment of the Wickham Interchange Hub, the coming light rail line along Hunter Street, and the Stockton ferry. Wherever it has been introduced bike sharing has also supported public transport simply by lessening people’s personal investment in private car use. We expect an e-bike share scheme will lead to a reduction in the number of car trips and consequently reducing the pressure on car parking while at the same time increasing the overall number of cycling trips being made in the city. | Supportive statement. Industry Pitch. |
| 70d | ECM 5237703 | The Australian economy benefits by more than $21 every time a person cycles 20 minutes to/from work and $8.50 each time a person walks 20 minutes to/from work, according to a policy statement released by Deputy Prime Minister Anthony Albanese a few years ago. Bike share targets people who are amenable to cycling (typically most of the population when surveyed) but who are not so committed that they would have their own bike with them at the office, at a restaurant or café, or when they are on holidays. Electric assistance makes cycling more appealing to people who, because they are old, unfit or out of the habit of cycling, believe they are incapable of riding a bike unassisted. Bike-share stations are also delivering proven health benefits and minimising the carbon footprint. Newcastle has a 33% obesity rate (compared to 15% for Eastern Sydney). An e-bike share scheme gives all those people in Newcastle 24 hour access to a comfortable and high quality bike with the option of electric assist, plus wayfinding to plan a safe trip that doesn’t cause them to ride among cars - the greatest deterrent to cycling. A bike-share system is an effective, interchangeable, collective transport asset for tourists and locals alike. We would like to be part of the conversation when the City of Newcastle starts implementing the Smart Mobility strategies. As consultant experts in the bike share and cycle urbanism fields we have already completed bike share feasibility studies for the other cities, so we already have a clear picture of how bike sharing schemes are likely to fit with Newcastle population and built environment. | Supportive statement |
| 70e | ECM 5237703 | BYKKE is also ready to monitor the impacts of these pilots, having planning and research skills in-house. We can employ a range of research methods to monitor the impacts of the bike share schemes and communicate those with reports and public lectures. We fully endorse your Smart Mobility strategies and look forward with much enthusiasm to the implementation phase that should allow the Newcastle City Council to integrate an e-bike share scheme into the multi-modal transport network. | Supportive statement |
| 71a | ECM 5237705 | EngagementHQ Survey Tool 2 | Further to TAFE NSW’s letter of support for the Smart Move Newcastle Intelligent Mobility, Energy and Data Networks we would like to provide comment on the draft Smart City Strategy 2017-2021. TAFE NSW’s vision is that we continue to be the leading skills provider in the State: delivering relevant, high-quality, practical and creative training to grow the NSW economy through TAFE NSW. Our vision will support the innovation precinct initiative of attracting new business and jobs to the region and create opportunities for growth and development for the Hunter. TAFE NSW is committed to partnering with industry, business, community and government to support the transition of the Hunter economy to a smart, innovative and technologically advanced region that enables businesses to maximise their growth strategies and accelerate development. TAFE NSW intends to directly support the project through integrating vocational education (VET) and skills development into the future innovation pipeline of the Smart Cities Bid. We are confident the project will produce successful outcomes for the community, businesses and students of Newcastle. | Noted | Supportive statement. NSW TAFE is a key partner. |
| 71b | ECM 5237705 | EngagementHQ Survey Tool 2 | Students will benefit through being able to complete their training at a number of TAFE NSW delivery locations that sit within the innovation precinct. This will provide opportunity for collaboration and connections with industry and community; access to seamless smart mobility, Public WiFi and Internet of Things (IOT); and exposure to new innovations and start-ups. TAFE NSW Information Communications and Technology (ICT) Strategy will support the Smart City Strategies through providing a platform to support innovation and delivery for students, expose students and industry to innovative technologies that generate and drive innovation and capability through supporting Edutech communities, incubators and graduate initiatives. TAFE NSW Digital will position TAFE NSW as a leader in the provision of digital learning services and future-focused training, will support growth, improve efficiency, and enhance connections with our students regardless of their location. Please don’t hesitate to contact me should you require any further information regarding this submission by telephone on 6586 2212 or by email at Elizabeth.McGregor@tafensw.edu.au | Noted | Supportive statement. NSW TAFE is a key partner. |
Thank you for the opportunity to provide input to the Newcastle Smart City Strategy. Please accept our submission below and register our interest in being actively involved in this exciting initiative. The Internet of Things (IoT) is set to change the world as we know it, by providing timely, accurate information at our finger tips, from low cost sensors connected to the internet. Access to information and the ability to turn it into knowledge and decisions will change the way that we manage and deploy public infrastructure, provide public services, and manage public assets.

Meshed believes in 'democratising' IoT from the very beginning. By providing quality IoT connectivity for the public, at no cost, by using publicly available open-source technology and free on-line services, such as The Things Network server, anyone who can afford a cheap and widely available LoRaWAN sensor can begin collecting the data they need at no cost, immediately. In this way barriers to entry are significantly reduced and the public, business and not-for-profit entities can rapidly adopt this burgeoning standards-based and secure technology.

Meshed has rolled out free-to-access LoRaWAN IoT networks for cities, regions, universities and corporates all over Australia, with many more in the planning. We have attached a summary document about Meshed, including case study information and indicative pricing for sensors that we are typically deploying with our clients. A city wide LoRaWAN network can be deployed for as little as $25,000 and provides the capability of connecting thousands of sensors, at no cost to the user. Meshed is also deploying private LoRaWAN networks for clients who wish to manage their own self-contained IoT sensor environment, using the same server software as the public network, but in a private domain.

Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined.
| 72b | ECM 5237704 | EngagementHQ Survey Tool 2 | We know that Newcastle can quickly take advantage of IoT by making it widely available at a very low cost. A LoRaWAN gateway and The Things Network server will provide the network for many of the examples used in your Smart City Strategy video clip, including:

- Smart Parking
- Smart Bins
- Smart Street Lighting
- Environmental monitoring
- Innovation Hub and digital sandbox

However when IoT capability is put in the hands of the general public, the sky is the limit when it comes to creative problem solving and entrepreneurship. Schools and education institutions suddenly have free access to powerful new tools for teaching, making, creating and being relevant to the coming industries now rapidly evolving. A good example of creative solutions coming from this technology is a municipality in Germany which has deployed small LoRaWAN LED boxes, with a red/green traffic light system to alert elderly apartment dwellers when the communal waste bins are full (bin sensors), so that they don’t risk life and limb making needless trips down frozen and slippery stairs in the middle of winter, only to find the bins are full and they must return later. Brilliant!

We hope that Newcastle City Council will give due consideration to providing an open and free IoT option for its citizens, businesses and not-for-profits, to accelerate their adoption of this new and exciting technology.

Also included is another document that summarises Meshed Pty Ltd capabilities and case studies. | Noted | Supportive statement |
| 73 | ECM 5236718 | EngagementHQ Survey Tool 2 | Digital smart screens

oOh!media is willing to collaborate with Newcastle City Council to provide digital smart screens at low or no cost and possibly provide a revenue stream to Council. Unfortunately the new Signage DCP adopted by Council will exclude businesses like us from collaborating with NCC as; Any screen approved will only have a 12 month approval, effectively killing any realistic business case. Digital screens are prohibited in Heritage (CBD) locations (ie the locations they are required and most effective for the community).

We would be happy to discuss solutions to these issues that would allow business to collaborate with Council. | Noted | Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined. |
Draft Smart City Strategy - We can help you realise your vision

We believe your strategy demonstrates real leadership in the journey towards truly smart cities, and we want to partner with you and other stakeholders to help bring your vision to life.

The development of a dedicated strategy has engaged the community in imagining their future city, and will empower them to create this future.

First and foremost, we would like to commend Newcastle City Council on their Smart City leadership. In addition to engaging the community, it will catalyse new private-public-research partnerships that drive innovation, economic opportunity, city activation, and social advancement.

The strategy is bold, inspiring, and comprehensive. It will deliver connection, collaboration, creativity, growth, and liveability for Newcastle. We are pleased to endorse this strategy and look forward to contributing to Council’s smart city vision. Notwithstanding our strong support, in the interests of collaboration and co-creation, we offer the following comments for consideration.

Detailed implementation planning will underpin the strategy and help realise key projects and outcomes. It might add value to include a summary of this plan in the strategy. This would clearly indicate the next steps to the community and potential smart city partners.

Such a summary could include:
- governance
- business case development
- project (re)prioritisation
- risk management
- performance monitoring and reporting
- evaluation

Emerging business and financing models are opening up new and exciting smart city opportunities, generating shared value, creating new revenue streams, and reducing risk. Such possibilities could be highlighted in the strategy, reiterating your commitment to innovation.

Regulation and business processes are often two of the biggest barriers to smart city transformation. It may be worth highlighting any current work to modernise regulation/process and how this will be integrated with smart city action.

Regulatory reform will be particularly important to support Newcastle’s Living Lab. So too will be the framework for receiving and assessing proposals to enact the Living Lab and to progress new (or unanticipated) smart city innovations. Clever design of this framework will encourage innovation and creativity, and support Council decision-making.
Aldo and its network is committed to working with Council to realise new opportunities and address emerging risks.

Once Council formally adopts the final Strategy and moves into implementation, many new smart city possibilities and unexpected challenges will emerge. We offer both depth and breadth of smart city expertise and capability, the willingness to co-create and customise solutions for Newcastle, and openness to innovation. Above all, we are committed to smart city excellence, in design, technology, collaboration, and outcomes for the people of Newcastle. Smart technology without smart regulation, business intelligence, community engagement, and cultural change has limited impact and tends to backslide.

The value we will contribute to your strategy, both directly and via our network, is a sound understanding of the technology, combined with reliable implementation experience and fluency in the necessary complementary reforms. We aim to demonstrate our support as one of Council’s smart city strategic partners, working to make Newcastle even more liveable, prosperous and sustainable. Smart city aspiration is a long-term proposition, and Aldo, along with its network, is committed to long-term partnership with Council and the Newcastle community.

Ultimately we want to augment your capacity and capability in striving to pursue your strategy and achieve your vision.

Aldo will:
- Be a collaborative conduit to the market with a commercial lens.
- Focus our R&D on your priorities, pilot ideas in your region and encourage others to do the same.
- Establish a real presence in Newcastle, in particular to support and help anchor your Virtual Distributed Incubator.
- Contribute a real investment in people, time and money to help realise your vision.
| 74 | ECM 5237702 | Aldo, in partnership with Delos Delta, DomaGroup and Duncan Solutions, has access to a wide range of industry specialists we can bring to the table to support Newcastle’s Smart City Strategy. Capability within our network covers numerous elements of potential value to your strategy, including:

- Integrated smart parking solutions
- Smart city strategy, planning and advisory services
- Innovative local property development capability and investment
- Smart-phone and web-based application development
- Camera technology and software analytics
- Smart poles, including Wi-Fi and 4/5G capability
- Waste management solutions
- Smart building advisory and technology
- Sustainable energy, including biomass generation
- Asset management and control technology
- Broad asset management advisory services
- Funding solutions, including debt and venture capital

Our aim is to collaborate with Newcastle by activating our network to the benefit of your Smart City Vision. | Supportive statement and industry pitch. |

| 74 | ECM 5237702 | Great things can be achieved through strong partnerships, founded on solid principles of openness, commitment and a willingness to share in success. In pursuit of our partnership with Newcastle City Council, we will bring:

- An ability to commit to multiple projects, through the breadth, depth and focus of our businesses and our network
- A willingness to co-design the solution with council, not just present a product or pre-baked solution
- An understanding that success rarely comes without risk of failure, allowing for a truly innovative partnership that can provide leadership both locally and across the industry
- Support for models to create multiple "winners" who share in success
- A track record of delivery that can turn ideas into reality | Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined. |
Newcastle, and the Hunter Region, makes things and it is this pragmatic, hands-on culture that will drive your strategy forward and be engaged by real progress in the short/medium term.

What we have learned so far:

- We understand that your priority in the next two years is to create the backbone infrastructure necessary for your Smart City, however you will also pursue more "visible" achievements to help maintain momentum.
- Your virtual distributed incubator network is well underway with numerous key elements established to date. Ongoing expansion and depth in this network, including for example an Industrial Co-working Space, will provide real activity and excitement in the region.
- Very soon you will have high speed data infrastructure at the east and west ends of the CBD. Integration of these two networks will be a valuable next step.
- There is already good momentum within Council on "smart" related activities, in particular in waste management, GIS and through activities underway at the Library and Museum.
- Given the volume of CBD construction in the next 2 years good parking guidance is a priority, in particular the ability to deal with ongoing changes to construction zones.

Following are some “quick wins” we could help you realise to support your smart city journey...

<table>
<thead>
<tr>
<th>Noted</th>
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</thead>
<tbody>
<tr>
<td>Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined.</td>
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<td>Supportive statement and industry pitch.</td>
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<tr>
<td>Supportive statement and industry pitch.</td>
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In the coming months we would like to explore opportunities to help bring short term projects to life

We would like to continue a conversation with you and other stakeholders to co-create quick wins that demonstrate real progress on your journey to becoming a smart city.
<table>
<thead>
<tr>
<th>No.</th>
<th>ECM Reference</th>
<th>SOURCE</th>
<th>Summary of submission</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>ECM 5235974</td>
<td><a href="mailto:smartcity@ncc.nsw.gov.au">smartcity@ncc.nsw.gov.au</a></td>
<td>Well done mate</td>
<td>Noted</td>
<td>Positive feedback to strategy. No response required</td>
</tr>
<tr>
<td>2.1</td>
<td>ECM 5236110</td>
<td>EngagementHQ Survey Tool 2</td>
<td>Nokia appreciates the opportunity to provide feedback on Newcastle’s draft Smart City Strategy, 2017-2021. Nokia is pleased to have participated in workshops to prepare this draft strategy. The following feedback is offered in context of Nokia’s global experience with transformational cities together with engagements and research in Australia over the past three years. Nokia would be pleased to discuss the suggestions following.</td>
<td>Noted. Nokia provide a detailed engagement with the strategy. Individual comments are addressed below.</td>
<td>Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined. Newcastle has no formal relationship with Nokia.</td>
</tr>
<tr>
<td>2.2</td>
<td>ECM 5236110</td>
<td>2.1 - The strategy is well rounded and consistent with priorities expressed by many other cities.</td>
<td>Noted</td>
<td>Positive feedback to strategy. No response required</td>
<td></td>
</tr>
<tr>
<td>2.3</td>
<td>ECM 5236110</td>
<td>2.2 - If the full strategy is to be realised the timeline of 4 years is ambitious. Possibly the strategy needs to be discussed as a staged evolution of the city. The final year goal seems to be targeted at 2030.</td>
<td>Supported in part</td>
<td>Consideration has been given to manageable workload and forecasting actions over the 4+ years of the Strategy. See section Delivering Our Vision on page 13 for reference to multiple delivery timeframes including phrasing identifying the multi-decade transformational agenda.</td>
<td></td>
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<tr>
<td>2.4</td>
<td>ECM 5236110</td>
<td>2.3 - There seems to be insufficient emphasis on bringing along all sectors and stakeholders of the city community. Possibly an emphasis on gain measures for different people clusters and the need for personalisation of the city for individuals could be additions.</td>
<td>Not supported</td>
<td>The strategy is explicit in accounting for different community sectors. See Smart People theme for a range of actions that are focused on a diversity of community groups.</td>
<td></td>
</tr>
<tr>
<td>2.5</td>
<td>ECM 5236110</td>
<td>2.4 - There appears to be a lack of consideration of operating a transformed/digital city. City Operations using 360 degree management practices is a necessary investment and probably does not exist. It embodies lean operations practices incorporating new skills, structures and technology platforms. There should possibly be explicit statements in the strategy.</td>
<td>Not supported</td>
<td>The strategy does not identify all aspects of city administration and should be read in conjunction with existing NCC strategy, policy and vision.</td>
<td></td>
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<tr>
<td>2.6</td>
<td>ECM 5236110</td>
<td>2.5 - There appear to be inconsistencies in describing the required city ecosystem to drive outcomes going forward. Normally an ecosystem supporting such digital transformation is a collaboration between government, business, academia and people. Academia is not treated consistently and seems to be missed in several references.</td>
<td>Not supported</td>
<td>The development of the Strategy has cultivated a strong relation with UON which is at the heart of the smart city endeavour. Collaboration is identified as both a key principle and approach, and a driver to smart city transformation. Multiple projects reflect multi-sector collaboration.</td>
<td></td>
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<tr>
<td>2.7</td>
<td>ECM 5236110</td>
<td>2.6 - A primary concern was expressed about lack of high paying local jobs to retain/attract talent and younger people. Many cities have the same concern and therefore is a point of competition between cities. A perspective is that these jobs will be determined by market forces and not institutional policy. It follows that the more valuable the market the higher value the jobs. Also in this digital era markets have no boundaries. Hence the importance of global connectedness and higher aspirations. Both attributes are essential to sustain high value jobs and for attracting talent. The city should possibly consider its role in cultivating digital markets and in cultivating high order economic aspirations.</td>
<td>Not supported</td>
<td>The comments are already adequately outlined in the strategy.</td>
<td></td>
</tr>
<tr>
<td>2.8</td>
<td>ECM 5236110</td>
<td>2.7 - New digital markets underpin the lucrative digital economy. They are disruptive, multi-dimensional and global. The opportunity is to cultivate local businesses which serve global markets. This requires an innovation and market framework which appears to be understated in the strategy. An explicit theme(s) which should possibly be more self-evident is that city operations will be data driven, highly automated and naturally disruptive.</td>
<td>Supported in part</td>
<td>More explicit identification of ecosystem development and future industries as cultivating local business to global markets is adopted. Smart Economy 1.4 has had text change added 'for local business' to account for this.</td>
<td></td>
</tr>
<tr>
<td>2.9</td>
<td>ECM 5236110</td>
<td>2.8 - There is a strong flavour of city centric outcomes. As per the planning context, the value of Newcastle will be enhanced if it also has distinct relevance to State and Federal Government outcomes. These important interdependencies are possibly not explicit enough.</td>
<td>Supported in part</td>
<td>Planning context infographic adequately addresses strategic interdependencies within a multi-tier governance structure. Smart Economy 3.2 has had text change added 'that address local state and national level urban challenges and priorities' to reflect this priority of the Living Lab model.</td>
<td></td>
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<tr>
<td>2.1</td>
<td>ECM 5236110</td>
<td>3.1.1 - ICT Integrated Multi-modal Transport Planning:</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>2.11</td>
<td>ECM 5236110</td>
<td>3.1.1.1 - There is also a likely need to influence government policy on public/private data collection and shared transport options</td>
<td>Noted</td>
<td>The objective of enabling regulatory innovation is identified in the strategy.</td>
<td></td>
</tr>
<tr>
<td>2.12</td>
<td>ECM 5236110</td>
<td>3.1.1.2 - It may also be helpful to comment on use of priority systems to support disaster and emergency vehicles.</td>
<td>Noted</td>
<td>The objective of enabling improved traffic flow is identified in action Smart Mobility 3.3. Emergency vehicle prioritisation is one use case application of real-time traffic monitoring and dynamic signalling.</td>
<td></td>
</tr>
<tr>
<td>2.13</td>
<td>ECM 5236110</td>
<td>3.2.1 - Digital Transformation and e-Services: there are also significant examples of Augmented Reality applications to improve quality of workmanship and the productivity of workers.</td>
<td>Noted</td>
<td>Piloting and potential adoption of AR applications for Council services is mentioned in Smart Living 3.2</td>
<td></td>
</tr>
<tr>
<td>2.14</td>
<td>ECM 5236110</td>
<td>3.2.2 - Open Data: should possibly be mentioned as a City asset rather than Council asset. Ultimately this is expected to be a blend of public and private data as a basis for data and analytics driven innovation.</td>
<td>Supported</td>
<td>Smart Governance 2.0 has had text change to replace 'Council' with 'city'</td>
<td></td>
</tr>
<tr>
<td>2.15</td>
<td>ECM 5236110</td>
<td>3.2.3 - Collaborative City: suggest the orientation should be toward open collaboration in which the Council is an active partner. Innovation around the city will come from everyone and from anywhere. There is little predictability in the model and it is not just about Council acquired infrastructure and services.</td>
<td>Noted</td>
<td>The objective of open collaboration is well documented throughout the strategy.</td>
<td></td>
</tr>
<tr>
<td>2.16</td>
<td>ECM 5236110</td>
<td>3.2.4 - Digital Citizenship: Is there a reason the City digital platform is exclusively for Citizen to Council communications? People to people and business to business and other variants are examples of how social cohesion might be strengthened.</td>
<td>Supported</td>
<td>Smart Governance 4.3 had text change to replace ‘with...’ with ‘between city residents, workers, visitors and business’ to more explicitly document intentions to enable peer-to-peer (P2P) engagement and interaction.</td>
<td></td>
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<tr>
<td>2.17</td>
<td>ECM 5236110</td>
<td>3.2.5 - Start-up Led Innovation: Is there a reason that the Council is at the centre of this strategy? Entrepreneurial innovation is likely to come from outside the Council and the Council should otherwise be receptive.</td>
<td>Noted</td>
<td>The Strategy to harness start-up led innovation refers to how Council will engage with the entrepreneurial sector. It is not meant to describe wider ecosystem activity.</td>
<td></td>
</tr>
<tr>
<td>2.18</td>
<td>ECM 5236110</td>
<td>3.2.6 - Smart Policy and Procurement: significant hurdles to new ideas exist in procurement because of risk aversion and lack of entrepreneurial skills. It might be useful to more explicitly articulate the spirit of change required.</td>
<td>Noted</td>
<td>Assessment of appropriate policy adjustment will occur throughout the implementation of the strategy.</td>
<td></td>
</tr>
<tr>
<td>2.19</td>
<td>ECM 5236110</td>
<td>3.3.1 - Smart City Infrastructure:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ECM 5236110</td>
<td>2.2</td>
<td>3.1.1 - The future of digital access infrastructure will be driven by Small Cell Technologies which incorporates robust wifi. Small Cells will need dense spatial placement to achieve the performance required for next generation applications. A city can leverage its total assets, street assets as well as in-building assets, to facilitate deployment of Small Cells. In many cases this may be better done with Mobile Network Operators who can supply carrier spectrum and possibly lease back the Small Cell infrastructure. New business models are possible.</td>
<td>Noted</td>
<td>Council is aware of small cell opportunities and is exploring potential options.</td>
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<tr>
<td>ECM 5236110</td>
<td>2.21</td>
<td>3.1.2 - Cyber Security is a high priority requirement in all these infrastructures and needs to be mentioned. Cyber Security is as much about asset protection as it is about building trust of all users and stakeholders across the city.</td>
<td>Supported</td>
<td>Smart Living 1.1 added text ”secure Internet of Things.” to emphasise security. Recently appointed UoN Professor of Cyber Security will provide best practice advice.</td>
<td></td>
</tr>
<tr>
<td>ECM 5236110</td>
<td>2.22</td>
<td>3.2 - Digitally Interactive Places: correct spelling of Interactive</td>
<td>Supported</td>
<td>Updated Smart Living 2.0 to fix spelling mistake</td>
<td></td>
</tr>
<tr>
<td>ECM 5236110</td>
<td>2.23</td>
<td>3.3 - Virtual City: talented people have a choice of where to live in the world. Possibly there should be more emphasis on personalisation for blended lifestyles reflecting the personal convenience and fulfilment achievable in the city.</td>
<td>Noted</td>
<td>General Comment only</td>
<td></td>
</tr>
<tr>
<td>ECM 5236110</td>
<td>2.24</td>
<td>4.1 - Greener places: traditional Building Management Systems are highly proprietary and lock away important management data. There is a growing ecosystem of small Australian businesses already present in this space which could be leveraged for data driven building automation, urban fabric integration and personalisation for employees and visitors.</td>
<td>Noted</td>
<td>The strategy is explicit in outlining openness of data as a fundamental principle.</td>
<td></td>
</tr>
<tr>
<td>ECM 5236110</td>
<td>2.25</td>
<td>4.2 - Smarter waste: there is also the possibility of waste tracking for greater accountability of waste management.</td>
<td>Noted</td>
<td>Multiple waste management initiatives are being implemented outside of the scope of the Strategy.</td>
<td></td>
</tr>
<tr>
<td>ECM 5236110</td>
<td>2.26</td>
<td>4.3 - Sustainable Energy: why is this initiative on energy self-generation just referencing Council? All businesses and residents could participate in a community scheme.</td>
<td>Supported</td>
<td>Tex change to Smart Environment 3.4 to replace 'Council's' with 'city's' Added new action 3.6 to investigate potential for facilitation of community loans with State and Federal Government to fasttrack distributed energy generation and storage</td>
<td></td>
</tr>
<tr>
<td>ECM 5236110</td>
<td>2.27</td>
<td>5.1 - City Data: the City App could be part of a Personalisation Model for the city to be experienced as a place to live rather than just being efficiently transaction driven.</td>
<td>Noted</td>
<td>General Comment only</td>
<td></td>
</tr>
<tr>
<td>ECM 5236110</td>
<td>2.28</td>
<td>5.2 - Digital Inclusion: this could also incorporate community innovation. Empower everybody in the local community to innovate for themselves, the community and the city. This empowerment is a basis of the digital economy. Community Lab initiative relates.</td>
<td>Noted</td>
<td>The strategy clearly outlines the objective to enable community innovation with several actions in Smart People theme focused on enabling programs.</td>
<td></td>
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<tr>
<td>ECM 5236110</td>
<td>2.29</td>
<td>5.3 - Digital Creative Newcastle: creativity has no real boundaries and the biggest challenge is reaching audiences. Newcastle could incorporate open displays in public places and equip street furniture to exhibit art, stories and music created within the city. Creative and digitally equipped street furniture could become a new industry with export potential.</td>
<td>Noted</td>
<td>These ideas are already mentioned in the strategy, for examples see Smart Living 2.0 Digitally Interactive Places</td>
<td></td>
</tr>
<tr>
<td>ECM 5236110</td>
<td>2.3</td>
<td>5.4 - Community Lab: there is an emphasis on LPWAN and this is possibly a starting point. However, higher value applications will incorporate video and video analytics. These should not be discounted in the time horizon of the strategy. Also, there is not much mention or context for younger people to contribute. Possibly there needs to be mention of graded programs according to age demographics or as appropriate to connect with the whole community.</td>
<td>Noted</td>
<td>Smart People 2.3, and the Community Lab (Smart People 4.0) outlines a range of actions designed to foster children and young people engagement in the project. See Smart People 4.3 for explicit mention of graded programs with partners TAFE and UoN.</td>
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<td>ECM 5236110</td>
<td>3.6.1 - Innovation Ecosystem: there is also a need to establish a strong mentoring foundation for any innovation ecosystem. Mentoring will include Go to Market assistance.</td>
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<tr>
<td>Noted</td>
<td>Extensive research, strategy and partner engagement underpins Smart Economy 1.1 referencing the Regional Incubator Network, which acknowledges the significance of mentoring. Smart Economy 1.4 encompasses support structures and pathways to assist with market access.</td>
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<td>ECM 5236110</td>
<td>3.6.2 - City Digital Precinct: essential is quality of connection coverage and performance linked into easily digestible, reliable and secure Cloud application infrastructure. Coverage will include line access as well as wireless access. Most often used access will be wireless (mobile, IOT and Wi-Fi). This must accommodate ease of connection and uniform high bandwidth. For relativity, line connections in similar precincts in Bristol, UK are at 30Gbps to a premise. There also needs to be ease of connection and deployment of any authorised IOT devices.</td>
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<td>Noted</td>
<td>General Comment only</td>
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<td>ECM 5236110</td>
<td>3.6.3 - Collaborative Living Lab: the Lab should play to specific and ideally differentiating strengths of Newcastle. This might be built around the high-tech industries already present and the specialist areas of the University. Increasingly the bricks and mortar Universities need an external immersive learning environment for students to select the University in the first place.</td>
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<td>Noted</td>
<td>These ideas already form parts of the living lab strategic approach developed with key city partners.</td>
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<td>ECM 5236110</td>
<td>3.6.4 - Attract Future Industries: access to talent is generally the key attraction for businesses, coupled with connectedness (local and global) and entrepreneurialism. These are foundational requirements and basis of sustainable success. Possibly needed to be more explicit in the strategy.</td>
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<td>Noted</td>
<td>Attracting and retaining talent is explicitly identified in the strategy as a key driver and objective.</td>
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<td>ECM 5236110</td>
<td>3.6.5 - City Image: this also needs to appeal to the community itself and is likely best based on the known strengths and values of Newcastle. Examples might be lifestyle, multi-culturalism, safety, vibrancy, industrial calibre and social inclusiveness.</td>
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<td>Noted</td>
<td>Civic Pride is explicitly identified in the strategy as a key driver and objective. Narrative around civic pride encompasses many aspects of this comment. Engagement and promotional city activities will include local city and regional audiences for example Smart Economy 5.1 and 5.3</td>
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<td><a href="mailto:smartcity@ncc.nsw.gov.au">smartcity@ncc.nsw.gov.au</a></td>
<td>I’m not sure if the strategy completely captures the potential use of renewable energy and battery storage both within council and in the LGA? For example, new structures such as the light rail interchange and the port cruise terminal should all have solar energy installed on them for their own use and for use in the local grid. We should be exploring new energy projects like hydrogen fuels and waste-to-energy options. Clean transport options need to be extended and incentivised for vehicles such as e-vehicles - busses, trucks, cars and bikes. The electrified transport sector should be supported by 100% renewables. Electricity should also be transferable between loads and customers (virtual net metering).</td>
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<td>Supported in part</td>
<td>Light rail and cruise terminal are not council assets. Some future energy projects are included where appropriate. Transport options suggested are mentioned throughout the strategy. Electricity options suggested are mentioned throughout the strategy. Added SEN 1.5 to more explicitly highlight smart city strategy ambitions to leverage sustainability objectives of Council.</td>
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<td><a href="mailto:smartcity@ncc.nsw.gov.au">smartcity@ncc.nsw.gov.au</a></td>
<td>Great Strategy</td>
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<td>Noted</td>
<td>Positive feedback to strategy. No response required</td>
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<td>4</td>
<td>ECM 5236105</td>
<td><a href="mailto:smartcity@ncc.nsw.gov.au">smartcity@ncc.nsw.gov.au</a></td>
<td>Whilst the document is correct to identify a lot of energetic startup activity emerging in Newcastle – not all the digital potential is in that space and even the icon of Silicon Valley started with a major player, Fairchild Semiconductor, moving from the east to west coast to set up shop in among the then farmland. A few years back Fujitsu Consulting looked at the digital space in Newcastle and identified the lower cost of facilities and lower cost of staff (related to better lifestyle options still available here) which could be a draw card to some Sydney based software and other digital companies (and I know of at least one now on Hunter Street after moving from Sydney. The other attractive ingredient for Sydney based companies that could be pitched is the relatively lower rate of staff turnover. Newcastle IT professionals often stay longer with companies than the rapid turnover rates that occur in Sydney. Stability of staff after the investment in training on platforms and gaining of business specific knowledge has always been a major challenge in the digital space. So I would just encourage a bit more of an outward focus in the document to bring companies in – the existing Newcastle based players are already positive – just seeking support.</td>
<td>Strategies aimed at business attraction and developing future industries already feature in the strategy. See strategies Smart Economy 3.0, 4.0 and 5.0</td>
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<td>5</td>
<td>ECM 5236104</td>
<td><a href="mailto:smartcity@ncc.nsw.gov.au">smartcity@ncc.nsw.gov.au</a></td>
<td>Textual commentary on draft strategy embedded into PDF, which helped to inform revisions to text as captured throughout the table.</td>
<td>Noted</td>
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<td>6</td>
<td>ECM 5236213</td>
<td><a href="mailto:smartcity@ncc.nsw.gov.au">smartcity@ncc.nsw.gov.au</a></td>
<td>The problem is... Flooding. Flooding is a big problem in Newcastle. See the links below for some info regarding the extents and issues around flooding. <a href="http://www.newcastle.nsw.gov.au/Newcastle/media/Documents/environment/Flooding/R-N2246-001-01-compendium_WEB.pdf">http://www.newcastle.nsw.gov.au/Newcastle/media/Documents/environment/Flooding/R-N2246-001-01-compendium_WEB.pdf</a> <a href="http://www.theherald.com.au/story/490916/storm-inspires-fireman-to-become-a-paramedic/">http://www.theherald.com.au/story/490916/storm-inspires-fireman-to-become-a-paramedic/</a> So, The problems around flooding are widely recognised, NCC devote significant effort to managing flooding. We have drainage assets, existing and planned to deal with flooding. We have people who dedicate a great deal of time to flooding and dealing with it. We spend a lot of money on it. We have lots of civil engineers on the case... we have multi-million dollar budgets to spend surely the problem will be solved shortly? No, in fact... Flooding in problem areas is just getting worse!</td>
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<td><strong>How! Why?</strong> Back in 1987, the great publication &quot;Australian Rainfall and Runoff - A guide to Flood Estimation&quot; was released and this became the bible of drainage design and flood management for the next 30 years. In classic 80's thinking, we would simply build the problem away. In urban areas, flooding would be addressed by improved conveyance (flow via pipes and drains). The plan was to improve the capacity of the drainage networks across urban Australia until the good citizens would not have to worry about flooding anymore. But... it didn’t really work, this approach was found to be fundamentally flawed.</td>
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<td><strong>Enter 2016...</strong> The bible of drainage is revised, Australian Rainfall and Runoff (AR&amp;R) 2016 is released. Released to the engineering community years later than anticipated due to the inherent inefficiencies of getting over 100 drainage academics and &quot;Industry leaders&quot; to develop and new drainage design guide the new AR&amp;R places focus on new flooding solutions. One of these is flood storage. This concept has been around for ages but what does it look like?</td>
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<td>Now, you cannot put detention basins everywhere because there is no space. We already used all the space in urban environments for houses, roads, services corridors, recreational spaces. So... detention basins are out. We have roads everywhere through. Under road tank systems then.... Except they cost an absolute fortune. About $2000 per m3 of water storage last time I checked. Rainwater tanks then.... Which we do already. New dwellings are required to have rainwater tanks as they should. But, the problem with domestic rainwater tanks are - they are not council owned, and, in really big storms they tend to be full before the storm really hits. If only the good citizens had &quot;Smart Rainwater Tanks&quot;, remotely emptied prior to the onset of extreme weather events like the Pasha Bulka storm. To a civil engineer this will seem a very problematic idea...</td>
<td>Noted</td>
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<td>6.4</td>
<td>ECM 5236213</td>
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<td>Add a mechanical engineer and an electrical engineer and it will be less problematic. Add a town planner to the team and it will work. This idea of active stormwater storage is not new. To enforce, encourage, subsidise residential rainwater tanks is not new. To combine the two with real time management is new. And when we are struggling for solutions to urban flooding it may be the most cost effective solution.</td>
<td>Supported in part</td>
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<td>6.5</td>
<td>ECM 5236213</td>
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<td>Furthermore, this idea can be utilised to provide environmental flows to natural assets urban waterways like you might find at in Glenrock. A massive concept in when we are looking at naturalisation of urban water ways. Control would be via a program like SCADA, although something more suitable (and cheaper could be available).</td>
<td>Noted</td>
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Reference Smart Environment 1.1 for projects utilising sensor technology to manage environmental conditions including rainfall and potential flooding.

Project scoping with Hunter Water to commence post-adoption of strategy to identify potential pilots and initiatives

Natural environment management projects of this scale are beyond the scope of the smart city project.
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| 7 | ECM 5217323 EngagementHQ Survey Tool 2 | There seems to be a gap in the draft strategy around smart water use and related energy use for hot water heating, particularly given the Smart Environment theme and its objective.

In addition to smart water meters, the CSIRO believe there is an enormous opportunity around the smarter scheduling and control of electric hot water heaters (and solar hot water heaters with electric boost) for saving energy and even storing it for later use.

With the ever increasing capacity of roof-top solar PV, households could be heating their electric hot water system using excess electricity generated locally throughout the day, instead of each and every night from the grid.

For solar hot water systems with electric boost, smart sensors and software that measure and predict water usage patterns could be used to more intelligently schedule electric boost during the night only when it is required e.g. when it is forecast to be a cloudy day (no sun), and it is predicted that hot water is required by the household immediately in the morning.

Furthermore, outdated direct load control (ripple control) of hot water heaters could be eliminated, thus avoiding noisy ripple control signals in the electricity network that can often adversely affect the operation of ceiling/pedestal fans (noise), electronic light dimmers (flashing) and other sensitive electronic equipment. | Supported | Added references in Smart Environment objective to water and aquatic environments to make explicit our commitment to managing water resources using technology
Amended Smart Environment 1.0 to include reference to waterways
Added Smart Environment 1.5 as per submission |

| 7.1 | ECM 5217323 EngagementHQ Survey Tool 2 | For the Smart Environment Strategies - Program 1 Greener Places, can we reword the following:

1.2 Pilot with CSIRO Energy predictive Building Management System (BMS) in key Council facilities to create smarter, more energy efficient buildings

To something like this:

1.2 Pilot with CSIRO intelligent building controls and occupant engagement in key Council facilities to create smarter, more energy efficient buildings | Noted | Updated Smart Environment 1.3 to reflect submission input |
Further to my submission below, it appears we may have access to some internal funding to investigate and pilot ‘predictive control of hot water heating/storage’ (commercial and residential), with smart acoustic water sensors developed by CSIRO Land&Water. This is certainly something that a CSIRO Postdoc could look within the Smart Cities & Suburbs context.

Is there a possibility to include an additional collaborative pilot in the SMART ENVIRONMENT theme that would tick a box or two around energy and water efficiency?

New project proposal: Program 3 Sustainable Energy
3.6 Pilot with CSIRO predictive electric hot water heating and storage in key Council facilities and residential dwellings to improve energy and water efficiency --- Year 2-4 --- Collaborate

---

The University of Newcastle (UON) welcomes the opportunity to support the draft Smart City Strategy.

As a research-intensive University, UON recognises the great potential of an open, collaborative and community minded Smart City Strategy proposed by Newcastle City Council (NCC). A key goal in UON’s New Futures Strategic Plan 2016-2025 is to deliver innovative solutions with global impact, but while the aspiration is global, the execution is firmly local.

Our ongoing strong working relationship with Newcastle City Council is valued by UON and we believe our University has much to offer in terms of the key themes proposed in the Smart City Strategy around mobility, governance, environment, people, living and economy.

We would like to commend NCC for driving the development of the forward thinking Smart City Strategy and for the openness to date in recognising the importance of our role in providing tertiary education and research capability that provides a vital foundation layer for Newcastle’s future as a city.

It is also pleasing for the University to see that the Smart City Strategy is in effect a living and working framework, with our already established partnership in the Hunter Innovation Project and more recently offering research capability for the Cities and Suburbs funding grant. It is in this regard we trust that our collaborative relationship will continue so as we build the city’s innovation enabling infrastructure in its many forms, we discuss the possible pursuit of any future external funding sources.

We look forward to the adoption of the Smart City Strategy and continuing to build
Congratulations on Newcastle’s draft Smart City Strategy (2017 - 2021)! I believe that it comprehensively covers they key aspects needed to achieve Newcastle’s economic transformation. I can appreciate the amount of time, research, collaboration and thought that went into the development of the City’s over arching vision and each of its focus areas.

As you will remember from our earlier interactions, [UI], has extensive experience partnering with over 60 clients worldwide to help them realise their smart city goals. We are successful at this because of our commercial experience coupled with a strong foundation of IT research along with product development and commercialisation. The [UI] UrbanPulse open urban informatics platform provides a key piece of the smart city puzzle - the foundation on which to integrate new and legacy data, apply analytics and deliver smart services. We would very much like to arrange a call in the next weeks to discuss how [UI]'s experience can help underpin Newcastle’s success in delivering on its Smart City Strategy.

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<tr>
<th>ECM 5236569</th>
<th>EngagementHQ Survey Tool 2</th>
<th>Could Newcastle council work with NBN co and the federal government to come up with a road map for proper FTTP rollout across greater Newcastle? Could a strategic partnership be created with state rail to run bike paths alongside the rail lines - they’re all straight, flat, and would provide nearly unbroken access into the city.</th>
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<td>10</td>
<td>Supported in part.</td>
<td>LGA wide FTTP upgrade is prohibitively expensive within existing commercial models. Active travel inside rail corridor is generally not supported for safety reasons. Projects are underway within Council related to utilising parts of rail corridor (existing and disused) to create bike path networks. While some of these projects may include smart technology as enablers, their development is outside of the scope of the strategy.</td>
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<tr>
<th>ECM 5237877</th>
<th>EngagementHQ Survey Tool 2</th>
<th>I really like the strategy for the city and I would like to actively participate where required. Currently I’m starting a smart patrolling system (SmartGuardPatrol) which can help with any of the city needs for patrolling (hospital patrols, security patrols, maintenance patrols or any other patrolling service) Looking forward to be part of this great vision!</th>
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<tbody>
<tr>
<td>Noted.</td>
<td>Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined. Newcastle has no formal relationship with Ed Estrada</td>
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<tr>
<th>ECM 5237877</th>
<th>EngagementHQ Survey Tool 1</th>
<th>Is there any other outcome you would like to see the strategy achieve? Position Newcastle as a viable destination for companies to establish advanced technology and manufacturing centres.</th>
</tr>
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<tr>
<td>Noted</td>
<td>Positioning Newcastle as a centre for technology development is explicit in the strategy. Highlighting the role of advanced manufacturing and our engineering capability is central to several actions planned or underway.</td>
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<tr>
<th>ECM 5237877</th>
<th>EngagementHQ Survey Tool 1</th>
<th>Is there any other principle you think should be included in the strategy? If so, please leave your idea. Ensure that the investment in smart city systems and infrastructure is contributing to balanced economic growth.</th>
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<tr>
<td>Noted</td>
<td>Investment in smart city technology by Council will occur within Council operational planning and budgeting procedures. Broader economic impacts of the strategy are hard to gauge but considerable strategic focus lies in economic development.</td>
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<td>ECM 5237877 EngagementHQ Survey Tool 1</td>
<td>13.1</td>
<td>What do you think is missing?</td>
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<td>ECM 5237877 EngagementHQ Survey Tool 1</td>
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<td>Is there any other outcome you would like to see the strategy achieve?</td>
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<td>ECM 5237877 EngagementHQ Survey Tool 1</td>
<td>14.1</td>
<td>Smart Living:</td>
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<td>ECM 5237877 EngagementHQ Survey Tool 1</td>
<td>15</td>
<td>Is there any other outcome you would like to see the strategy achieve?</td>
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<td>ECM 5237877 EngagementHQ Survey Tool 1</td>
<td>15.1</td>
<td>Smart Environment:</td>
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<td>ECM 5237877 EngagementHQ Survey Tool 1</td>
<td>15.2</td>
<td>Smart Economy:</td>
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<td>ECM 5237877 EngagementHQ Survey Tool 1</td>
<td>15.3</td>
<td>Is there any other principle you think should be included in the strategy? If so, please leave your idea.</td>
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<td>ECM 5237877 EngagementHQ Survey Tool 1</td>
<td>15.4</td>
<td>What do you think is missing?</td>
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<td>No.</td>
<td>ECM Code</td>
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<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>What are your main reasons for being dissatisfied with the Draft Smart City Strategy? Hypocrisy and shortsightedness of NCC is palpable. &quot;Smart city&quot; without a Council willing to respond to community concerns about livability and usability of the city. There is a profound disregard to the needs of workers and residents to have parking, green shady spaces, public transport that is affordable, and community events that enhance a community. The Supercars Newcastle 500 fiasco and destruction of mature trees which enhance the city, removal of parking spaces, disregard for local businesses and residents are proof of council hyperbole and its goal of prioritising big business and developers rather than community needs.</td>
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<tr>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Is there any other outcome you would like to see the strategy achieve? Honesty, integrity and transparency of processes and decisions. Declaration of conflicts of interest.</td>
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<tr>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Smart Governance: &quot;Smart Governance&quot; is worthless if actions don't reflect objectives. The proof is in the implementation, not the hyperbole.</td>
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<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Smart Living: Hard to have &quot;Smart Living&quot; when the parking spaces and trees are removed from the city. &quot;Undesirable Living&quot; occurs when the city sells itself to the interests of private companies who create a gated enclave of residents and businesses to run a dangerous car race in the inner city around heritage listed buildings and out the front of people's homes. This race prevents businesses from trading, residents from accessing their homes, visitors from parking their cars, or children walking or riding to school. Shame on NCC for its flagrant disregard for the needs of its electorate, instead prioritising private business interests. NCC is naive and callous, at best.</td>
</tr>
<tr>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Smart People: Smart People already live in this city and are disgusted by the short sighted actions of NCC.</td>
</tr>
<tr>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Smart Environment: It is decidedly stupid to cut down trees, run a car race past people's homes, remove parking spaces, and inflict noise pollution at dangerous levels, and remove access to homes and businesses. The combined light rail and supercars fiasco does not create a desirable environment for work, travel or living.</td>
</tr>
</tbody>
</table>
| 23.6 | ECM 5237877 | EngagementHQ Survey Tool 1 | **Smart Mobility:**  
Barricading homes, restricting pedestrian and car access during construction works for Newcastle 500 is directly in conflict with mobility and accessibility within the city. I am aware of wheelchair and disabled residents who plan to vacate their homes every November, due to the Newcastle 500. They are not in a position to "rent their homes out for a fortune" as Nuatali Nelmes thinks is appropriate. NCC has shown it is not interested in improving the mobility of people in the city, but removing access wherever it can. When the light rail is built, their will no doubt be a removal of the fare-free bus zone. Yet another impediment to mobility and transport within the city. | N/A | Supercars related |
| 23.7 | ECM 5237877 | EngagementHQ Survey Tool 1 | **Smart Economy:**  
NCC is gullible and naive to accept Newcastle 500 on Supercars terms and conditions. The inflated economic expectations are yet to be revealed as a hoax. Shame on NCC for not doing its due diligence before selling out the electorate to private business interests. | N/A | Supercars related |
| 23.8 | ECM 5237877 | EngagementHQ Survey Tool 1 | **Is there any other principle you think should be included in the strategy? If so, please leave your idea.**  
Honesty, transparency and equity. | Supported in part | Added 'transparency' into the descriptive text of 'Openness' principle |
| 24.0 | ECM 5237877 | EngagementHQ Survey Tool 1 | **What are your main reasons for being dissatisfied with the Draft Smart City Strategy?**  
Public transport has been reduced: removing a train service to the New university is just not smart. Nor is the lack of bike paths, the lack of regard for the residents, removing over 200 mature trees from Newcastle East and running a racetrack through the populated historic area. | N/A | Not related to the strategy |
| 24.1 | ECM 5237877 | EngagementHQ Survey Tool 1 | **Is there any other outcome you would like to see the strategy achieve?**  
Increased pedestrian and bike paths down the rail corridor | Supported | Advocacy and planning addresses these priorities of increasing pedestrian and active travel access within the city centre. In terms of the Strategy, where appropriate actions have been identified to support these principles, for example multi-modal transportation, active travel, and digital wayfinding |
| 24.2 | ECM 5237877 | EngagementHQ Survey Tool 1 | **Smart Governance:**  
Smart is not a word I would use for the current council apart from the green members | N/A | Political statement |
| 24.3 | ECM 5237877 | EngagementHQ Survey Tool 1 | **Smart Living:**  
Should include greening our city, not removing trees | Noted | This would be part of the environmental strategy, not the Smart City Strategy. The strategy Smart Environment 1.0 Greener Places seeks to identify opportunities to leverage technology in improved planning and management of natural spaces including urban forest and green space. |
| 24.4 | ECM 5237877 | EngagementHQ Survey Tool 1 | **Smart People:**  
encourage cultural events not bogan events like supercars that support corporate greed and cost ratepayers | Noted | This would be more properly part of the Cultural Strategy, not the Smart City Strategy. Where relevant, for example Smart People 3.0 Digital Creative Newcastle, actions have been identified that seek to develop and provide platforms for supporting cultural activity and creative economy. |
| 24.5 | ECM 5237877 | EngagementHQ Survey Tool 1 | **Smart Environment:**  
Do not chop down trees that are healthy and run racing car tracks through the foreshore park that NCC highlighted in National geographic as the beautiful East End that no longer exists | N/A | Supercars related |
<table>
<thead>
<tr>
<th>ECM</th>
<th>EngagementHQ, Survey Tool 1</th>
<th>Smart Mobility: Give us the promised bike track and pedestrian walkways promised when the railway was removed</th>
<th>N/A</th>
<th>Not in scope of NSCS</th>
</tr>
</thead>
<tbody>
<tr>
<td>ECM</td>
<td>EngagementHQ, Survey Tool 1</td>
<td>Smart Economy: Stop spending ratepayer monies on car races</td>
<td>N/A</td>
<td>Supercars related</td>
</tr>
<tr>
<td>ECM</td>
<td>EngagementHQ, Survey Tool 1</td>
<td>What do you think is missing?</td>
<td>Noted</td>
<td>General comment only</td>
</tr>
</tbody>
</table>

### 25 ECM 5237877 EngagementHQ, Survey Tool 1

**Is there any other outcome you would like to see the strategy achieve?**

- Connecting the other suburbs to the city as I live in Merewether Heights and have no option but to drive into the city as the bus takes over 40 mins which is the only public transport option.
- Also look at parking options as a worry for so many workers and families wanting to come to the city.
- Green space where people can enjoy the city nobody wants a concrete jungle that is complete sold off to developers but I guess that more Honeysuckle Development Corp.

**Public transport is not NCC remit, however Smart Mobility 1.0 identifies actions seeking to support transport providers in understanding commuter behaviours through data and better planning transport networks responsive to need.**

**Smart Parking features as an initiative in the strategy.**

**Public domain upgrades will be enhanced through integrated technology.**

**Noted**

### 25.1 ECM 5237877 EngagementHQ, Survey Tool 1

**What do you think is missing?**

- Usable green space for families
- Parking
- Connecting the suburbs to the city

**As above**

### 26 ECM 5237877 EngagementHQ, Survey Tool 1

**What are your main reasons for being dissatisfied with the Draft Smart City Strategy?**

- Not everybody is switched on to new technology, i.e. Wifi, apps etc.

**Initiatives to help develop tech literacy and address digital divide are included in strategy Smart People 2.0 Digital Inclusion, and 4.0 Community Lab**

### 26.1 ECM 5237877 EngagementHQ, Survey Tool 1

**You said that you did not think it was a good vision. Tell us why or suggest an alternative vision?**

- This is obviously going to cost enormous amounts of money, where will this come from??

**Added to delivering our vision section (p13) the statement: ‘Funding for Smart City initiatives will be proposed and endorsed through annual Council operational planning. Grant funding opportunities are continually being sought.’**

### 27 ECM 5237877 EngagementHQ, Survey Tool 1

**Smart Economy:**

- Please communicate relentlessly on how small and medium local businesses can get involved and help the strategy become reality. The concept is all good, but at this stage I can’t see how I can take action to leverage or support that transition period for Newcastle.

- LinkedIn is a good channel to communicate with me.

**Noted**

**A NSCS communications strategy is in place and identifies local business as a key stakeholder. A number of strategies aim to improve citizen awareness of businesses (for example Smart Governance 4.3, and Smart People 1.1) and provide mechanisms to communicate effectively with smart city stakeholders.**

### 28 ECM 5237877 EngagementHQ, Survey Tool 1

**Is there any other outcome you would like to see the strategy achieve?**


**Supported**

**Strategies utilising digital platforms for citizen engagement are already featured in the strategy see Smart Governance 4.0, and Smart People 1.0**

### 28.1 ECM 5237877 EngagementHQ, Survey Tool 1

**Smart Governance:**

- Ongoing engagement with citizens via Apps and communications, not just Facebook which I don’t use because it’s a pure advertising platform that uses our data

**Supported**

**Strategies utilising digital platforms for citizen engagement are already featured in the strategy see Smart Governance 4.0, and Smart People 1.0**

### 28.2 ECM 5237877 EngagementHQ, Survey Tool 1

**Smart Environment:**

- How council can help us live more sustainability ie tips, hacks, increased knowledge sharing would like these via email push notifications

**Supported**

**Potential content for specific communications programs/campaigns delivered through NCC channels and platforms for example ‘digital citizen engagement platform’ Smart Governance 4.0, and ‘city app’ Smart People 1.0**
<p>| 28.3 | ECM 5237877 | EngagementHQ Survey Tool 1 | Smart Economy: Tell me about new business and venues within our city so we can try them and know their story and what they're all about. Would love to help more small business owners. | Supported | See Smart People 1.1, Smart Governance 4.3 for examples of initiatives that will drive local business opportunity through digital platforms. Updated Smart Living 2.1 to include 'local business opportunities'. |
| 29  | ECM 5237877 | EngagementHQ Survey Tool 1 | Is there any other outcome you would like to see the strategy achieve? Improve planning and project execution efficiencies. | Noted | Improved planning and business decisions through data-led insight are fundamental to the project. |
| 29.1 | ECM 5237877 | EngagementHQ Survey Tool 1 | Is there any other principle you think should be included in the strategy? If so, please leave your idea. The 5 principles are too fluffy &amp; numerous. Simplify the outcomes to. To the basic needs to provide capacity for interconnection and to deliver valuable outcomes. | Not supported | The 5 principles were developed through considerable stakeholder consultation and reflect core values underpinning the strategic framework and actions. |
| 30  | ECM 5237877 | EngagementHQ Survey Tool 1 | Is there any other outcome you would like to see the strategy achieve? Carbon neutrality. | Supported | Added Smart Environment 1.1 to more explicitly highlight smart city strategy ambitions to leverage sustainability objectives of Council. |
| 30.1 | ECM 5237877 | EngagementHQ Survey Tool 1 | Smart Governance: More opportunities for meaningful participation in council decision making. More transparency. | Noted | Digital citizenship/open data will enable more accessible decision-making. |
| 30.2 | ECM 5237877 | EngagementHQ Survey Tool 1 | Smart People: Need to work on delivering new jobs beyond the service economy. | Supported | Economic development and business support including support for emerging industries underpins several strategies, see Smart Economy theme. |
| 30.3 | ECM 5237877 | EngagementHQ Survey Tool 1 | Smart Environment: Carbon neutrality is missing as a goal. | Supported in part | Added Smart Environment 1.1 to more explicitly highlight smart city strategy ambitions to leverage sustainability objectives of Council. |
| 30.4 | ECM 5237877 | EngagementHQ Survey Tool 1 | Smart Economy: Diversity is key. | Noted | No response required. |
| 30.5 | ECM 5237877 | EngagementHQ Survey Tool 1 | Is there any other principle you think should be included in the strategy? If so, please leave your idea. Open data needs to be scrutinised more. Council creating its own platform seems very foolish given NSW Govt already has open data platform that council could utilise. Seems like a fast way to waste a LOT of money. IT projects are notorious for going off track. | Noted | Open data strategy, policy and platform will be developed with best practice advice. Leveraging open gov. portals through CKAN is a central approach. A Council specific portal is important for user experience and consistency of systems within the community. |
| 30.6 | ECM 5237877 | EngagementHQ Survey Tool 1 | What do you think is missing? Water?! Where's smart stormwater, drainage and flood planning? | Supported | Reference Smart Environment 1.2 for projects utilising sensor technology to manage environmental conditions including rainfall and potential flooding. Other Council strategies deal more directly with water management. Added references in Smart Environment objective to water and aquatic environments, and to water sensitive design, to make explicit Council commitment to managing water resources using technology. Updated Smart Environment 1.0 to include the phrase 'waterways'. Discussions planned with Hunter Water to identify potential initiatives for pilots and proof of concept projects. |</p>
<table>
<thead>
<tr>
<th>Page: 31</th>
<th>ECM 5237877 EngagementHQ Survey Tool 1</th>
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<tbody>
<tr>
<td><strong>Smart Environment:</strong></td>
<td>Get good advice about LED lighting. Go only for reliable, reputable, established manufacturers. A lot of LED lighting is plainly of poor light quality. Engage reputable lighting consultant — source from industry design experts e.g. IESANZ.</td>
</tr>
<tr>
<td></td>
<td><a href="http://www.iesanz.org">http://www.iesanz.org</a> <a href="http://www.iesanz.org/about/find-a-professional">http://www.iesanz.org/about/find-a-professional</a></td>
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<tr>
<th>Page: 32</th>
<th>ECM 5237877 EngagementHQ Survey Tool 1</th>
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<tbody>
<tr>
<td><strong>Smart Environment:</strong></td>
<td>Building Newcastle’s economic impact and increasing jobs is an important part to the growth of the city and retain “smart” people.</td>
</tr>
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<tr>
<th>Page: 32.1</th>
<th>ECM 5237877 EngagementHQ Survey Tool 1</th>
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<tbody>
<tr>
<td><strong>Smart Environment:</strong></td>
<td>Sustainability is paramount to moving forward as is developing our economy to be more resilient.</td>
</tr>
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<tr>
<th>Page: 33</th>
<th>ECM 5237877 EngagementHQ Survey Tool 1</th>
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<tbody>
<tr>
<td><strong>Smart Economy:</strong></td>
<td>More education and networking opportunities for businesses, and even traditional businesses that need to adapt to changing times.</td>
</tr>
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<tr>
<th>Page: 33.1</th>
<th>ECM 5237877 EngagementHQ Survey Tool 1</th>
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<tbody>
<tr>
<td><strong>Smart Economy:</strong></td>
<td>More support for small businesses</td>
</tr>
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<tr>
<th>Page: 34</th>
<th>ECM 5237877 EngagementHQ Survey Tool 1</th>
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<tbody>
<tr>
<td><strong>Smart Economy:</strong></td>
<td>Define which area of becoming a Smart City you would like to attract. As you say, smart city is a broad stroke and applies to many things. Like Newcastle university is acknowledged as a leading engineering hub, we should be aiming for Newcastle to be a leader in, for example, environmental smart city technology. This will make it easier for leading technologists to be attracted to the Newcastle region, knowing that there’s a more specific goal for our city.</td>
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<tr>
<th>Page: 35</th>
<th>ECM 5237877 EngagementHQ Survey Tool 1</th>
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</thead>
<tbody>
<tr>
<td><strong>Smart Mobility:</strong></td>
<td>Fully support the promotion and facilitation of active transport. Transport congestion and parking in the CBD and onto Nobbys and Newcastle beaches is a huge risk. Get the infrastructures wrong and it will be a disaster and so many people will be put off coming in.</td>
</tr>
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<tr>
<th>Page: 36.1</th>
<th>ECM 5237877 EngagementHQ Survey Tool 1</th>
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<tbody>
<tr>
<td><strong>Smart Environment:</strong></td>
<td>Sustainability is great. But the next step here is regenerative technology. We should be aiming for this to be our goal if we want to be leaders in the space.</td>
</tr>
</tbody>
</table>

The Strategy is explicit in integrating projects around emerging, smart city strategy ambitions to leverage sustainability objectives of Council. The Strategy is explicit in integrating projects around emerging, smart city strategy ambitions to leverage sustainability objectives of Council. The Strategy is explicit in integrating projects around emerging, smart city strategy ambitions to leverage sustainability objectives of Council.

Noted

General comment only

Noted

Noted

Noted

Noted

Noted

Noted

Noted

Noted

Noted

Noted

Note: Comment does not define “regenerative technology”. Council is conducting research into areas of technology advancement that are relevant to the themes of the strategy.

Supportive comment

Supported in part

The Strategy identifies industry growth areas based on industry pitch. All industry opportunities will be examined.

Strategy is explicit in integrating projects around emerging, smart city strategy ambitions to leverage sustainability objectives of Council. The Strategy is explicit in integrating projects around emerging, smart city strategy ambitions to leverage sustainability objectives of Council. The Strategy is explicit in integrating projects around emerging, smart city strategy ambitions to leverage sustainability objectives of Council.
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<tr>
<th>Row</th>
<th>ECM</th>
<th>EngagementHQ</th>
<th>Survey Tool 1</th>
<th>Question</th>
<th>Notes</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>36.2</td>
<td>ECM 5237877</td>
<td>EngagementHQ</td>
<td>Survey Tool 1</td>
<td>Is there any other principle you think should be included in the strategy? If so, please leave your idea. Ensure a practice where the Smart City concept is comprehensible across generations and demographics. Inclusiveness should be the key word.</td>
<td>Noted</td>
<td>The Strategy is explicit that the ideas represented constitute a version of the smart city concept developed locally for Newcastle. Multiple actions aim to translate the smart city and associated concepts to the broad community, see Smart People 2.0 Digital Inclusion.</td>
</tr>
<tr>
<td>36.3</td>
<td>ECM 5237877</td>
<td>EngagementHQ</td>
<td>Survey Tool 1</td>
<td>You said that you did not think it was a good vision. Tell us why or suggest an alternative vision? Needs an element of Newcastle being at the forefront or keeping up with the world. I would swap technology with innovation. It doesn't have to be hard-core tech solutions all the time.</td>
<td>Noted</td>
<td>Innovation features heavily as a driver and mechanism for achieving smart city objectives.</td>
</tr>
<tr>
<td>36.4</td>
<td>ECM 5237877</td>
<td>EngagementHQ</td>
<td>Survey Tool 1</td>
<td>What do you think is missing? But I'm sure it's covered off in the full doc. I just want to reiterate we need to own an element of smart cities. We're not the first Smart City in the world, but can we can innovate and lead one sector.</td>
<td>Noted</td>
<td>Supportive comment</td>
</tr>
<tr>
<td>37</td>
<td>ECM 5237877</td>
<td>EngagementHQ</td>
<td>Survey Tool 1</td>
<td>Is there any other outcome you would like to see the strategy achieve? Supported in part</td>
<td>Stronger funding/support for tech start-ups.</td>
<td>Funding businesses is not NCC remit. Initiatives are in place to support start-ups.</td>
</tr>
<tr>
<td>38</td>
<td>ECM 5237877</td>
<td>EngagementHQ</td>
<td>Survey Tool 1</td>
<td>Is there any other outcome you would like to see the strategy achieve? Noted</td>
<td>I want to see how it will affect to old people and Un-education people as well?</td>
<td>Multiple actions aim to translate the smart city and associated concepts to the broad community, see Smart People 2.0 Digital Inclusion.</td>
</tr>
<tr>
<td>38.1</td>
<td>ECM 5237877</td>
<td>EngagementHQ</td>
<td>Survey Tool 1</td>
<td>Smart Economy: What'll be the basic economic for the city?</td>
<td>Noted</td>
<td>The smart city strategy envisages and works towards a diversified economy for the city that includes continued growth in the professional and services sectors, and adds renewed growth in technology, advanced manufacturing and creative industries.</td>
</tr>
<tr>
<td>39</td>
<td>ECM 5237877</td>
<td>EngagementHQ</td>
<td>Survey Tool 1</td>
<td>What are your main reasons for being dissatisfied with the Draft Smart City Strategy? Supported in part</td>
<td>It seems limited to the Central part of Newcastle and also seems to just want to create an App and some smart parking meters instead of some real changes that put the community at its centre. How about roaming council meetings around the city to different locations and out to Beresfield and Tarro? I read about smart bins and yet my bin keeps getting missed in delivery. So if we have such poor quality of service now why do we not focus on improving that.</td>
<td>Use of sensor technology is one way to improve service delivery. Pattern and location of Council meetings is not in scope of the Strategy.</td>
</tr>
<tr>
<td>39.1</td>
<td>ECM 5237877</td>
<td>EngagementHQ</td>
<td>Survey Tool 1</td>
<td>Is there any other outcome you would like to see the strategy achieve? Supported in part</td>
<td>Think about how we can link into current smart trends such as the shared service economy. There are apps to share your toilet, bike and others. How is NCC linking into those and adapting services.</td>
<td>Sharing economy platforms are included in strategy where appropriate to Council role, for example care share, bike share and ride share are all mentioned. Also action Smart Governance 4.3 digital citizen engagement platform has the potential to develop mechanisms for increasing sharing economy within local P2P networks.</td>
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<tr>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
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<tr>
<td><strong>39.2</strong></td>
<td><strong>Smart Economy:</strong> What about ensuring tenders by the council feed into local businesses? How many technical tenders go out to Sydney or Brisbane based companies? Surely some collaboration with industries within the Hunter to allow them to expand and support the council (and in learning this to then support other areas). Maitland council you can see working with local businesses who have offices in Newcastle for their websites (<a href="https://www.cibis.com.au/cibis-client/maitland-city-council">https://www.cibis.com.au/cibis-client/maitland-city-council</a>) but I can’t find similar stories about Newcastle council actually doing the same.</td>
<td>Supported</td>
<td>See Smart Governance 6.1 for initiatives designed to consider policy amendments prioritising local economic development</td>
<td></td>
<td></td>
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<tr>
<td><strong>39.3</strong></td>
<td>Is there any other principle you think should be included in the strategy? If so, please leave your idea. Support and build the local technology and economies. Build that into current practices within council.</td>
<td>Noted</td>
<td>Local economic development in relevant sectors underpins extensive parts of the strategy including Smart Economy 1.0. See strategy Smart Governance 5.0 and 6.0 for actions related to ensuring Council practice is able to best support local economy where appropriate.</td>
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<tr>
<td><strong>39.4</strong></td>
<td>You said that you did not think it was a good vision. Tell us why or suggest an alternative vision? <em>Newcastle smart city is an open and connected city that is at the forefront of sustainable technologies across the nation.</em></td>
<td>Noted. Not Supported</td>
<td>Suggested vision is limited in focus in reducing emphasis on collaboration and liveability</td>
<td></td>
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<td></td>
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<tr>
<td><strong>39.5</strong></td>
<td>What do you think is missing? See about actually building existing technologies and business within Newcastle so that work does not have to go to Sydney or Brisbane for technology.</td>
<td>Noted</td>
<td>Smart Economy strategies all aim to attract businesses to Newcastle to increase opportunity for local employment and development of high performing local businesses. Retaining and attracting talent is identified as an underlying driver.</td>
<td></td>
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<tr>
<td><strong>40</strong></td>
<td>Smart Mobility: You’ve really shot yourself in the foot by taking out the rail line that goes all the way into Newcastle. I’ll certainly never visit again and neither will a whole load of other people who don’t drive including backpackers and older tourists - the very people you should be encouraging to visit Newcastle. How bad is it expecting people with heavy luggage to change at Broadmeadow and get on a bus!</td>
<td>Not supported</td>
<td>State government decision. Tourism visitation to the city centre is at record levels.</td>
<td></td>
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<tr>
<td><strong>41</strong></td>
<td>What are your main reasons for being dissatisfied with the Draft Smart City Strategy? Seems to be focused on the CBD (my impression could be incorrect)</td>
<td>Noted</td>
<td>Initially the city centre is the focus for deployment of smart city technologies. See Smart Living 1.5 for strategies to ensure progressive rollout beyond city centre. Many other themes for example Smart Economy and Smart Environment have areas of deployment and impact much broader than the city centre to encompass the LGA and in some cases the entire Hunter Region (see for example Smart Economy 1.0)</td>
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<tr>
<td><strong>41.1</strong></td>
<td>Is there any other outcome you would like to see the strategy achieve? Supporting decentralised community</td>
<td>Noted</td>
<td>General comment only</td>
<td></td>
<td></td>
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<tr>
<td><strong>42</strong></td>
<td>What do you think is missing? I’ve made some suggestions re business sustainability and cultural events via social pinpoint. Congratulations on the strategy, it’s great.</td>
<td>Noted</td>
<td>Supportive statement</td>
<td></td>
<td></td>
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<tr>
<td><strong>43</strong></td>
<td>Is there any other outcome you would like to see the strategy achieve? Making cycling and walking the most attractive travel modes. This needs data on walking and cycling, collected by pavement sensors. These modes are undervalued as they are not currently counted. Applying modern technology to making public transport faster and more convenient to use would be valuable.</td>
<td>Noted</td>
<td>Active Travel and improving the transport network through collecting and applying data are key strategies within the Smart Mobility theme.</td>
<td></td>
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<tr>
<td>44</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>What are your main reasons for being dissatisfied with the Draft Smart City Strategy?</td>
<td>Not supported</td>
<td>Each strategy encompasses a set of specific defined and measurable actions that build upon one another over the life of the strategy.</td>
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<tr>
<td>44</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Is there any other outcome you would like to see the strategy achieve?</td>
<td>Noted</td>
<td>Mobility is a core theme with multiple initiatives.</td>
<td></td>
</tr>
<tr>
<td>44.1</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>Is there any other principle you think should be included in the strategy? If so, please leave your idea.</td>
<td>Not supported</td>
<td>Principles were developed through stakeholder engagement and accurately reflect the ambition of the consultations. Each principle can be read as underpinning each strategy.</td>
<td></td>
</tr>
<tr>
<td>44.4</td>
<td>ECM 5237877</td>
<td>EngagementHQ Survey Tool 1</td>
<td>What do you think is missing? Firm plans for better transport links, options and goals.</td>
<td>Noted</td>
<td>Transport is not a core NCC role. Actions include appropriate support, advocacy and partnership.</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>ECM 5237878</td>
<td>Social Pinpoint</td>
<td>I'd love to see more environmental support for sustainable food practices. The Smart City Strategy contemplates some great applications of technology; I'd also like to see clever thinking applied to low-tech aspects of Newcastle to help us be 'smarter'. For example, urban farming of ingredients to be purchased by local restaurants, grown in the compost of food waste from those restaurants. Feedback Organic, and others, have made great progress locally and could be supported. Green rooftops!</td>
<td>Supported in part</td>
<td>Capacity for low-tech solutions to contribute to outcomes is included in strategy.</td>
<td></td>
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<tr>
<td>46</td>
<td>ECM 5237878</td>
<td>Social Pinpoint</td>
<td>The Smart City Strategy is great. Let's not forget the importance of simply having awesome things to do around here to attract and retain talented people. We have the highest artist population per capita and council's ongoing support of band venues, art galleries, sporting facilities (e.g. Bar Beach Bowl is amazing) helps keep Newcastle interesting. This was pivotal for Los Angeles becoming 'Silicon Beach' and slowing the 'brain drain' to San Francisco.</td>
<td>Noted</td>
<td>The strategy acknowledges the role of lifestyle in attracting / retaining talent</td>
<td></td>
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<tr>
<td>47</td>
<td>ECM 5237878</td>
<td>Social Pinpoint</td>
<td><a href="http://compostrevolution.com.au">http://compostrevolution.com.au</a></td>
<td>Noted</td>
<td>Industry pitch. All industry opportunities will be examined.</td>
<td></td>
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<td>48</td>
<td>ECM 5237878</td>
<td>Social Pinpoint</td>
<td>Create solar projects on local land contaminated by mining and industrial activities. Building solar projects on land contaminated by industrial activities and accidents is a growing trend worldwide. There is even a proposed 100-megawatt Chernobyl solar project.</td>
<td>Supported</td>
<td>See Smart Environment 3.3 for reference to solar farm at Summerhill Waste Management Centre.</td>
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<td>49</td>
<td>ECM 5237878</td>
<td>Social Pinpoint</td>
<td>Newcastle Innovator Alumni/Ambassador Program. Newcastle has been a great exporter of talent over the years, especially innovators, entrepreneurs, creatives and investors. Let's develop a program to connect and recruit influential novacastrians, especially overseas to represent our innovative and startup city scene in a positive light and by doing so help to increase awareness.</td>
<td>Supported</td>
<td>Added SE 5.5 ‘Undertake strategic smart city marketing campaigns such as Newcastle 360 which leverage city alumni networks as ambassadors’ - Year 1 - Lead/Collaborate</td>
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<td>ECM 5237878</td>
<td>Social Pinpoint</td>
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<td><strong>50</strong></td>
<td>Create an accessibility app mapping disability friendly buildings, streets, transport, pathways, toilets, parking [real-time information notifying spaces are occupied or unoccupied], etc...</td>
<td>Supported</td>
<td>A similar project has been scoped as a pilot in partnership with Community Development under the DIAP. This pilot project will be deployed as part of Smart Living 2.2</td>
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<td><strong>51</strong></td>
<td>Better recycling and green waste facilities. Classes to help local families learn to become more sustainable in their own home, ie produce less waste, compost more, worm farm. The sustainability section of Newcastle council is seriously lacking. Have a look at Lake Macquarie council for inspiration.</td>
<td>Supported in part</td>
<td>Waste management programs are in place through delivery program beyond the smart city strategy</td>
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<td><strong>52</strong></td>
<td>The Smart City means that, location will be less important. I would like to see the public transport and other smart infrastructure focus on the suburbs as well as the Newcastle CBD and the surrounding centres of adjoining LGAs.</td>
<td>Supported</td>
<td>See Smart Living 1.5 for rollout beyond city centre</td>
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<td><strong>53</strong></td>
<td>The link between Innovation and the Creative economy is so so important. We have strengths as a community in both and this needs to be fostered further.</td>
<td>Supported</td>
<td>See Smart People 3.0 for strategy and initiatives seeking to integrate creative industries into smart city. The UON School of Creative Industries (SOCI) is now located in the city centre as part of the UON campus with a new professor providing strategic advice.</td>
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<td><strong>54</strong></td>
<td>The $5 value of a smart economy is so important for Newcastle, to ensure that we retain our best and brightest and really define ourselves as the &quot;Smart&quot; capital of Australia, the Asian Pacific and even Global!</td>
<td>Noted</td>
<td>NCC supported and operates the granite power solar thermal at Wallsend pool. It is a good example of NCC supporting innovative businesses to deploy proof of concept projects. Wireless sensor technologies feature heavily in Smart Living 1.1 related to IoT networks and platforms</td>
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<td><strong>55</strong></td>
<td>Consider supporting Smart Energy ideas such as Wireless Sensor Networking and energy storage technologies through start up companies. One company called Granite Power, supported by University of Newcastle specialises in solar thermal technologies. There was a recent demonstration project carried out at Wallsend Public Pool in 2014 that incorporated a solar thermal array along with a low cost Organic Rankine cycle turbine to produce electricity along with heat that was used to heat the pool.</td>
<td>Noted</td>
<td>Similar themes are part of tech festival currently in scoping phase see action Smart Economy 5.3</td>
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<td><strong>56</strong></td>
<td>Awesome! Fantastic idea. Newcastle is well suited to this!</td>
<td>Noted</td>
<td>Supportive statement</td>
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<td><strong>57</strong></td>
<td>Smart lighting and light installations like the city evolutions project but not just localised to the one area. Think Sydney's vivid and this incorporated with outdoor live gigs and outdoor cinemas.</td>
<td>Supported</td>
<td>Similar themes are part of tech festival currently in scoping phase see action Smart Economy 5.3</td>
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<td><strong>58</strong></td>
<td>Encourage more activation in Newcastle’s lane ways with small wine bars and coffee shops, will create a mini Melbourne vibe and make the lane ways feel safer.</td>
<td>Noted</td>
<td>Out of scope for smart city strategy, although the value of safe and vibrant cultural scene is acknowledged as a significant factor in attracting and retaining talent. See forthcoming Newcastle After Dark Strategy for actions more specifically related to developing the city’s night-time economy.</td>
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<td><strong>59</strong></td>
<td>Having a Newcastle app would be great. If it could include location based updates for Newcastle events. For example when you sign in to say you are at an event, it sends you updates to tell you when certain activities are taking place and then at the end of the event asks you what you thought via a 3 question survey.</td>
<td>Noted</td>
<td>In planning. See Smart People 1.1 develop a city app for council services and information on the city</td>
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<td><strong>60</strong></td>
<td>I would like to add to this idea. All local tourist apps and interactive signs in the city need to multilingual, especially mandarin, bengali, hindi</td>
<td>Supported</td>
<td>Digital wayfinding capabilities delivered through Smart Living 2.0 will enable multilingual capabilities</td>
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<td>ECM 523787</td>
<td>Social Pinpoint</td>
<td>Reinvent the role of the public library in 2017. Could they become the next start-up incubators or innovation labs?</td>
<td>Supported</td>
<td>See program Smart People 4.0 for initiatives related to integrating smart city technology and principles with city library digital transformation including the addition of innovation facilities and makerspaces within libraries</td>
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<td>ECM 523787</td>
<td>Social Pinpoint</td>
<td>More public art to help attract the tourist dollar. I think it would be great to see something done with the Carrington silos given their prominence in the harbour landscape. They are in a prime position for something like they did in Victoria with the Silo Trail exhibition, an event where they painted massive scale murals on some rural grain silos. <a href="https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2098/admin_thumb_7496944-1x1-700x700.jpg">https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2098/admin_thumb_7496944-1x1-700x700.jpg</a></td>
<td>Noted</td>
<td>Public art is not in scope of the the smart city strategy with exception of utilising technology in public domains to create digital interactive places.</td>
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<td>ECM 523787</td>
<td>Social Pinpoint</td>
<td>I would like to see public car-sharing services like GoGet available throughout the city. These services would help reduce the need for car ownership in the CBD and inner suburbs. <a href="https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2097/admin_thumb_Silver_yaris_in_pod_car_share_bay_lower_res.jpg">https://newcastle.mysocialpinpoint.com/uploads/photo/image/23/2097/admin_thumb_Silver_yaris_in_pod_car_share_bay_lower_res.jpg</a></td>
<td>Noted</td>
<td>See strategy Smart Mobility 3.0 'Future Mobilities' for actions related to sharing economy in cars and Council fleet.</td>
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<td>ECM 523787</td>
<td>Social Pinpoint</td>
<td>Interactive Light Festival Establish an open-air interactive light festival along the foreshore and Fort Scratchley with a program of virtual reality, light shows, digital art and 3D video mapping using city open data, sensors, mesh and wifi networks and other infrastructure.</td>
<td>Supported</td>
<td>Similar themes are part of tech festival currently in scoping phase see action Smart Economy 5.3</td>
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<td>ECM 523787</td>
<td>Social Pinpoint</td>
<td>Air Quality Monitoring Sensor Network Deploy an environmental sensor network across Stockton and rail corridor to monitor emissions of factories, and coal dust. Make the data open.</td>
<td>Noted</td>
<td>In planning. See Smart Environment 1.2 for actions related to using sensing technologies to monitor natural and urban environments</td>
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<td>ECM 523787</td>
<td>Social Pinpoint</td>
<td>Provide lots of options and access for people that cannot afford their own computers and smart phones, via libraries, service centres, tech kiosks etc. Provide training and support to up-skill people 'left behind' by the technology revolution and always provide options that don't require access to technology or digital literacy. Use plain English - not tech jargon.</td>
<td>Noted</td>
<td>See actions in Smart People 2.0 for addressing digital divide, improving critical digital literacy and providing equitable access to technology products, devices and services.</td>
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<td>ECM 523787</td>
<td>Social Pinpoint</td>
<td>Create an online guide to the start-up community - including groups, events, training, incubators, accelerators, co-working workspaces and jobs.</td>
<td>Supported</td>
<td>See Smart Economy 1.2 for initiatives related to online virtual ecosystem tool for navigating and enhancing collaborative potential of innovation ecosystem</td>
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<td>ECM 523787</td>
<td>Social Pinpoint</td>
<td>Adopt zero emissions and 100% renewable energy targets</td>
<td>Supported in part</td>
<td>Added Smart Environment 1.1 to more explicitly highlight smart city strategy ambitions to leverage sustainability objectives of Council</td>
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<td>ECM 523787</td>
<td>Social Pinpoint</td>
<td>Compile and promote a list of favorite Newcastle-centric apps so that, wherever you are, you can have the City at your fingertips. Including dining, attractions, transport, cultural, local go and retail apps.</td>
<td>Supported</td>
<td>See Smart People 1.1 for initiatives related to development of digital interfaces including city app for providing information to residents, workers and visitors</td>
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<td>ECM 5237703</td>
<td>EngagementHQ Survey Tool 2</td>
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<td><strong>We would like to congratulate the Newcastle City Council and the entire Smart City team for the commitment to developing a smart and innovative Newcastle. Smart cities are about improving the liveability of their citizens. A smart city needs a smart transport infrastructure. Newcastle is in the midst of its biggest transport system shake-up in decades. The NSW Government’s Urban Transformation and Transport Program will revitalise Newcastle through its light rail system and a new transport interchange. Newcastle is the first Australian city to have a privately operated multi-modal transport network. Construction of the light-rail system has commenced while the new inner-city university campus is already completed.</strong></td>
<td><strong>Noted</strong></td>
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<td><strong>BYKKO is pleased to learn about the Smart Mobility strategies designed to incorporating ICT integrated multi-modal transport planning, active travel and future modes of transport and mobility. We believe bike sharing should form part of any integrated modern transport strategy. There are hundreds of cities around the world that are as small or smaller than Newcastle, where bike sharing schemes are improving the liveability by reducing the private car use and its associated problems: parking shortages, congestion, population obesity and air pollution. A digitally enabled e-bike share network using real-time GPS analytics to manage demand, optimise capacity and enable better customer outcomes integrated with the internet of things (IoT) network and public transport infrastructure would provide valuable data to plan and build Newcastle as a smart city.</strong></td>
<td><strong>Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined.</strong></td>
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<td><strong>A Newcastle-based company, BYKKO is Australia’s first electric bike-share provider. We use impressive data technology (usage mapping, trip reports, activity feedback) and we provide European-manufactured lightweight power-assisted bikes suitable for people of all fitness and ability levels. BYKKO technology creates intelligent transport networks that actively gather data which helps managing demand, optimising capacity and more importantly delivering a better customer outcome. Our state-of-the-art systems offer an alternative option for integrated transport as part of Newcastle’s smart city strategy and will enhance the way Novocastrians move around the city. International research has found e-bikes encourage more people to cycle. A three-month trial over summer based in the West End with the support of the City of Newcastle “Make Your Place” community grant was an unqualified success and participants said more e-bike stations should be installed around the city.</strong></td>
<td><strong>Supportive statement. Industry Pitch.</strong></td>
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An electric bike share network is an important “last-mile” solution within the integrated transport mix, and will expand the accessibility of the light rail, ferry, train and bus network well beyond the 400 metres walking distance. As we see in the Netherlands, cycling dramatically increases the catchment area of train stations, hypothetically by as much as 25 times, since cycling is 5 times faster than walking. In Newcastle an e-bike share network will extend the catchment of the Wickham Interchange Hub, the coming light rail line along Hunter Street, and the Stockton ferry. Wherever it has been introduced bike sharing has also supported public transport simply by lessening people’s personal investment in private car use. We expect an e-bike share scheme will lead to a reduction in the number of car trips and consequently reducing the pressure on car parking while at the same time increasing the overall number of cycling trips being made in the city.

The Australian economy benefits by more than $21 every time a person cycles 20 minutes to/from work and $8.50 each time a person walks 20 minutes to/from work, according to a policy statement released by Deputy Prime Minister Anthony Albanese a few years ago. Bike share targets people who are amenable to cycling (typically most of the population when surveyed) but who are not so committed that they would have their own bike with them at the office, at a restaurant or café, or when they are on holidays. Electric assistance makes cycling more appealing to people who, because they are old, unfit or out of the habit of cycling, believe they are incapable of riding a bike unassisted.

Bike-share stations are also delivering proven health benefits and minimising the carbon footprint. Newcastle has a 33% obesity rate (compared to 15% for Eastern Sydney). An e-bike share scheme gives all those people in Newcastle 24 hour access to a comfortable and high quality bike with the option of electric assist, plus wayfinding to plan a safe trip that doesn’t cause them to ride among cars - the greatest deterrent to cycling. A bike-share system is an effective, interchangeable, collective transport asset for tourists and locals alike. We would like to be part of the conversation when the City of Newcastle starts implementing the Smart Mobility strategies. As consultant experts in the bike share and cycle urbanism fields we have already completed bike share feasibility studies for the other cities, so we already have a clear picture of how bike sharing schemes are likely to fit with Newcastle population and built environment.

BYKKO is also ready to monitor the impacts of these pilots, having planning and research skills in-house. We can employ a range of research methods to monitor the impacts of the bike share schemes and communicate those with reports and public lectures. We fully endorse your Smart Mobility strategies and look forward with much enthusiasm to the implementation phase that should allow the Newcastle City Council to integrate an e-bike share scheme into the multi-modal transport network.
Further to TAFE NSW’s letter of support for the Smart Move Newcastle Intelligent Mobility, Energy and Data Networks we would like to provide comment on the draft Smart City Strategy 2017-2021.
TAFE NSW’s vision is that we continue to be the leading skills provider in the State: delivering relevant, high-quality, practical and creative training to grow the NSW economy through TAFE NSW. Our vision will support the innovation precinct initiative of attracting new business and jobs to the region and create opportunities for growth and development for the Hunter.
TAFE NSW is committed to partnering with industry, business, community and government to support the transition of the Hunter economy to a smart, innovative and technologically advanced region that enables businesses to maximise their growth strategies and accelerate development.
TAFE NSW intends to directly support the project through integrating vocational education (VET) and skills development into the future innovation pipeline of the Smart Cities Bid. We are confident the project will produce successful outcomes for the community, businesses and students of Newcastle.

Students will benefit through being able to complete their training at a number of TAFE NSW delivery locations that sit within the innovation precinct. This will provide opportunity for collaboration and connections with industry and community; access to seamless smart mobility, Public Wi-Fi and Internet of Things (IOT); and exposure to new innovations and start-ups.
TAFE NSW Information Communications and Technology (ICT) Strategy will support the Smart City Strategies through providing a platform to support innovation and delivery for students, expose students and industry to innovative technologies that generate and drive innovation and capability through supporting Edutech communities, incubators and graduate initiatives.
TAFE NSW Digital will position TAFE NSW as a leader in the provision of digital learning services and future-focused training, will support growth, improve efficiency, and enhance connections with our students regardless of their location.
Please don’t hesitate to contact me should you require any further information regarding this submission by telephone on 6586 2212 or by email at Elizabeth.McGregor@tafensw.edu.au
Thank you for the opportunity to provide input to the Newcastle Smart City Strategy. Please accept our submission below and register our interest in being actively involved in this exciting initiative. The Internet of Things (IoT) is set to change the world as we know it, by providing timely, accurate information at our finger tips, from low cost sensors connected to the internet. Access to information and the ability to turn it into knowledge and decisions will change the way that we manage and deploy public infrastructure, provide public services, and manage public assets.

Meshed believes in 'democratising' IoT from the very beginning. By providing quality IoT connectivity for the public, at no cost, by using publicly available open-source technology and free on-line services, such as The Things Network server, anyone who can afford a cheap and widely available LoRaWAN sensor can begin collecting the data they need at no cost, immediately. In this way barriers to entry are significantly reduced and the public, business and not-for-profit entities can rapidly adopt this burgeoning standards-based and secure technology. Meshed has rolled out free-to-access LoRaWAN IoT networks for cities, regions, universities and corporates all over Australia, with many more in the planning. We have attached a summary document about Meshed, including case study information and indicative pricing for sensors that we are typically deploying with our clients. A city wide LoRaWAN network can be deployed for as little as $25,000 and provides the capability of connecting thousands of sensors, at no cost to the user. Meshed is also deploying private LoRaWAN networks for clients who wish to manage their own self-contained IoT sensor environment, using the same server software as the public network, but in a private domain.

Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined.
We know that Newcastle can quickly take advantage of IoT by making it widely available at a very low cost. A LoRaWAN gateway and The Things Network server will provide the network for many of the examples used in your Smart City Strategy video clip, including:

- Smart Parking
- Smart Bins
- Smart Street Lighting
- Environmental monitoring
- Innovation Hub and digital sandbox

However when IoT capability is put in the hands of the general public, the sky is the limit when it comes to creative problem solving and entrepreneurship. Schools and education institutions suddenly have free access to powerful new tools for teaching, making, creating and being relevant to the coming industries now rapidly evolving.

A good example of creative solutions coming from this technology is a municipality in Germany which has deployed small LoRaWAN LED boxes, with a red/green traffic light system to alert elderly apartment dwellers when the communal waste bins are full (bin sensors), so that they don't risk life and limb making needless trips down frozen and slippery stairs in the middle of winter, only to find the bins are full and they must return later. Brilliant!

We hope that Newcastle City Council will give due consideration to providing an open and free IoT option for its citizens, businesses and not-for-profits, to accelerate their adoption of this new and exciting technology.

Also included is another document that summarises Meshed Pty Ltd capabilities and case studies.

Digital smart screens

oOh!media is willing to collaborate with Newcastle City Council to provide digital smart screens at low or no cost and possibly provide a revenue stream to Council. Unfortunately the new Signage DCP adopted by Council will exclude businesses like us from collaborating with NCC as; Any screen approved will only have a 12 month approval, effectively killing any realistic business case. & Digital screens are prohibited in Heritage (CBD) locations (ie the locations they are required and most effective for the community).

We would be happy to discuss solutions to these issues that would allow business to collaborate with Council.

Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined.
| 74 | ECM 5237702 | EngagementHQ Survey Tool 2 | Draft Smart City Strategy - We can help you realise your vision
We believe your strategy demonstrates real leadership in the journey towards truly smart cities and we want to partner with you and other stakeholders to help bring your vision to life.

The development of a dedicated Strategy has engaged the community in imagining their future city, and will empower them to create this future.

First and foremost, we would like to commend Newcastle City Council on their Smart City leadership. In addition to engaging the community, it will catalyse new private-public-research partnerships that drive innovation, economic opportunity, city activation, and social advancement.

The Strategy is bold, inspiring, and comprehensive. It will deliver connection, collaboration, creativity, growth, and liveability for Newcastle. We are pleased to endorse this Strategy and look forward to contributing to Council’s smart city vision.

Notwithstanding our strong support, in the interests of collaboration and co-creation, we offer the following comments for consideration.

Detailed implementation planning will underpin the Strategy and help realise key projects and outcomes. It might add value to include a summary of this plan in the Strategy. This would clearly indicate the next steps to the community and potential smart city partners.

Emerging business and financing models are opening up new and exciting smart city opportunities, generating shared value, creating new revenue streams, and reducing risk. Such possibilities could be highlighted in the Strategy, reiterating your commitment to innovation.

Regulation and business processes are often two of the biggest barriers to smart city transformation. It may be worth highlighting any current work to modernise regulation/process and how this will be integrated with smart city action. Regulatory reform will be particularly important to support Newcastle’s Living Lab. So too will be the Framework for receiving and assessing proposals to enact the Living Lab and to progress new (or unanticipated) smart city innovations. Clever design of this Framework will encourage innovation and creativity, and support Council decision-making. | Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined. | Noted | Supportive statement and industry pitch. | Noted |
| 74 | ECM 5237702 | Aldo and its network is committed to working with Council to realise new opportunities and address emerging risks. Once Council formally adopts the final Strategy and moves into implementation, many new smart city possibilities and unexpected challenges will emerge. We offer both depth and breadth of smart city expertise and capability, the willingness to co-create and customise solutions for Newcastle, and openness to innovation. Above all, we are committed to smart city excellence, in design, technology, collaboration, and outcomes for the people of Newcastle. Smart technology without smart regulation, business intelligence, community engagement, and cultural change has limited impact and tends to back-slide. The value we will contribute to your strategy, both directly and via our network, is a sound understanding of the technology, combined with reliable implementation experience and fluency in the necessary complementary reforms. We aim to demonstrate our support as one of Council's smart city strategic partners, working to make Newcastle even more liveable, prosperous and sustainable. Smart city aspiration is a long-term proposition, and Aldo, along with its network, is committed to long-term partnership with Council and the Newcastle community. |
| 74 | ECM 5237702 | Ultimately we want to augment your capacity and capability in striving to pursue your strategy and achieve your vision. Aldo will: • Be a collaborative conduit to the market with a commercial lens. • Focus our R&D on your priorities, pilot ideas in your region and encourage others to do the same. • Establish a real presence in Newcastle, in particular to support and help anchor your Virtual Distributed Incubator. • Contribute a real investment in people, time and money to help realise your vision. |

**Noted**
Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined.
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| 74   | Aldo, in partnership with Delos Delta, DomAGroup and Duncan Solutions, has access to a wide range of industry specialists we can bring to the table to support Newcastle’s Smart City Strategy. Capability within our network covers numerous elements of potential value to your strategy, including:  
• Integrated smart parking solutions  
• Smart city strategy, planning and advisory services  
• Innovative local property development capability and investment  
• Smart-phone and web-based application development  
• Camera technology and software analytics  
• Smart poles, including Wi-Fi and 4/5G capability  
• Waste management solutions  
• Smart building advisory and technology  
• Sustainable energy, including biomass generation  
• Asset management and control technology  
• Broad asset management advisory services  
• Funding solutions, including debt and venture capital |
|      | Our aim is to collaborate with Newcastle by activating our network to the benefit of your Smart City Vision |
|      | Noted |
| 74   | Great things can be achieved through strong partnerships, founded on solid principles of openness, commitment and a willingness to share in success  
In pursuit of our partnership with Newcastle City Council, we will bring:  
- An ability to commit to multiple projects, through the breadth, depth and focus of our businesses and our network  
- A willingness to co-design the solution with council, not just present a product or pre-baked solution  
- An understanding that success rarely comes without risk of failure, allowing for a truly innovative partnership that can provide leadership both locally and across the industry  
- Support for models to create multiple "winners" who share in success  
- A track record of delivery that can turn ideas into reality |
|      | Positive feedback to strategy. No response required. Industry engagement in Newcastle smart city is welcome. All industry opportunities will be examined. |
Newcastle, and the Hunter Region, makes things and it is this pragmatic, hands-on culture that will drive your strategy forward and be engaged by real progress in the short/medium term.

What we have learned so far:

- We understand that your priority in the next two years is to create the backbone infrastructure necessary for your Smart City, however you will also pursue more "visible" achievements to help maintain momentum.
- Your virtual distributed incubator network is well underway with numerous key elements established to date. Ongoing expansion and depth in this network, including for example an Industrial Co-working Space, will provide real activity and excitement in the region.
- Very soon you will have high speed data infrastructure at the east and west ends of the CBD. Integration of these two networks will be a valuable next step.
- There is already good momentum within Council on “smart” related activities, in particular in waste management, GIS and through activities underway at the Library and Museum.
- Given the volume of CBD construction in the next 2 years good parking guidance is a priority, in particular the ability to deal with ongoing changes to construction zones.

Following are some “quick wins” we could help you realise to support your smart city journey...

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In the coming months we would like to explore opportunities to help bring short term projects to life

We would like to continue a conversation with you and other stakeholders to co-create quick wins that demonstrate real progress on your journey to becoming a smart city.

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<tr>
<th>74</th>
<th>ECM 5237702</th>
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<th>Noted</th>
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<td>74</td>
<td>ECM 5237702</td>
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<td>Supportive statement and industry pitch.</td>
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Positive feedback to strategy. No response required. Industry engagement in Newcastle’s smart city is welcome. All industry opportunities will be examined.
CCL 22/08/17
SUPPLEMENTARY REPORT - EXHIBITION OF DRAFT PLANNING AGREEMENT FOR RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET NEWCASTLE

Attachment A: Original report and Attachment A of CCL 09/05/17 - Exhibition of draft Planning Agreement for Rail Corridor Land between Worth Place and Watt Street Newcastle
PURPOSE

The purpose of this report is to obtain a Council resolution to place the draft Newcastle Urban Rail Transformation Program Planning Agreement (Attachment A) on public exhibition pursuant to clause 25D of the Environmental Planning and Assessment Regulation 2000.

RECOMMENDATION

1 Council resolves to place the draft Newcastle Urban Rail Transformation Program Planning Agreement (Attachment A) on public exhibition for 28 Days.

KEY ISSUES

2 Council resolved at its Ordinary Council meeting held on 13 October 2016 to forward the Planning Proposal for the rail corridor land between Worth Place and Watt Street Newcastle to the Minister for Planning and Environment for Gateway Determination pursuant to Section 56 of the Environmental Planning and Assessment Act 1979. The planning proposal included a letter of offer from UrbanGrowth NSW to enter into a Planning Agreement to “facilitate delivery of the following aspects:-

   a) Dedication of the land proposed to be zoned RE1 Public Recreation
   b) Enhancement of the public open space
   c) Repurposing heritage buildings, particularly Newcastle Railway Station and Signal Box
   d) Remediation of the open space
   e) Commitment to provision of affordable housing.”

3 Following the issue of a positive Gateway Determination on 13 December 2016 by the NSW Department of Planning and Environment, Council officers and officers from UrbanGrowth NSW and their consultants have been negotiating a draft Planning Agreement between Council, Landcom (t/a UrbanGrowth NSW) and Hunter Development Corporation.

4 The effect of the draft Planning Agreement (as outlined on page 58 of Attachment A) is as follows:
The draft agreement does not exclude the application of s94 Contribution towards provision or improvement of amenities or services, s94A Fixed development consent levies, or s94EF Special Infrastructure Contributions to the Development.

ii) Provides for embellishment of open space to create a new Civic Link, Darby Plaza and expanded Foreshore Park.

iii) Provides for dedication of the abovementioned land.

iv) Provides for maintenance and restoration of heritage buildings and facilitates adaptive reuse of Newcastle Station and Signal Box.

v) Provides for remediation of the land.

vi) Provides for widening of Civic Lane

vii) Provides for funding of our affordable housing project with a fallback position of a minimum 5% of total residential development as affordable housing.

5 The draft agreement also provides two dispute resolution methods (expert determination and mediation) and imposes restrictions on the parties (Council, UrbanGrowth NSW and Hunter Development Corporation) transferring the Land or part of the Land or assigning, or novating an interest under the agreement.

6 The following provides a summary of the main points for consideration in the draft Planning Agreement.

Civic Link

7 The Civic Link is divided into two sections: the Council owned Museum Square and Civic Station Forecourt, and the rectangular portion of Lot 2 DP 1226145, which includes Civic Station (shown on the land dedication plan). The draft Planning Agreement allows for:

i) Dedication to Council of part of Lot 2 DP 1226145.

ii) Remediation of the above land in accordance with the Remediation Action Plan.

iii) Remediation of the Museum Square and Civic Station Forecourt by Council in accordance with the Remediation Action Plan.

iv) Full or partial demolition of any buildings / structures on the Civic Link Land as determined by UrbanGrowth NSW (Civic Station and associated structures).

v) Embellishment of the Civic Link land with a minimum value of $2,285,000 up to a maximum value of $2,795,000.
vi) Embellishment of the Museum Square and Civic Station Forecourt with a minimum value of $1,290,000 and up to $1,575,000.

vii) Embellishment of spaces is to be consistent with the Civic Link Design Intent included in Schedule 7 to the draft Planning Agreement and to include soft landscaping, footpaths, trees, furniture and lighting.

8 The draft Planning Agreement also includes a number of clauses relating to Civic Station works and dedication. As the draft Planning Agreement has been prepared prior to UrbanGrowth NSW finalising their plans for Civic Station, it is not known at this time if Civic Station is to be retained as is or partially or fully demolished.

9 To minimise the risk to Council, Clause 11 has been included in the draft Planning Agreement, which ensures that Council has no obligation to accept the dedication of Civic Station and the surrounding land, once UrbanGrowth NSW finalise their plans for the site.

10 The draft Planning Agreement provides that UrbanGrowth NSW must notify Council within 14 days of obtaining all relevant approvals for any works it proposes to carry out to Civic Station, and within 90 days Council must advise UrbanGrowth NSW whether it will accept dedication of the Civic Link land.

Darby Plaza – Public Open Space

11 Darby Plaza consists of a small portion of Lot 2 DP 1226551, shown on the Land Dedication Plan. The land is proposed to be remediated in accordance with the Remediation Action Plan and embellished in accordance with the Darby Plaza Design Intent included in Schedule 7 to the draft Planning Agreement. The embellishment is to have a minimum value of $360,000 and a maximum value of $440,000 and is to include soft landscaping, footpaths, trees, benches, bins and lighting.

Foreshore Park

12 Foreshore Park is proposed to be dedicated to Council and consists of the long strip of land being part of Lot 4 and part of Lot 6 (between the western alignment with Perkins Street and eastern extent of the proposed RE1 Public Recreation Zone) in DP 1226551 shown on the Land Dedication Plan. This will exclude any land required for the light rail alignment to the southern boundary of the lots.

13 Remediation of Foreshore Park land and part of Lots 3 and 5 in DP 1226551 will be completed by UrbanGrowth NSW in accordance with the Remediation Action Plan, between western alignment with Perkins Street and eastern extent of the proposed RE1 Public Recreation Zone.

14 Embellishment of the Foreshore Park Land and parts of Lots 3 and 5 DP 1226551 (between western alignment with Perkins Street and eastern extent of the proposed RE1 Public Recreation Zone) completed by UrbanGrowth NSW in accordance with the Foreshore Park Concept Plan (Schedule 4 to the draft
Planning Agreement). Embellishment is to have a minimum value of $4,205,000 and a maximum value of $5,140,000 and include: three new pedestrian crossings between Wharf Road and Hunter / Scott Streets at locations to be determined (potentially at Wolfe, Market and Newcomen Streets), shared road aligned with Perkins Street, between Wharf Road and Hunter Street, soft landscaping, footpaths, trees, benches, bins, bike racks, drink fountain, lighting, public art and streetscape works to north side of Scott Street and Hunter Street and south side of Wharf Road.

Civic Lane Widening

15 The draft Planning Agreement allows for the widening of Civic Lane between Civic Station and Worth Place by UrbanGrowth NSW and dedication of the additional land to Council (approximately 1m wide and 154m long). The widening of Civic Lane will provide an accessible link between Civic Link / Hunter Street and Wright Lane / Workshop Way as well as vehicular and service access to properties on the northern side of Hunter Street and the new developments between Civic Lane and Wright Lane.

Signal Box Heritage Conservation

16 UrbanGrowth NSW will provide up to $300,000 worth of work on the Signal Box (excluding alterations and additions to the building) to enable the building to be upgraded to a standard that would allow it to be leased for a future commercial use. The Signal Box will remain in the ownership of UrbanGrowth NSW.

17 The Signal Box toilet block building will be redeveloped to provide public toilets for use by Foreshore Park and Signal Box use in accordance with DA2016/01081. The toilet block will be dedicated to Council.

Newcastle Station

18 UrbanGrowth NSW will provide a maximum of $1,500,000 to enable works to the heritage fabric and to allow temporary use of the site. UrbanGrowth NSW will also provide for the ongoing maintenance of the station building and site. Newcastle Station is not proposed to be dedicated to Council.

Affordable Housing

19 The draft Planning Agreement requires for a minimum of 5% of the total residential development as affordable housing.

Part 3 – Provisions relating to the carrying out of work

20 Part 3 of the draft Planning Agreement, contains a number of clauses relating to the design and consultation of work, standard of work, maintenance and management of works and rectification of defects.

21 Clause 12 (Design and Consultation) ensures that UrbanGrowth NSW will prepare concept plans for all the work items listed in Schedule 2 (excluding item 11 – Foreshore Park) in accordance with the documents specified in the draft
Planning Agreement and submit them to Council for consideration. This section also precludes UrbanGrowth NSW from lodging a Development application and / or a Construction Certificate for works requiring embellishment without first submitting to Council a concept plan and / or construction drawings for Councils review.

22 Clause 13 (Standard of Construction Work) provides that all work is to be carried out in accordance with Council’s specifications (listed in the draft Planning Agreement) and that Council must be appointed as the certifier in respect of any works comprising embellishment for the purpose of issuing a Construction Certificate.

23 Clause 15 provides for a maintenance period of 24 months from the acceptance of the work by Council and Clause 22 (Rectification of Defects) provides for a defects liability period of 12 months from the acceptance for the work by Council.

FINANCIAL IMPACT

24 The draft Planning Agreement will have a financial impact on Council due to costs associated with the long term ownership and maintenance of the land and the buildings and structures proposed to be dedicated to Council. Council is also required to cover the cost of the remediation of Museum Square and Civic Station Forecourt. Council can absorb the cost into its asset management budget. To minimise cost associated with the initial transfer of land, the Planning Agreement includes a 24 months maintenance period and a rectification of defects period of twelve months.

COMMUNITY STRATEGIC PLAN ALIGNMENT

25 The draft Planning Agreement aligns with the strategic directions of the Community Strategic Plan specifically vibrant and activated public places, a livable and distinct built environment and open and collaborative leadership. The proposed public spaces will provide for diverse activity and help strengthen social connections, celebrate and value heritage and culture by the restoration of heritage buildings including the Signal Box and Newcastle Station and provide a safe and activated place that is used by people day and night. The draft Planning Agreement will also ensure a greater diversity of housing for current and future community needs by the inclusion of the Affordable Housing project.

26 The draft Planning Agreement will also meet the objectives of the Open and Collaborative Leadership direction by making decisions based on collaborative, transparent and accountable leadership and active citizen engagement in local planning and decision making processes by involving the community in the public exhibition of the draft Planning Agreement, draft Development Control Plan and Planning Proposal for the rail corridor.

IMPLEMENTATION PLAN/IMPLICATIONS
27 The negotiation and public exhibition of the draft Planning Agreement will be completed in accordance with Council’s Planning Agreements Policy and the requirements of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.

RISK ASSESSMENT AND MITIGATION

28 The risk to Council of entering into the Planning Agreement has been reduced by including clauses in the draft Planning Agreement, that allow Council to either not accept specific buildings / structures (Civic Station) and including requirements that ensure the open spaces are designed and embellished in accordance with Council specifications and that Council is able to review the proposed design and construction drawings prior to a Development Application and / or Construction Certificate being submitted to Council. Council must also be appointed as the certifier in respect of any works comprising embellishment for the purpose of issuing a Construction Certificate.

RELATED PREVIOUS DECISIONS

29 13 October 2016 – Endorsement of the Planning Proposal for the rail corridor land between Worth Place and Watt Street Newcastle.

30 26 April 2017 – BBC Committee Recommendation – City Centre Affordable Housing.

CONSULTATION

31 Consultation has been undertaken internally with Council Officers. The draft Planning Agreement will be publicly exhibited with the draft Development Control Plan and Planning Proposal for the rail corridor land between Worth Place and Watt Street Newcastle.

OPTIONS

Option 1

32 The recommendation as at Paragraph 1. This is the recommended option.

Option 2

33 Council resolves not to proceed with the draft Planning Agreement. This is not the recommended option.

BACKGROUND

34 The Newcastle heavy rail line was truncated by the NSW Government in December 2014.

35 During 2015, UrbanGrowth NSW consulted with the community on potential future uses for the rail line.
36 In April 2016, the Review of Environmental Factors (REF) for the light rail proposal was placed on public exhibition by Transport NSW. In July 2016, a formal determination was made that the Newcastle light rail project proceed. Construction work is expected to commence in 2017.

37 Council received a request to amend Newcastle LEP 2012 in order enable the rail corridor land between Worth Place and Watt Street Newcastle to be redeveloped for mixed use, public open space and tourist uses. The submitted request indicates that the requested amendments to the LEP support the objectives of the NSW Government's Newcastle Urban Transformation and Transport Strategy (NUTTP).

38 At the Ordinary Council Meeting held on 13 October 2016 Council resolved to forward the Planning Proposal for the rail corridor land between Worth Place and Watt Street Newcastle to the Minister for Planning and Environment for Gateway Determination pursuant to Section 56 of the Environmental Planning and Assessment Act 1979.

39 The Minister for Planning and Environment issued a positive Gateway Determination on 13 December 2016.

REFERENCES

ATTACHMENTS

Attachment A: Planning Agreement
ORDINARY COUNCIL MEETING
9 MAY 2017

CCL 09/05/17
EXHIBITION OF DRAFT PLANNING AGREEMENT FOR RAIL CORRIDOR
LAND BETWEEN WORTH PLACE AND WATT STREET NEWCASTLE

Attachment A: Draft Newcastle Urban Rail Transformation Program
Planning Agreement

DISTRIBUTED UNDER SEPARATE COVER
Deed

Newcastle Urban Rail Transformation Program
Planning Agreement
Under s93F of the Environmental Planning and Assessment Act 1979

Newcastle City Council
Landcom (t/a UrbanGrowth NSW) Hunter Development Corporation

[Insert Date]

This document was prepared with the assistance of Lindsay Taylor Lawyers, 420 George Street, Sydney

CONFIDENTIAL DRAFT
Newcastle Urban Rail Transformation Program Planning Agreement

Newcastle City Council

Landcom (t/a UrbanGrowth NSW)

Hunter Development Corporation

Newcastle Urban Rail Transformation Program Planning Agreement

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Newcastle Urban Rail Transformation Program Planning Agreement
Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

Newcastle Urban Rail Transformation Program Planning Agreement

Summary Sheet

Council:

Name: Newcastle City Council
Address: 282 King Street, Newcastle NSW 2300
Telephone: 02 4974 2000
Facsimile: [Insert Details]
Email: [Insert Details]
Representative: [Insert Details]

Developer:

Name: Landcom (t/a UrbanGrowth NSW)
Address: Level 14, 60 Station Street Parramatta NSW 2150
Telephone: (02) 9841 8600
Facsimile: (02) 9841 8688
Email: [Insert Details]
Representative: [Insert Details]

Landowner:

Name: Hunter Development Corporation
Address: Suite B, Level 5, 26 Honeysuckle Drive, Newcastle NSW 2300
Telephone: 02 4904 2750
Facsimile: 02 4904 2751
Email: [Insert Details]
Representative: [Insert Details]

Land:

See definition of Land in clause 1.1.
Development:

See definition of Development in clause 1.1.

Development Contributions:

See clause 9 and Schedule 2.

Application of s94, s94A and s94EF of the Act:

See clause 8.

Security:

Part 4

Restriction on dealings:

See clause 32.

Dispute Resolution:

Expert determination and mediation. See clauses 29 and 30.
Newcastle Urban Rail Transformation Program Planning Agreement

Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

Newcastle Urban Rail Transformation Program Planning Agreement

Under s 93F of the Environmental Planning and Assessment Act 1979

Parties

Newcastle City Council  ABN 25 242 068 129 of 282 King Street, Newcastle NSW 2300  (Council)

and

Landcom (t/a UrbanGrowth NSW)  ABN 79 268 260 688 of Level 14, 60 Station Street, Parramatta NSW 2150  (Developer)

and

Hunter Development Corporation  ABN 94 688 782 063 of Suite B, Level 5, 26 Honeysuckle Drive, Newcastle NSW 2300  (Landowner)

Background

A The Developer is established as a corporation under s5(1) of the Landcom Corporation Act 2001 with the corporate name of Landcom.

B The Developer trades under the name of UrbanGrowth NSW.

C The Landowner is a statutory corporation constituted under the Growth Centres (Development Corporations) Act 1974.

D The Landowner is the owner of the Land and leases the Land to the Developer.

E The Landowner and Developer have agreed that the Developer will redevelop the Land.

F The Developer has requested the Council to adopt a Planning Proposal to facilitate the LEP Amendment so as to make permissible the carrying out of the Development on the Land.

G The Developer has made or proposes to make a Development Application to carry out the Development on the Land.

H The Developer offers to make Development Contributions to the Council on the terms set out in this Deed in connection with the LEP Amendment.
Operative provisions

Part 1 - Preliminary

1 Definitions & Interpretation

1.1 In this Deed the following definitions apply:

- **Act** means the *Environmental Planning and Assessment Act 1979* (NSW).
- **Approval** includes approval, consent, licence, permission or the like.
- **Affordable Housing** has the same meaning as in the Act.
- **Authority** means the Commonwealth or New South Wales government, a Minister of the Crown, a government department, a public authority established by or under any Act, a council or county council constituted under the *Local Government Act 1993*, or a person or body exercising functions under any Act including a commission, panel, court, tribunal and the like.
- **Civic Link Land** means the land defined as such in Item 1 of the table to Schedule 2.
- **Civic Station Land** means the land marked ‘Civil Station Land’ on the Civic Station Land Plan.
- **Civic Station Land Plan** means the plan in Schedule 6.
- **Claim** includes a claim, demand, remedy, suit, injury, damage, loss, Cost, liability, action, proceeding or right of action but does not include proceedings to enforce this Deed in the Land and Environment Court or any Court on appeal from that Court.
- **Construction Certificate** has the same meaning as in the Act.
- **Cost** means a cost, charge, expense, outgoing, payment, fee and other expenditure of any nature.
- **Council Specification Documents** means:
  - (a) *City Centre Public Domain Technical Manual*;
  - (b) *Urban Forest Technical Manual*; and
  - (c) *Standard Drawings*;

  and any amendment or replacement of those documents notified to the Developer within 6 months of the date of this Deed.
- **Darby Plaza Land** means the land defined as such in Item 6 of the table to Schedule 2.
- **Deed** means this Deed and includes any schedules, annexures and appendices to this Deed.
- **Design Intent** means the design intent for the relevant Work Item in Schedule 7.
- **Development** means the development of the Land which is facilitated by the LEP Amendment.
- **Development Application** has the same meaning as in the Act.
Development Consent means a development consent within the meaning of the Act.

Development Contribution means any of the following, or any combination of them, to be used for, or applied towards, a public purpose:

- a monetary contribution,
- the dedication of land free of cost,
- the carrying out of Work,
- the provision of any other material public benefit,

but does not include any Security or other benefit provided by a Party to the Council to secure the enforcement of that Party’s obligations under this Deed for the purposes of s93F(3)(g) of the Act.

Dispute means a dispute or difference between the Parties under or in relation to this Deed.

Final Lot means a lot to be created in the Development for separate residential occupation and disposition, not being a lot created by a subdivision of the Land:

(a) that is to be dedicated or otherwise transferred to the Council, or
(b) that may be further subdivided, or
(c) on which is situated a dwelling-house that was in existence on the date of this Deed

Foreshore Park Concept Plan means the concept plan in Schedule 4.

Item means the object of a Development Contribution specified in Column 1 of Schedule 2.

Land means the land specified or described in Schedule 1.

LEP means the Newcastle Local Environmental Plan 2012.

LEP Amendment means a local environmental plan which amends the LEP in the manner sought in the Planning Proposal.

Planning Proposal means planning proposal (Department Ref: PP_2016_NEWCA_007_00) to rezone the surplus portion of the rail corridor between Worth Place and Watt Street Newcastle, the Newcastle Train Station and certain adjacent land.

Party means a party to this Deed, including their successors and assigns.

Land Dedication Plan means the plan in Schedule 3 showing the location of the land to be dedicated.

Rectify means rectify, remedy or correct.

Regulation means the Environmental Planning and Assessment Regulation 2000.

Remediation Action Plan means the remediation action plan in Schedule 5.

Residential Dwellings means dwellings or dwelling houses but does not include:

(a) student accommodation;
(b) a boarding house;
(c) group home;
(d) hostel; or
(e) seniors housing,

and all terms used in this definition have the same meaning as in the LEP. **Security** means a letter of undertaking from the Developer to the Council containing a commitment to comply with this Agreement on terms satisfactory to the Council.

**Subdivision Certificate** has the same meaning as in the Act

**Work** means the physical result of any building, engineering or construction work in, on, over or under land, required to be carried out by the Developer under this Deed.

**Work Items** means Items which require Works to be carried out under this Deed.

1.2 In the interpretation of this Deed, the following provisions apply unless the context otherwise requires:

1.2.1 Headings are inserted for convenience only and do not affect the interpretation of this Deed.

1.2.2 A reference to a business day means a day, other than a Saturday or Sunday, on which banks are open for business generally in Sydney.

1.2.3 If the day on which something is to be done under this Deed is not a business day, then it must be done on the next business day.

1.2.4 A reference to dollars or $ means Australian dollars and all amounts payable under this Deed are payable in Australian dollars.

1.2.5 A reference in this Deed to a $ value relating to a Development Contribution is a reference to the value exclusive of GST.

1.2.6 A reference to any legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.

1.2.7 A reference to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.

1.2.8 A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Deed.

1.2.9 A reference to a person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.

1.2.10 Where a word or phrase is given a defined meaning, another part of speech or other grammatical form for that word or phrase has a corresponding meaning.

1.2.11 The singular includes the plural, and the plural includes the singular.

1.2.12 References to the word ‘include’ or ‘including’ are to be construed without limitation.

1.2.13 A reference to a Party to this Deed includes a reference to the Party’s employees, agents and contractors, and the Party’s successors and assigns.

1.2.14 Any schedules, appendices and attachments form part of this Deed.
2 Status of this Deed

2.1 This Deed is a planning agreement within the meaning of s93F(1) of the Act.

3 Commencement of this Deed

3.1 This Deed commences on the date on which it has been executed by all Parties.

3.2 The Party who executes this Deed last is to insert on the front page the date they did so and provide a copy of the fully executed and dated Deed to any other person who is a Party.

4 Application of this Deed

4.1 This Deed applies to the LEP Amendment and the Land.

5 Commencement of Development Contributions obligations

5.1 The Developer is under no obligation to make the Development Contributions to the Council in accordance with this Deed unless the LEP Amendment is made.

6 Warranties

6.1 The Parties warrant to each other that they:

6.1.1 have full capacity to enter into this Deed, and

6.1.2 are able to fully comply with their obligations under this Deed.

7 Further agreements relating to this Deed

7.1 The Parties may, at any time and from time to time, enter into agreements relating to the subject-matter of this Deed that are not inconsistent with this Deed for the purpose of implementing this Deed.

8 Application of s 94, s 94A and s 94EF of the Act to the Development

8.1 This Deed does not exclude the application of s 94, s94A or s94EF of the Act to the Development.
9  Provision of Development Contributions

9.1  The Developer and Landowner are to make Development Contributions to the Council in accordance with Schedule 2 and any other provision of this Deed relating to the making of Development Contributions.

9.2  The Council is to apply each Development Contribution made by the Developer or Landowner under this Deed towards the public purpose for which it is made and otherwise in accordance with this Deed.

Part 2 – Provisions relating to dedication of Land

10  Procedures relating to the dedication of Land

10.1  A Development Contribution comprising the dedication of land is made for the purposes of this Deed when:

10.1.1  a deposited plan is registered in the register of plans held with the Registrar General that:

   (a)  dedicates land as a public road (including a temporary public road) under the Roads Act 1993, or

   (b)  creates a public reserve or drainage reserve under the Local Government Act 1993, or

10.1.2  the Council is given an instrument in registrable form under the Real Property Act 1900 duly executed by the Landowner as transferor that is effective to transfer the title to the land to the Council when executed by the Council as transferee and registered.

10.2  For the purposes of clause 10.1.2:

10.2.1  the Landowner is to give the Council, for execution by the Council as transferee, an instrument of transfer under the Real Property Act 1900 relating to the land to be dedicated, and

10.2.2  within 7 days of receiving it from Landowner, the Council is to execute it and return it to Landowner, and

10.2.3  within 7 days of receiving it from the Council (properly executed), the Landowner is to lodge it for registration with the Registrar General, and

10.2.4  the Developer and Landowner are to do all things reasonably necessary to enable it to be registered.

10.3  Land required to be dedicated under this Agreement is to be dedicated free of all registered and unregistered encumbrances and affectations, except as otherwise agreed in writing by the Council.

10.4  If, having used all reasonable endeavours, the Landowner cannot comply with clause 10.3, the Landowner may request that Council agree to accept the land subject to those encumbrances and affectations, and:

10.4.1  Council cannot withhold its agreement unreasonably if the encumbrance or affectation does not prevent the future use of the land for the purpose for which it is to be dedicated under this Deed,
10.4.2 in all other cases, Council may withhold its agreement in its absolute discretion.

11 Civic Station Works and Dedication

11.1 The Parties acknowledge that at the time of entry into this Deed, the Developer had not determined the extent to which buildings and structures comprising Civic Station would be demolished or retained.

11.2 Despite anything to the contrary in this Deed, the Developer is under no obligation to retain or demolish any part of Civic Station under this Deed, and the Council is under no obligation to accept dedication of the Civic Station Land.

11.3 The Developer must notify the Council within 14 days of obtaining all relevant Approvals for any works it proposes to carry out to Civic Station (Civic Station Works).

11.4 Within 90 days of the Developer providing the notice pursuant to clause 11.3, the Council must notify the Developer whether it will accept dedication of the Civic Station Land, having regard to the Civic Station Works.

11.5 If Council notifies the Developer that it will not accept dedication of the Civic Station Land, the Developer and Landowner may give Council notice of any additional part of the Civic Link Land which the Landowner and Developer require to be retained in the ownership of the Landowner for the purposes of any proposed use to which the Landowner and Developer may put the Civic Station Land.

11.6 The Civic Link Land required to be dedicated under this Deed excludes the Civic Station Land if Council determines that it does not wish to accept dedication of that land pursuant to this clause, and any additional land required to be retained by the Developer and Landowner under clause 11.5.

Part 3 – Provisions relating to the carrying out of Work

12 Design and Consultation

12.1 At the time of entry into this Deed the Developer had not prepared concept plans for the Works Items comprising embellishment works, other than in respect of Work Item 11 for which the Foreshore Park Concept Plan has been prepared.

12.2 The Developer will prepare concept plans for all Work Items comprising embellishment works, other than Work Item 11, in accordance with the Council Specification Documents and will submit them to Council.

12.3 The Parties acknowledge that the Foreshore Park Concept Plan and any other concept plans submitted to Council pursuant to this clause 12, are
preliminary only and are subject to variation in consultation with Council and as a result of Approvals required for the relevant Work Items.

12.4 No amendment to this Deed is required if there is a variation to the Work Items comprising embellishment works as described in this Deed and as shown in concept plans submitted to Council pursuant to this clause, provided that:

12.4.1 the varied Work Item complies with the Council Specification Documents;

12.4.2 any key elements of the Work Item noted in Column 3 of the table to Schedule 2 in respect of the Work Item are included in the varied Work Item; and

12.4.3 in respect of the Civic Link Land and Darby Plaza Land embellishment works, the Work Item is consistent with the objectives outlined in the Design Intent for that Work Item.

12.5 The Developer must not lodge any Development Application or seek any other Approvals for a Work Item comprising embellishment works unless it has first submitted a concept plan to Council for the Work Item in accordance with this clause and considered any comments in respect of the Work Item from Council.

12.6 The Developer must not apply for any Construction Certificate or seek any other Approvals for a Work Item (other than lodging a Development Application) comprising embellishment works unless it has first submitted the construction drawings for the Work Item to Council and considered any comments in respect of the Work Item from Council.

13 Standard of construction of Work

13.1 Any Work that the Developer is required to carry out under this Deed is to be carried out in accordance with:

13.1.1 the requirements of any relevant Approval issued by a relevant Authority,

13.1.2 any Australian standards and other laws applicable to the Work,

13.1.3 the Council Specification Documents and

13.1.4 in a proper and workmanlike manner, complying with current industry practice and standards relating to the Work.

13.2 If there is any inconsistency between the requirements of any relevant Approval, any Australian standards or laws, or the Council Specification Documents, then the requirements of any relevant Approval, Australian standards and other applicable laws prevail to the extent of the inconsistency.

13.3 The Developer must appoint Council as the certifier in respect of any Works comprising embellishment works for the purpose of issuing a Construction Certificate in respect of those Works.
14 Variation to Work

14.1 The design or specification of any Work that is required to be carried out by the Developer under this Deed may be varied in accordance with this clause without the necessity for an amendment to this Deed.

14.2 For the purposes of clause 14.1, the Developer may make a written request to the Council to approve a variation to the design or specification of a Work in order to enable it to comply with the requirements of any Authority imposed in connection with any Approval relating to the carrying out of the Work.

14.3 The Council is not to unreasonably delay or withhold its approval to a request made by the Developer under clause 14.2.

15 Maintenance and management of Works

15.1 The Parties may, by agreement in writing, specify Work Items to which the Maintenance Period applies and the standard and other particulars of maintenance required.

15.2 If the Maintenance Period applies to a Work, the Developer is to maintain the Work during that Period, in accordance with the standard and other particulars of maintenance agreed between the Parties.

15.3 Despite any other provision of this Deed, if the Developer has complied with its obligations under this clause, the Council cannot make any claim, objection or demand about the state or condition of a Work referred to in clause 15.1 after the end of the Maintenance Period for that Work.

15.4 In this clause, Maintenance Period means the period of 24 months commencing on and from the date that Council accepts responsibility for a Work under clause 16

16 Acceptance of risk in Works

16.1 Subject to anything to the contrary in this Agreement, the Council accepts responsibility for a Work on the later of:

16.1.1 when Work located on land to be dedicated to Council is completed for the purposes of this Deed in accordance with clause 21, or

16.1.2 when land on which that Work is located is dedicated to the Council.

16.2 The Developer, at its own cost, is to repair and make good to the satisfaction of the Council (acting reasonably) any loss or damage to a Work from any cause whatsoever which occurs before completion of the Work.

17 Access to land by Council

17.1 The Developer and Landowner are to permit the Council, its officers, employees, agents and contractors to enter the Land or any other land owned or controlled by the Developer or Landowner at any time, upon giving reasonable prior notice, to:

17.1.1 inspect, examine or test any Work, or

17.1.2 remedy any breach by the Developer in carrying out a Work.
18 Access to land by Developer

18.1 The Council is to permit the Developer, its officers, employees, agents and contractors to enter and occupy any land owned or controlled by the Council, including any part of the Land dedicated to the Council, to

18.1.1 enable the Developer to carry out any Work under this Deed that is required to be carried out on that land, or

18.1.2 perform any other obligation imposed on the Developer by this Agreement.

19 Council’s obligations relating to Work

19.1 The Council is not to unreasonably delay, hinder or otherwise interfere with the performance by the Developer of its obligations under this Deed in relation to Work.

20 Protection of people and property

20.1 The Developer is to ensure to the fullest extent reasonably practicable in carrying out any Work that:

20.1.1 all necessary measures are taken to protect people and property, and

20.1.2 unnecessary interference with the passage of people and vehicles is avoided, and

20.1.3 nuisances and unreasonable noise and disturbances are prevented.

21 Completion of Work

21.1 The Developer is to give the Council written notice of the date on which it will complete Work required to be carried out under this Deed.

21.2 The Council is to inspect the Work the subject of the notice referred to in clause 21.1 within 14 days of the date specified in the notice for completion of the Work.

21.3 Work is completed for the purposes of this Deed when the Council, acting reasonably, gives a certificate to the Developer to that effect, and Council can only withhold the certificate if the Work is not completed in accordance with this Deed.

22 Rectification of Defects

22.1 During the Defects Liability Period, the Council may give to the Developer a Rectification Notice.

22.2 The Developer is to comply with a Rectification Notice at its own cost according to its terms and to the satisfaction of the Council.

22.3 The Council is to do such things as are reasonably necessary to enable the Developer to comply with a Rectification Notice that has been given to it under clause 22.1
22.4 In this clause:

22.4.1 **Defect** means anything that adversely affects, or is likely to adversely affect, the appearance, structural integrity, functionality or use or enjoyment of a Work or any part of a Work.

22.4.2 **Defects Liability Period** means the period of 12 months commencing on the day immediately after the Council accepts responsibility for a Work under clause 16.

22.4.3 **Rectification Notice** means a notice in writing

   (a) identifying the nature and extent of a Defect,

   (b) specifying the works or actions that are required to Rectify the Defect,

   (c) specifying the date by which or the period within which the Defect is to be rectified.

23 **Works-as-executed-plan**

23.1 No later than 60 days after a Work is completed for the purposes of this Deed, the Developer is to submit to the Council a full works-as-executed-plan for the Work.

23.2 The Developer, being the copyright owner in the plan referred to in clause 23.1, gives the Council a non-exclusive licence to use the copyright in the plans for the purposes of this Deed.

**Part 4 – Security and Enforcement**

24 **Provision of Security**

24.1 The Developer is to give the Security to the Council when it executes this Deed.

25 **Security for dedication of land**

25.1 If the Landowner does not dedicate the land required to be dedicated under this Deed, or any part thereof, at the time at which it is required to be dedicated, the Landowner consents to the Council compulsorily acquiring that land for compensation in the amount of $1 without having to follow the pre-acquisition procedures under the Just Terms Act.

25.2 The Council is to only acquire land pursuant to clause 25.1 if it considers it reasonable to do so having regard to the circumstances surrounding the failure by the Landowner to dedicate the land required to be dedicated under this Deed.

25.3 Clause 25.1 constitutes an agreement for the purposes of section 30 of the Just Terms Act.
25.4 If, as a result of an acquisition referred to in clause 25.1, the Council is required to pay compensation to any person other than the Landowner, the Landowner is to reimburse the Council for that amount upon a written request being made by the Council or the Council can call on any Security for that purpose.

25.5 The Landowner indemnifies and keeps indemnified the Council against all claims made against the Council as a result of any acquisition by the Council of the whole or any part of the land that is required to be dedicated under this Deed.

25.6 The Developer and Landowner are to promptly do all things necessary, and consent to the Council doing all things necessary, to give effect to this clause 25, including without limitation:

25.6.1 signing any documents or forms,

25.6.2 giving land owner’s consent for the lodgement of any Development Application,

25.6.3 producing certificates of title to the Registrar-General under the Real Property Act 1900, and

25.6.4 paying the Council’s costs arising from this clause 25.

25.7 In this clause, Just Terms Act means the Land Acquisition (Just Terms Compensation) Act 1991.

26 Breach of obligations

26.1 If the Council considers that the Developer or Landowner (Relevant Party) is in breach of any obligation under this Deed it may give a notice to the Relevant Party:

26.1.1 specifying the nature and extent of the breach,

26.1.2 requiring the Relevant Party to Rectify the breach to the Council’s satisfaction, and

26.1.3 specifying the period within which the breach is to be rectified, being a period that is reasonable in the circumstances.

26.2 A notice given under clause 26.1 is to allow the Relevant Party not less than 28 days (or such further period as the Council considers reasonable in the circumstances) to Rectify the breach.

26.3 If the Relevant Party does not comply with the notice given under clause 26.1 relating to the carrying out of Work under this Deed, the Council may step-in and remedy the breach.

26.4 Nothing in clause 26.3 affects the Council’s other rights to enforce this Deed.

26.5 Any costs incurred by the Council in remedying a breach in accordance with clause 26.3 may be recovered by the Council under this Deed or as a debt due in a court of competent jurisdiction.

26.6 For the purpose of clause 26.3, the Council’s costs of remedying a breach the subject of a notice given under clause 26.1 include, but are not limited to:

26.6.1 the costs of the Council’s servants, agents and contractors reasonably incurred for that purpose,
26.6.2 all fees and charges necessarily or reasonably incurred by the Council in remedying the breach, and
26.6.3 all legal costs and expenses reasonably incurred by the Council, by reason of the breach.

27 Council to consult before enforcing this Deed

27.1 This clause applies to any of the Developer’s or Landowner’s obligations under this Deed.

27.2 If the Council reasonably forms the opinion that the Developer or Landowner (Relevant Party) has failed to comply with an obligation to which this clause applies, it is not to enforce this Deed against the Relevant Party unless it has first notified the Relevant Party in writing of its intention to do so and has consulted with the Relevant Party as to:

27.2.1 the reason for the non-compliance,
27.2.2 the likely effects of the non-compliance, and
27.2.3 the Relevant Party’s capacity in all of the circumstances to reasonably Rectify the non-compliance.

27.3 The Council is not to enforce this Deed against the Relevant Party unless, after having consulted with the Relevant Party:

27.3.1 it has reasonably formed the opinion the Relevant Party has no reasonable excuse for the non-compliance,
27.3.2 it has notified the Relevant Party in writing that it intends to enforce the Deed not earlier than 14 days from the date of the notice, and
27.3.3 the notice specifies the enforcement action it intends to take.

27.4 At any time between the date of the notice referred to in clause 27.3 and the time when the Council takes action to enforce this Deed, the Relevant Party may notify the Council of a Dispute under clause 29 or 30.

27.5 If the Relevant Party notifies the Council in accordance with clause 27.4, the Council is not to enforce this Deed against the Relevant Party in relation to the relevant non-compliance unless and until the dispute resolution process under clause 29 or 30 has been exhausted without resolution between the parties.

28 Enforcement in court

28.1 Without limiting any other provision of this Deed (other than clause 27), the Parties may enforce this Deed in any court of competent jurisdiction.

28.2 For the avoidance of doubt, nothing in this Deed (other than clause 27) prevents:

28.2.1 a Party from bringing proceedings in the Land and Environment Court to enforce any aspect of this Deed or any matter to which this Deed relates,
28.2.2 the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Deed or any matter to which this Deed relates.
Part 5 – Dispute Resolution

29 Dispute resolution – expert determination

29.1 This clause applies to a Dispute between any of the Parties to this Deed about a matter arising in connection with this Deed that can be determined by an appropriately qualified expert (Expert Determination Dispute) if:

29.1.1 the Parties to the Dispute agree that it can be so determined, or
29.1.2 the Chief Executive Officer of the professional body that represents persons who appear to have the relevant expertise to determine the Dispute gives a written opinion that the Dispute can be determined by a member of that body.

29.2 Such a Dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.

29.3 If a notice is given under clause 29.2, the Parties are to meet within 14 days of the notice to try to resolve the Dispute.

29.4 If the Dispute is not resolved within a further 28 days, the Dispute must be referred to the President of the NSW Law Society to appoint an expert to determine the Dispute.

29.5 The expert determination binds the Parties, except in the case of the expert’s fraud or misfeasance.

29.6 Each Party must bear its own costs arising from or in connection with the appointment of the expert and the expert determination.

29.7 The Parties are to share equally the costs of the President, the expert, and the expert determination.

30 Dispute resolution – mediation

30.1 This clause applies to any Dispute under this Deed other than a Dispute to which clause 29 applies.

30.2 Such a Dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.

30.3 If a notice is given under clause 30.2, the Parties are to meet within 14 days of the notice to try to resolve the Dispute.

30.4 If the Dispute is not resolved within a further 28 days, the Parties must mediate the dispute in accordance with the Mediation Rules of the Law Society of New South Wales published from time to time, and must request the President of the Law Society, or the President’s nominee, to select a mediator.

30.5 If the Dispute is not resolved by mediation within a further 28 days, or any longer period that may be needed to complete any mediation process which has been started, then the Parties may exercise their legal rights in relation to the Dispute, including by taking legal proceedings in a court of competent jurisdiction in New South Wales.

30.6 Each Party is to bear its own costs arising from or in connection with the appointment of a mediator and the mediation.
30.7 The Parties are to share equally the costs of the President, the mediator, and the mediation.

Part 6 –Restriction on Dealings

31 Registration of this Deed

31.1 In this clause 31, **Dedication Land** means any part of the Land which is to be dedicated to Council.

31.2 The Parties agree to register this Deed for the purposes of s93H(1) of the Act on the title to the Dedication Land, after the Lot 2 in DP1226145 (**Lot 2**) is subdivided to create the part of Lot 2 which comprises Dedication Land as a separate lot.

31.3 Within 10 business days of the Developer being notified by LPI of the creation of the part of the Dedication Land on Lot 2 as a separate lot, the Developer is to deliver to the Council in registrable form:

31.3.1 an instrument requesting registration of this Deed on the title to each lot containing any Dedication Land, executed by the Landowner and any other person required by the Registrar-General to execute such instrument, and

31.3.2 the written irrevocable consent of each person referred to in s93H(1) of the Act to that registration.

31.4 The Developer and Landowner at their cost are to:

31.4.1 do such other things as are reasonably necessary to enable registration of this Deed to occur, and

31.4.2 provide the Council with evidence of registration within 5 days of being notified by the Land and Property Information of such registration.

31.5 If this Deed is registered on the title to a lot which contains Dedication Land and that lot is subsequently subdivided such that any of the newly formed lots do not contain any part of the Dedication Land then the Parties agree to do all things as are reasonably necessary to ensure that the Deed is not registered on the title to those newly formed lots which do not contain the Dedication Land, including by instructing the Registrar-General not to register this Deed on the title to those lots.

31.6 The Parties are to do such things as are reasonably necessary to remove any notation relating to this Deed from the title to the Land:

31.6.1 in so far as the part of the Land concerned is not Dedication Land, and

31.6.2 in relation to any other part of the Dedication Land, once the Developer has completed its obligations under this Deed to the reasonable satisfaction of the Council or this Deed is terminated or otherwise comes to an end for any other reason.
32 Assignment, sale of Land, etc

32.1 The Landowner is not to sell or transfer the Land, other than a Final Lot to any person unless:

32.1.1 the Landowner has, at no cost to the Council, first procured the execution by the person to whom the Land or part is to be sold or transferred, of a deed in favour of the Council on terms satisfactory to the Council, and

32.1.2 the Council has given written notice to the Landowner stating that it reasonably considers that the purchaser, is reasonably capable of performing its obligations under the Deed, and

32.1.3 the Landowner is not in breach of this Deed, and

32.1.4 the Council otherwise consents to the transfer, such consent not to be unreasonably withheld.

32.2 The Developer and Landowner are not to assign their rights or obligations under this Deed, or novate this Deed to any person unless:

32.2.1 the Developer or Landowner has, at no cost to the Council, first procured the execution by the person to whom the Developer’s or Landowner’s rights or obligations under this Deed are to be assigned or novated, of a deed in favour of the Council on terms satisfactory to the Council, and

32.2.2 the Council has given written notice to the Developer or Landowner stating that it reasonably considers that the assignee or novatee is reasonably capable of performing its obligations under the Deed, and

32.2.3 the Developer and Landowner are not in breach of this Deed, and

32.2.4 the Council otherwise consents to the assignment or novation, such consent not to be unreasonably withheld.

32.3 Clauses 32.1 and 32.2 do not apply:

32.3.1 in relation to any sale or transfer of any land if this Deed is registered on the title of that land at the time of the sale or transfer; or

32.3.2 in relation to any sale or transfer by the Landowner of any part of the Land to the University of Newcastle, provided that the relevant part of the Land does not include any Dedication Land.

32.4 Nothing in this Deed prevents:

32.4.1 the Landowner selling or transferring any part of the Land, assigning its rights and obligations under this Deed or novating this Deed to the Developer; or

32.4.2 the Developer assigning its rights and obligations under this Deed to the Landowner or novating this Deed to the Landowner,

provided that the Developer and Landowner jointly provide Council with 10 business days written notice of the proposed transfer, sale, assignment or novation and written notice of the date of settlement of any sale or transfer of the Land within 10 business days after the settlement has occurred.

32.5 If a sale, transfer, assignment or novation under clause 32.4 occurs, then on and from the date of the sale, transfer, assignment or novation (Effective Date):

32.5.1 the Transferor is released from its obligations under this Deed;
32.5.2 the Transferee is substituted for the Transferor under this Deed and is bound to perform the obligations of the Transferor under this Deed including those which arose before the Effective Date and which have not yet been performed; and

32.5.3 the Transferee indemnifies the Council against all Claims which the Council suffers or incurs in relation to this Deed which arise or relate to acts or omissions of the Transferor occurring after the Effective Date; and

32.5.4 if the Transferor is the Developer, then the Council will return the Security to the Transferor within 10 business days of the Effective Date.

32.6 In clause 32.5:

32.6.1 Transferor means the Party which is selling or transferring part of the Land or assigning, its rights or obligations under this Deed or novating this Deed; and

32.6.2 Transferee means the party to whom Land is being sold or transferred, or to whom rights and obligations under this Deed are being assigned or to whom this Deed is being novated;

Part 7 – Indemnities & Insurance

33 Release

33.1 Each Party releases the other Party from any Claim it may have against the other Party arising in connection with the performance of their obligations under this Deed except if, and to the extent that, the Claim arises because of the other Party's negligence or default.

34 Indemnity

34.1 Each Party indemnifies the other Party from and against all Claims that may be sustained, suffered, recovered or made against the other Party arising in connection with the performance of their obligations under this Deed except if, and to the extent that, the Claim arises because of the other Party's negligence or default.

35 Insurance

35.1 This clause only applies if Landcom is the Developer under this Deed.

35.2 The Developer warrants, and Council acknowledges, that:

35.2.1 the Developer is a member of the NSW Treasury Managed Fund (Fund); and

35.2.2 the Fund provides the Developer with insurance cover against any liability arising from a breach by the Developer of its obligations under this Deed.
Part 8 - Other provisions

36 Review of Deed

36.1 The Parties are to review this Deed every 5 years, and otherwise if either Party considers that any change of circumstance has occurred, or is imminent, that materially affects the operation of this Deed.

36.2 For the purposes of clause 36.1, the relevant changes include (but are not limited to) any change to a law that restricts or prohibits, or enables the Council or any other planning authority to restrict or prohibit, any aspect of the Development.

36.3 For the purposes of addressing any matter arising from a review of this Deed referred to in clause 36.1, the Parties are to use all reasonable endeavours to agree on and implement appropriate amendments to this Deed.

36.4 A Party’s failure to agree to take action requested by the other Party as a consequence of a review referred to in clause 39.1 is not a Dispute for the purposes of this Deed, and is not a breach of this Deed.

37 Notices

37.1 A notice, consent, information, application or request (Notification) that must or may be given or made to a Party under this Deed is only given or made if it is in writing and sent in one of the following ways:

37.1.1 delivered or posted to that Party at its address set out in the Summary Sheet,
37.1.2 faxed to that Party at its fax number set out in the Summary Sheet, or
37.1.3 emailed to that Party at its email address set out in the Summary Sheet.

37.2 A Party may change its address or fax number by giving the other Party 3 business days’ notice of the change, in which case the new address or fax number is treated as the address or number in the Summary Sheet.

37.3 A Notification is to be treated as given or made if it is:

37.3.1 delivered, when it is left at the relevant address,
37.3.2 sent by post, 2 business days after it is posted,
37.3.3 sent by fax, as soon as the sender receives from the sender’s fax machine a report of an error-free transmission to the correct fax number, or
37.3.4 sent by email and the sender does not receive a delivery failure message from the sender’s internet service provider within a period of 24 hours of the email being sent.

37.4 If a Notification is delivered, or an error-free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.
38 Approvals and consent

38.1 In this clause, a reference to an approval or consent does not include a reference to a Development Consent.

38.2 Except as otherwise set out in this Deed, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Deed in that Party’s absolute discretion and subject to any conditions determined by the Party.

38.3 A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

39 Costs

39.1 The Developer will pay the Council’s costs of preparing, negotiating, executing and stamping this Deed and any document related to this Deed, up to a maximum amount of $1,000.00. To the extent that the Council’s costs exceed this maximum amount, Council will be responsible for paying that excess amount.

40 Entire Deed

40.1 This Deed contains everything to which the Parties have agreed in relation to the matters it deals with.

40.2 No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Deed was executed, except as permitted by law.

41 Further acts

41.1 Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to effect, perfect or complete this Deed and all transactions incidental to it.

42 Governing law and jurisdiction

42.1 This Deed is governed by the law of New South Wales.

42.2 The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them, and are not to object to the exercise of jurisdiction by those courts on any basis.

43 No Fetter

43.1 Nothing in this Deed shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.
44 Illegality

44.1 If this Deed or any part of it becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties are to co-operate and do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Deed is entered into.

45 Severability

45.1 If a clause or part of a clause can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.

45.2 If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part of it is to be treated as removed from this Deed, but the rest of this Deed is not affected.

46 Amendment

46.1 No amendment of this Deed has any force or effect unless it is in writing and signed by the Parties to this Deed in accordance with clause 25D of the Regulation.

47 Waiver

47.1 A Party does not waive any of the other Party's obligation or breach of obligation merely by failing to do, or delaying in doing, something under this Deed.

47.2 A waiver by a Party is effective only if it is in writing.

47.3 A written waiver by a Party is effective only in relation to the particular obligation or breach for which it is given. It is not to be taken as an implied waiver of any other obligation or breach, or as an implied waiver of that obligation or breach in relation to any other occasion.

48 GST

48.1 In this clause:

Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and Tax Invoice have the meaning given by the GST Law.

GST Amount means in relation to a Taxable Supply the amount of GST payable for the Taxable Supply.

GST Law has the same meaning as in A New Tax System (Goods and Services Tax) Act 1999 (Cth) and any other Act or regulation relating to the imposition or administration of the GST.

Input Tax Credit has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a Party includes an Input Tax Credit for an acquisition made by that Party but to which another member of the same GST Group is entitled under the GST Law.
Newcastle Urban Rail Transformation Program Planning Agreement
Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

**Taxable Supply** has the meaning given by the GST Law, excluding (except where expressly agreed otherwise) a supply for which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.

48.2 Subject to clause 48.4, if GST is payable on a Taxable Supply made under, by reference to or in connection with this Deed, the Party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.

48.3 Clause 48.4 does not apply to the extent that the Consideration for the Taxable Supply is expressly stated in this Deed to be GST inclusive.

48.4 No additional amount is payable by the Council under clause 48.4 unless, and only to the extent that, the Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.

48.5 If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this Deed by one Party to the other Party that are not subject to Division 82 of the *A New Tax System (Goods and Services Tax) Act* 1999, the Parties agree:

48.5.1 to negotiate in good faith to agree the GST inclusive market value of those Supplies before issuing Tax Invoices for those Supplies;

48.5.2 that any amounts payable by the Parties in accordance with clause 48.2 (as limited by clause 48.4) to each other for those Supplies will be set off against each other to the extent that they are equivalent in amount.

48.6 No payment of any amount under this clause 48, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided the recipient with a Tax Invoice or Adjustment Note as the case may be.

48.7 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a Party, must exclude the amount of any Input Tax Credit entitlement of that Party in relation to the relevant cost, expense or other liability.

48.8 This clause continues to apply after expiration or termination of this Deed.

49 **Explanatory Note Relating to this Deed**

49.1 The Appendix contains the Explanatory Note relating to this Deed required by clause 25E of the Regulation.

49.2 Under clause 25E(7) of the Regulation, the Parties agree that the Explanatory Note in the Appendix is not to be used to assist in construing this Deed.
Schedule 1
(Clause 1.1)

Land

The land comprised in the lots set out below:

- Lot 2 in DP1226145
- Lots 2-6 1226551
## Schedule 2
(Clauses 9)

### Development Contributions

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
<th>Column 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item</td>
<td>Public Purpose</td>
<td>Manner &amp; Extent and Key Elements</td>
<td>Timing</td>
<td>Responsible Party</td>
</tr>
</tbody>
</table>

**Civic Link**

<table>
<thead>
<tr>
<th>Item</th>
<th>Civic Link - Public Open Space</th>
<th>Dedication of the approximately rectangular portion of Lot 2 in DP1226145 shown bounded in red on the Land Dedication Plan (Civic Link Land), subject to clause 11</th>
<th>Dedication after completion of Work Items 2, 3, and 4</th>
<th>Landowner</th>
</tr>
</thead>
</table>
# Newcastle Urban Rail Transformation Program Planning Agreement

**Newcastle City Council**

**Landcom (t/a UrbanGrowth NSW)**

**Hunter Development Corporation**

<table>
<thead>
<tr>
<th></th>
<th>Civic Link - Public</th>
<th>Description</th>
<th>Works to commences within 6 months of the grant of Approval for those Works.</th>
<th>Developer</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Civic Link - Public</td>
<td>Full or partial demolition of any buildings/structures on the Civic Link Land as determined by the Developer.</td>
<td></td>
<td>Developer</td>
</tr>
<tr>
<td></td>
<td>Open Space</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Civic Link - Public</td>
<td>Remediation of the Civic Link Land in accordance with the Remediation Action Plan</td>
<td>Works to be completed within 6 months of the grant of Approval for those Works.</td>
<td>Developer</td>
</tr>
<tr>
<td></td>
<td>Open Space</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Civic Link - Public</td>
<td>Embellishment of the Civic Link Land with a minimum value of $2,285,000 up to a maximum value of $2,795,000 including the following key elements:</td>
<td>Works to commence within 6 months of the grant of Approval for those Works and provided the Council has remediated the land referred to in Item 5, if required, and Works to be carried out in association with the Work Item 5.</td>
<td>Developer</td>
</tr>
<tr>
<td></td>
<td>Open Space</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Description</td>
<td>Details</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| 5   | **Civic Link - Public Open Space**                                                                                                             | Embellishment of the land being Museum Square and the Civic Station forecourt adjacent to the Civic Link Land identified within the 'boundary for embellishment' in the Design Intent for Civic Link in Schedule 7 with a minimum value of $1,290,000 up to a maximum value of $1,575,000, including the following key elements:  
  - soft landscaping  
  - footpaths  
  - trees  
  - furniture  
  - lighting  
  Works to commence within 6 months of the grant of Approval for those Works and completion of the remediation works being Item 3, and the remediation by Council of the land on which these Works are to be located, if required. |
|     | **Developer**                                                                                                                               |                                                                                                                                                                                                          |
| 6   | **Darby Plaza - Public Open Space**                                                                                                           | Dedication of land being the small portion of Lot 2, DP1226551 as shown bounded in red on the Land Dedication Plan (**Darby Plaza Land**).  
  Dedication after completion of Works being Items 7 and 8                                                                                                                   | **Landowner**                                                                                                                                 |
<p>|     | <strong>Developer</strong>                                                                                                                               |                                                                                                                                                                                                          |</p>
<table>
<thead>
<tr>
<th></th>
<th>Darby Plaza - Public Open Space</th>
<th>Remediation of Darby Plaza Land in accordance with the Remediation Action Plan</th>
<th>Works to commence within 6 months of the grant of Approval for the Works</th>
<th>Developer</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td>Developer</td>
</tr>
<tr>
<td>8</td>
<td>Darby Plaza - Public Open Space</td>
<td>Embellishment of Darby Plaza Land with a minimum value of $360,000 up to a maximum value of $440,000, including the following key elements:</td>
<td>Works to commence within 6 months of the grant of Approval for those Works</td>
<td>Developer</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• soft landscaping</td>
<td></td>
<td>-----------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• footpaths</td>
<td></td>
<td>-----------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• trees</td>
<td></td>
<td>-----------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• furniture (benches, bins)</td>
<td></td>
<td>-----------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• lighting</td>
<td></td>
<td>-----------</td>
</tr>
</tbody>
</table>
Newcastle Urban Rail Transformation Program Planning Agreement  
Newcastle City Council  
Landcom (t/a UrbanGrowth NSW)  
Hunter Development Corporation  

**Foreshore Park**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Dedication After</th>
<th>Responsible Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Expanded Foreshore Park - Public Open Space</td>
<td>Dedication of the long strip of part of Lot 4 and part of Lot 6 (between western alignment with Perkins Street and eastern extent of the proposed RE1 zone) in DP 1226551 shown bounded in red on the Land Dedication Plan (excluding land required for light rail alignment to southern boundary of lot) (Foreshore Park Land).</td>
<td>Dedication after completion of Work Items 10, 11, 13 and 14</td>
</tr>
<tr>
<td>10</td>
<td>Expanded Foreshore Park - Public Open Space</td>
<td>Remediation of Foreshore Park Land and part of Lots 3 and 5 in DP 1226551 in accordance with the Remediation Action Plan (between western alignment with Perkins Street and eastern extent of the proposed RE1 zone)</td>
<td>Works to commence within 6 months of the grant of Approval for those Works</td>
</tr>
</tbody>
</table>
| 11 | Expanded Foreshore Park - Public Open Space | Embellishment of Foreshore Park Land and part of Lots 3 and 5 in DP 1226551 (between the western alignment with Perkins Street and the eastern extent of the proposed RE1 zone) with a minimum value of $4,205,000 up to a maximum value of $5,140,000, including the following key elements:  
- three new pedestrian crossings between Wharf Road and Hunter/Scott Street at locations to be determined (potentially at Wolfe, Market and Newcomen Streets)  
- shared road aligned with Perkins Street, between Wharf Road and Hunter Street  
- soft landscaping  
- footpaths  
- trees  
- furniture (benches, bins, bike rack, drink fountain)  
- lighting  
- public art  
- streetscape works to north side of Scott Street and Hunter Street and south side of Wharf Road | Works to commence within 6 months of the grant of Approval for those Works | Developer |
### Civic Lane Widening

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Details</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>Streetscape Improvement</td>
<td>Dedication of land to north side of Civic Lane being the strip of land marked in red on the Land Dedication Land being part of Lot 2, DP1226145, with dimensions of approximately 1m wide and 154m long</td>
<td>Within 6 months of the registration of the plan of subdivision to create the land to be dedicated as a separate lot</td>
</tr>
</tbody>
</table>

### Heritage Conservation

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Details</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Signal Box Heritage conservation</td>
<td>Signal Box - Works to make good heritage fabric of building to enable the fit-out by others, up to a maximum value of $300,000 (Excludes alterations or additions to building)</td>
<td>Works to commence within 6 months of the grant of Approval for the Works or the written advice from Council that the works do not need development consent (under clause 5.10(3) of the LEP).</td>
</tr>
</tbody>
</table>
### Newcastle Urban Rail Transformation Program Planning Agreement

**Newcastle City Council**  
Landcom (t/a UrbanGrowth NSW)  
Hunter Development Corporation

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Details</th>
<th>Responsible Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>Signal Box Heritage conservation</td>
<td>Signal Box toilet block - Redevelopment of building to provide public toilets for use by park and signal box use in accordance with DA2016-01081.</td>
<td>Works to be completed within 6 months of the making of the LEP Amendment</td>
</tr>
<tr>
<td>15</td>
<td>Civic Station Heritage conservation</td>
<td>Works to maintain the building in good order until full or partial demolition (Excludes alterations or additions to building)</td>
<td>Works to commence within 6 months of the grant of Approval or the written advice from Council that the works do not need development consent (under clause 5.10(3) of the LEP).</td>
</tr>
<tr>
<td>16</td>
<td>Civic Station Heritage conservation</td>
<td>Civic Station - Dedication of any retained buildings or structures comprising Civic Station to Council subject to clause 11.</td>
<td>Dedication after completion of Work Items 2, 4 and 5</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Details</td>
<td>Responsible Party</td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>17</td>
<td>Newcastle Station - Works to heritage fabric to enable temporary uses up to a maximum value of $1,500,000 (Excludes alterations or additions to building considered beyond maintenance and making good)</td>
<td>Works to commence within 6 months of the grant of Approval or the written advice from Council that the works do not need development consent (under clause 5.10(3) of the LEP).</td>
<td>Developer</td>
</tr>
<tr>
<td>18</td>
<td>Newcastle Station - Ongoing maintenance of building and site</td>
<td>Upon completion of Works being Item 17 and for a period of not more than 24 months from commencement or until control of the site is relinquished by Hunter Development Corporation, whichever comes sooner.</td>
<td>Developer</td>
</tr>
</tbody>
</table>
## Affordable Housing

<table>
<thead>
<tr>
<th>No.</th>
<th>Affordable Housing</th>
<th>Provision of a minimum of 5% of total Residential Dwellings on the land the subject of the Planning Proposal as Affordable Housing</th>
<th>To be confirmed at completion of the development of all sites</th>
<th>Developer</th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
<td>Affordable Housing</td>
<td>Provision of a minimum of 5% of total Residential Dwellings on the land the subject of the Planning Proposal as Affordable Housing</td>
<td>To be confirmed at completion of the development of all sites</td>
<td>Developer</td>
</tr>
</tbody>
</table>
Schedule 3
(clause 1.1)

Land Dedication Plan
Schedule 4
(clause 1.1)

Foreshore Park Concept Plan
Schedule 5

Remediation Action Plan

(Clause 1.1)
Schedule 6
(clause 1.1)

Civic Station Land Plan
Schedule 7
(clause 1.1)

Design Intent
Darby Plaza Design Intent

The Darby Plaza area is identified as a Character Area within the draft amendment to the Newcastle Development Control Plan 2012. The objectives for this area are to:

1. Provide new open space and improve pedestrian amenity along Hunter Street and Darby Street Plaza.
2. Promote a permeable street network and enhance pedestrian connections from Darby Street to the foreshore.
3. Promote active street frontages.
4. Protect heritage items and contributory buildings.
5. Provide a strong built edge to Darby Plaza and create an integrated space between the public and private lands.

Within the broader character area, the Darby Plaza public open space will facilitate pedestrian and cycle access between Hunter Street and Argyle Street, at the alignment with Darby Street. The public domain will be integrated with the future private open space on the adjacent sites and the design will allow for this.

The objectives of the Darby Plaza public open space are to provide a space which:

1. Facilitates linkages and accessibility between Darby Street and the harbor foreshore, enhanced by visual links and signage.
2. Provide opportunities for people to rest, walk, and cycle in a safe and comfortable environment, including through the provision of:
   a. seating and shade
   b. high quality paving treatments
   c. lighting and passive surveillance opportunities, and
d. indigenous plant and tree species.

3. Includes restricted access to neighbouring development sites through a shared vehicular / pedestrian zone from Argyle Street, delineated through landscape treatments.

4. May be fronted by active uses include café / retail uses to the western edge, incorporating opportunities for al-fresco dining.

Embellishment is to be in accordance with a development approval and generally compliant with the Newcastle Development Control Plan 2012 and Newcastle City Council's relevant Technical Manuals including City Centre Public Domain, Urban Forest, and Landscape.
Civic Link Design Intent

Civic area is identified as a Character Area within the draft amendment to the Newcastle Development Control Plan 2012. The objectives for this area are to:

1. Provide new public space that links the civic, administrative, education and cultural heart of Newcastle to the foreshore.
2. Guide development surrounding the new Civic Link and along Civic Lane that contributes to the realisation of the area as the civic heart of Newcastle.
3. Promote a permeable street network and enhance pedestrian connections from Hunter Street to the foreshore.
4. Protect active frontages to streets and public spaces.
5. Respect heritage items and contributory buildings.

Within the broader character area, the focus of Civic Link is to create a new open space, and walking, cycling and visual connections that link Newcastle's Civic buildings to the waterfront. The public domain will provide for passive recreation with the potential to accommodate intimate community events. It will be integrated with the private open space or public realm paving areas on the adjacent sites and the design will allow for this.

The objectives of the Civic Link public open space are to provide a space which:

a. Facilitates linkages, continuity and accessibility within and between the Civic Precinct and the harbor foreshore, enhanced by visual links and signage.

b. Enables recreation opportunities that provide opportunities for people to meet, rest, walk, and cycle in a safe and comfortable environment, including through the provision of:
a. formal and informal seating and shade

b. high quality landscaping and design

c. shade structures of good quality

c. lighting and passive surveillance opportunities, and
d. deep soil planting with indigenous plant and tree species.

c. Allows for a formalize 3m pathway from Hunter Street to Worth Place to ensure
easy pedestrian movement as well as a visual linkage.

d. Public art piece within the Civic Link space.

e. Incorporates the interpretation of the former significant uses of the site and
structures located above and below the ground.

f. Is capable of supporting smaller public gatherings.

g. Is fronted by active uses include café / retail uses to the western edge,
incorporating opportunities for al-fresco dining.

h. Includes restricted access to Civic Lane in the south-west corner of the site
through a shared vehicular / pedestrian zone, delineated through landscape and
other appropriate street furniture (bollards) treatments.

Embellishment is to be in accordance with a development approval and generally
compliant with the Newcastle Development Control Plan 2012 and Newcastle City
Council's relevant Technical Manuals including City Centre Public Domain, Urban
Forest, and Landscape.
Newcastle Urban Rail Transformation Program Planning Agreement
Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

Execution

Executed as an Deed

Dated:

Executed on behalf of the Council

General Manager

Witness/Name/Position

Executed on behalf of the Developer

Executed on behalf of Landcom (t/a UrbanGrowth NSW) by me, as delegate of Landcom (t/a UrbanGrowth NSW) and I hereby certify that I have no notice of revocation of such delegation:

__________________________
Name/Position

__________________________
Witness/Name/Position
Newcastle Urban Rail Transformation Program Planning Agreement
Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

Executed on behalf of the Hunter Development Corporation by its authorised delegate in the presence of:

__________________________  __________________________
Witness Signature            Signature of Authorised Delegate

__________________________  __________________________
Witness Name                 Full Name of Authorised Delegate
Appendix
(Clause 49)

Environmental Planning and Assessment Regulation 2000
(Clause 25E)

Explanatory Note

Draft Planning Agreement
Under s93F of the Environmental Planning and Assessment Act 1979

Parties

Newcastle City Council ABN 25 242 068 129 of 282 King Street, Newcastle NSW 2300 (Council)
and

Landcom (t/a UrbanGrowth NSW) ABN 79 268 260 688 of Level 14, 60 Station Street, Parramatta NSW 2150 (Developer)
and

Hunter Development Corporation ABN 94 688 782 063 of Suite B, Level 5, 26 Honeysuckle Drive, Newcastle NSW 2300 (Landowner)

Description of the Land to which the Draft Planning Agreement Applies

- Lot 2 DP 1226145
- Lots 2-6 DP12266551

Description of Proposed Instrument Change

Rezoning of the surplus portion of the rail corridor between Worth Place and Watt Street Newcastle, the Newcastle Train Station and certain adjacent land to enable mixed use, public open space and tourist uses.
Summary of Objectives, Nature and Effect of the Draft Planning Agreement

Objectives of Draft Planning Agreement

The objective of the Draft Planning Agreement is to provide increased public open space for the Newcastle community and to retain, maintain and improve heritage aspects of the former Newcastle CBD rail corridor.

Nature of Draft Planning Agreement

The Draft Planning Agreement is a planning agreement under s93F of the Environmental Planning and Assessment Act 1979 (Act). It is an agreement between the Council, the Landowner and the Developer. The Draft Planning Agreement is a voluntary agreement under which Development Contributions (as defined in clause 1.1 of the Draft Planning Agreement) are made by the Developer for public purposes (as defined in s93F(3) of the Act).

Effect of the Draft Planning Agreement

The Draft Planning Agreement:

• relates to the LEP Amendment (as defined in clause 1.1 of the Draft Planning Agreement),
• does not exclude the application of s94, s94A or s94EF of the Act to the Development,
• provides for embellishment of open space to create a new Civic Link, Darby Plaza and expanded Foreshore Park;
• provides for dedication of the above mentioned open space, including buildings within;
• provides for the maintenance and restoration of heritage buildings and facilitates adaptive reuse of Newcastle Station and Signal Box;
• provides for remediation works to be carried out in accordance with a Remediation Action Plan,
• provides for the widening of Civic Lane;
• provides for the funding of an affordable housing project on a specified site with a fallback position of a minimum of 5% of total residential development as affordable housing,
• is to be registered on the title to those parts of the Land to be dedicated to Council,
• imposes restrictions on the Parties transferring the Land or part of the Land or assigning, or novating an interest under the agreement, subject to exceptions,
• provides two dispute resolution methods for a dispute, being expert determination and mediation,
• provides that the agreement is governed by the law of New South Wales, and
• provides that the *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* applies to the agreement.

Assessment of the Merits of the Draft Planning Agreement

The Planning Purposes Served by the Draft Planning Agreement
The Draft Planning Agreement:
- promotes and co-ordinates the orderly and economic use and development of the land to which it applies,
- provides land for public purposes,
- provides for the provision and maintenance of affordable housing, and
- provides increased opportunity for public involvement and participation in environmental planning and assessment of the Development.

How the Draft Planning Agreement Promotes the Public Interest

The draft Planning Agreement promotes the public interest by promoting the objects of the Act as set out in s5(a)(ii), (iv) and (viii) and (c) of the Act.

For Planning Authorities:

Development Corporations - How the Draft Planning Agreement Promotes its Statutory Responsibilities

N/A

Other Public Authorities – How the Draft Planning Agreement Promotes the Objects (if any) of the Act under which it is Constituted

N/A

Councils – How the Draft Planning Agreement Promotes the Elements of the Council’s Charter

The Draft Planning Agreement promotes the elements of the Council’s charter by:

[Drafting Note. To be Completed]

All Planning Authorities – Whether the Draft Planning Agreement Conforms with the Authority’s Capital Works Program

[Drafting Note. To be Completed]

All Planning Authorities - Whether the Draft Planning Agreement specifies that certain requirements must be complied with before issuing a construction certificate, subdivision certificate or occupation certificate
ORDINARY COUNCIL MEETING
22 AUGUST 2017

CCL 22/08/17
SUPPLEMENTARY REPORT - EXHIBITION OF DRAFT PLANNING AGREEMENT FOR RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET NEWCASTLE

Attachment B: Correspondence from the Hon Anthony Roberts MP, Minister for Planning
Cr Nuatali Nelmes
Lord Mayor
The City of Newcastle
PO Box 489
NEWCASTLE NSW 2300

Dear Lord Mayor

PROPOSED AMENDMENT TO NEWCASTLE LEP 2012 – SURPLUS RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET IN THE CITY CENTRE

I am writing to you in relation to Newcastle City Council’s resolution of the meeting of 13 October 2016 regarding the proposed repurposing of the former heavy rail corridor from Worth Place to Scott Street, Newcastle.

Council’s endorsement of “CCL 27/09/16 - ENDORSEMENT OF PROPOSED AMENDMENT TO LOCAL ENVIRONMENTAL PLAN 2012 - RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET NEWCASTLE” on 13 October 2016 included requiring the NSW Government to make several commitments prior to the matter being considered by Councillors, but after the public exhibition of the proposal.

While the proposal is yet to be exhibited, it is considered timely to provide an update on the progress of the commitments required by Part C section 2 of the resolution: “A legislative commitment from the NSW Government that all proceeds from Newcastle Urban Transformation Project will be reinvested into the revitalisation of Newcastle”.

The NSW Government remains committed to reinvesting all former heavy rail corridor land sales revenue back into the Revitalising Newcastle program. Our current estimates of land sales at the following locations:

- West of Civic Link (UoN)
- East of Civic Link (Affordable Housing site)
- Darby Plaza site
- Between Argyle and Brown street alignments

This amounts to approximately $15 million. Given it is not possible to accurately predict the exact amount, we further commit to reconciling the amount received on each sale using the price recorded by the Office of State Revenue. Should further revenue be received justification on how this money was spent will be provided to Council.

I am advised that to ensure the sales revenue is spent on revitalising Newcastle, UrbanGrowth NSW and Hunter Development Corporation have negotiated a minimum amount in the draft planning agreement associated with the proposed rezoning that exceeds $15 million.
The planning agreement also commits to land dedication of almost 1.5 hectares. The value of this land has not been included in the minimum spending agreements.

It is also important to note the value of the land and works will far exceed any value gained from the proceeds of the sale of the non-public domain areas of the former rail corridor, and will augment the $500 million committed by the NSW Government for the revitalisation of the city centre.

I trust this information will help to clarify the position of the commitments outlined in Part C section 2 of the 13 October resolution, and the work that the NSW Government has been undertaking to ensure that these commitments are realised.

Yours sincerely

[Signature]

Anthony Roberts MP
Minister for Planning,
Minister for Housing,
Special Minister of State

cc. Mr Jeremy Bath – Interim CEO, Newcastle City Council
CCL 22/08/17
SUPPLEMENTARY REPORT - EXHIBITION OF DRAFT PLANNING AGREEMENT FOR RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET NEWCASTLE

Attachment C: Status Report from the Revitalising Newcastle Program Director
29 May 2017

Jeremy Bath
Chief Executive Officer
Newcastle City Council
PO Box 489
Newcastle, NSW 2300

Dear Mr Bath,

PROPOSED AMENDMENT TO NEWCASTLE LEP 2012 – SURPLUS RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET IN THE CITY CENTRE

I am writing to you in relation to Newcastle City Council’s resolution of the meeting of 9 May 2017 regarding the proposed repurposing of the former heavy rail corridor from Worth Place to Scott Street, Newcastle.

The resolution identified three items that are required by Council prior to the consideration of the reports recommending the public exhibition of the draft development control plan (DCP) amendment and draft voluntary planning agreement (VPA). These items relate to the transport requirements of the resolution of 13 October 2016, the quantum of affordable housing and the development of a community engagement plan.

Please find attached a report addressing our response to these issues, including a commitment to amend the quantity of affordable housing to 10%. This commitment recognises the recent Greater Sydney Commission’s draft policy target of between 5% and 10% at rezoning stage, subject to a range of factors including financial feasibility. The report also includes the following attachments:

- letter from Clare Gardiner-Barnes, Deputy Secretary, Freight, Strategy and Planning, Transport for NSW relating to the Greater Newcastle Future Transport Plan
- letter from the Hon Anthony Roberts MP, Minister for Planning relating to the hypothecation of funds from the development of the corridor.

I believe we have now satisfied all the requirements from the resolution and trust that the reports relating to the draft DCP and draft VPA will be considered at the next available Council meeting enabling the public exhibition of the planning proposal, draft DCP and draft VPA to commence as soon as possible. I would also like to reiterate the offer to provide Councillors a briefing on the matters contained in the attached response report, or other issues relating to the draft DCP, draft VPA or planning proposal.

Yours sincerely,

Michael Cassel
Program Director, Revitalising Newcastle

cc Councillor Nuatali Nelmes, Lord Mayor
UrbanGrowth NSW Response

to the Newcastle City Council Resolution of 9 May 2017

For more information please call 1800 359 545
or email info@revitalisingnewcastle.com.au
revitalisingnewcastle.nsw.gov.au
Background

On 13 October 2016 Newcastle City Council considered a report recommending the progression of a draft planning proposal for the rezoning of part of the former heavy rail corridor, between Worth Place and Scott Street, Newcastle for Gateway determination. The resolution noted several previous resolutions of Council, and media releases, letters etc. relating to the Newcastle Urban Transformation and Transport project, and the provision of light rail in Newcastle CBD.

In addition to progressing the proposal to Gateway, the resolution also committed to consultation with community and relevant government agencies in accordance with the Gateway determination. It also required a report back to Council on several aspects relating to transport planning, after public exhibition and prior to the progression of the proposal to the Minister for Planning for the LEP to be made.

UrbanGrowth NSW and Council have been developing draft development control plan (DCP) amendments and a draft voluntary planning agreement (VPA) to support the planning proposal. The draft DCP provides additional detailed controls to guide the development of the former heavy rail corridor sites while the draft VPA proposes the embellishment and dedication of significant public open space. These aspects form part of the planning package for the site and it is considered preferable for them to be placed on public exhibition together. This has resulted in a delay to the public exhibition of the planning proposal while the draft DCP and draft VPA are developed and considered by Council for progression to public exhibition.

At the meeting on 9 May 2017 Council resolved to lay on the table the consideration of reports recommending the public exhibition of the draft DCP and draft VPA, pending a report back on the status of the transport issues from the 13 October 2016 resolution and negotiations to maximise the provision of affordable housing within the VPA. The purpose of this report is to provide a status update on these items to fulfil the requirement of the 9 May 2017 resolution of Council.
RESOLVED: (Councillors Clausen/Osborne)

That both motions applying to Item 50 - Exhibition of Draft Amendment to Section 6.01 Newcastle City Centre of Newcastle Development Control Plan 2012 and Item 51 - Exhibition of Draft Planning Agreement for Rail Corridor Land Between Worth Place and Watt Street Newcastle, lay on the table until Council:

1. Receives a report on progress of Council’s unanimous motion of 13 October 2016 (Part C).

“PART C:

Require the following commitments prior to a report to back to Council under Part B v) (receive a report back on the Planning Proposal, including draft planning agreement, following the public exhibition as per the requirements of Section 57 of the EP& A Act.) of this motion:

1. The NSW Government develops a comprehensive, evidence based plan for public transport and active transport in the Lower Hunter consistent with achieving Council’s current transport targets including:
   a. An update of the Regional Transport Plan with clear objectives to be achieved for Public Transport in the region and
   b. A revised Traffic Report of traffic impacts in the CBD based on:
      i. Current and forecast land use development proposals for the CBD.
      ii. The Integrated Transport Plan for the CBD.
      iii. The Parking Strategy being prepared by Transport for NSW (TfNSW).
      iv. The Active transport Strategy Plan being prepared by TfNSW and NCC including cycleways and pedestrian access
   c. A comparison between the land use assumptions used in the REF compared with rezoning proposal.
   d. An integrated transport plan setting out the detailed operational arrangements for Busses and Ferries in conjunction with the proposed Light Rail and such plans conclusively establish that the corridor land is not needed for transport purposes.

2. A legislative commitment from the NSW Government that all proceeds from Newcastle Urban Transformation Project will be reinvested into the revitalisation of Newcastle.”

2. Negotiations are undertaken with the State Government (Urban Growth and HDC) to maximise provision of affordable housing through the draft planning agreement.

3. A community engagement plan be developed for the planning proposal outlining how consultation will be undertaken.
Integrated Transport Strategy Update

Status of resolution items

Transport for NSW is committed to long term transport planning and is in the process of updating the NSW Long Term Transport Master Plan (2012), Hunter Regional Transport Plan (2014) and other Regional Transport Plans to create a new Greater Newcastle Future Transport Plan. The new plan will consider the transport network, including public and active transport. The development of the plan will continue to involve consultation with Newcastle City Council and other stakeholders, and it is anticipated that community engagement on the plan will occur in September-October 2017.

Further information on the preparation of the Greater Newcastle Future Transport Plan was included in the letter dated 12 May 2017 from Clare Gardiner-Barnes, Deputy Secretary Freight, Strategy and Planning, Transport for NSW. A copy can be found at Attachment A.

The Traffic Impact Assessment prepared to support the planning proposal has been updated to reflect the changes to the proposed land uses for the corridor sites. It also clarifies that the traffic modelling of the assumed traffic generation for the Light Rail REF has been used to form the basis of the traffic impact assessment. This modelling confirms that the traffic generated by the proposed rezoning can be accommodated within the future road network.

The Newcastle City Centre Parking Strategy was released in April 2017, and the active transport strategy is currently being finalised. Both strategies have been developed in response to the resolution and involved significant stakeholder input. These strategies outline principles and opportunities relating to parking operations and the development of a comprehensive active transport network for the city centre.

The appointment of the integrated public transport services provider in late 2016 has enabled work to commence on developing detailed operational arrangements for buses, ferries and light rail. Plans are being advanced for the development of the bus and coach interchange at Wickham to provide a fully integrated transport hub, connecting heavy rail, buses and the future light rail.

UrbanGrowth NSW and Hunter Development Corporation have negotiated a draft planning agreement with Council associated with the proposed rezoning. This planning agreement commits to land dedication of almost 1.5 hectares, with remediation, landscaping and heritage works of over $16 million in value. The value of the land and works will far exceed any value gained from the proceeds of the sale of the non-public domain areas of the former rail corridor, and will augment the $500 million committed by the NSW Government for the revitalisation of the city centre.
### Status summary

<table>
<thead>
<tr>
<th>Item</th>
<th>On Track?</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Comprehensive, evidence based plan for public transport and active transport in the Lower Hunter</strong> <em>(see letter at Attachment A)</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. a. Update of the Regional Transport Plan</td>
<td>✓</td>
<td>Included within new <em>Infrastructure and Services Plan</em> - draft due for community engagement October 2017</td>
</tr>
<tr>
<td>1. b. Revised Traffic Report of traffic impacts in the CBD</td>
<td>✓</td>
<td>Included in updated Traffic Impact Assessment to support planning proposal - complete</td>
</tr>
<tr>
<td>1.b.i. Current and forecast land use development proposals</td>
<td>✓</td>
<td>Included in updated Traffic Impact Assessment to support planning proposal - complete</td>
</tr>
<tr>
<td>1.b.ii. Integrated Transport Plan -</td>
<td>✓</td>
<td>Included within new <em>Infrastructure and Services Plan</em> - draft due for community engagement October 2017</td>
</tr>
<tr>
<td>1.b.iii. Parking Strategy</td>
<td>✓</td>
<td>Complete – released April 2017</td>
</tr>
<tr>
<td>1.b.iv. Active Transport Strategy Plan</td>
<td>✓</td>
<td>Complete - released May 2017</td>
</tr>
<tr>
<td>1.c. Comparison between land use assumptions</td>
<td>✓</td>
<td>Included in updated Traffic Impact Assessment to support planning proposal - complete</td>
</tr>
<tr>
<td>1.d. Integrated transport plan setting out operational arrangements for busses and ferries</td>
<td>✓</td>
<td>Being developed with integrated public transport services provider</td>
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</table>

**2. Legislative commitment that all proceeds will be reinvested into the revitalisation of Newcastle**

<table>
<thead>
<tr>
<th>Item</th>
<th>On Track?</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Draft VPA committing over 1.5ha of land, and works valued at over $16m</td>
<td>✓</td>
<td>The draft VPA has been submitted to Council for endorsement for public exhibition</td>
</tr>
<tr>
<td><strong>Letter from Minister for Planning</strong></td>
<td>✓</td>
<td>Sent May 2017 – see Attachment B</td>
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</table>
Affordable Rental Housing Commitment

UrbanGrowth NSW is currently reviewing its policy on affordable housing in consultation with a number of other NSW Government agencies including the Greater Sydney Commission, Department of Planning and Environment, and Family and Community Services, as well as community and industry stakeholders. To create consistency with the Greater Sydney Commission, the draft policy currently proposes to adopt an affordable rental housing target of 5-10% of new residential floorspace. In line with the Commission's District Plans, this commitment will be applied at the rezoning stage across the planning proposal area, subject to development feasibility, and in accordance with any relevant guidance developed by the Department of Planning and Environment.

During the negotiations for the draft VPA, UrbanGrowth NSW proposed the dedication of a site on the former heavy rail corridor at Merewether Street, and the co-ordination of a project to develop affordable housing on the site, along with funding from Hunter Development Corporation and Building Better Cities federal funding held by Council.

The proposal, for approximately 30 units, was based on the developable area of the site which is constrained by the maintenance of appropriate setbacks from the Newcastle Museum site to the north, and properties to the south. The number of units is also guided by the proposed planning controls for the site outlined in the planning proposal and proposed DCP amendment, which include height, floorspace and building setback controls, in addition to compliance with the State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development.

With the allocation of over 75 per cent of the land on the former heavy rail corridor for public open space, university and tourism uses, there is limited opportunity for mixed use development (see Attachment C – Proposed uses of the former corridor). The total number of units for the developable sites of the corridor is estimated to be 110 - 130 units, based on proposed planning controls. Therefore, the approximately 30 units proposed for the Merewether Street site would constitute around 25 per cent of the total number of units.

Alternative development sites at Darby Plaza and Hunter Street are constrained by greater construction and maintenance costs associated with, for example, the provision of laneway access to the Hunter Street sites and significant open space required to provide the building setback for the Darby Plaza site. This makes these sites less suitable for affordable rental housing development. However, the provision of affordable housing on these sites may be required as part of future development, in line with any adopted Council policy at the time of seeking development approval, and outside of the process of this current planning agreement.

UrbanGrowth NSW is committed to maximising the provision of affordable rental housing on the former heavy rail corridor at Merewether Street. In order to fulfil the requirements of the Council resolution of 9 May 2017 to maximise the provision of affordable housing through the draft planning agreement, it is proposed to increase the commitment to approximately 10% of new residential floorspace as affordable rental housing, subject to development feasibility. An amendment to the draft planning agreement will be made in this regard.
Community Engagement Plan

UrbanGrowth NSW is committed to providing the community with the opportunity to comment on the planning proposal at the earliest opportunity and will endeavour to support Council in the preparation and implementation of any community engagement processes relating to the public exhibition of the planning proposal, draft DCP amendment and draft VPA. It is a statutory requirement that the public exhibition of the draft documents is designed and delivered by Council and we understand that the communications plan and engagement strategy has been developed.

Previous engagement

Between 10 August and 18 September 2015, UrbanGrowth NSW in partnership with Newcastle City Council ran the Revitalising Newcastle community engagement program. The program was outlined in a community engagement plan prepared jointly by UrbanGrowth NSW and NCC and endorsed by the elected Council in July 2015. This provided the opportunity for community and other stakeholders to have input into deciding the program objectives and opportunities for the development of the former heavy rail corridor, and ultimately guide the land uses and development standards which form the basis of the planning proposal.

Public exhibition of the planning proposal

The planning proposal, adopted by Council through the resolution of 13 October 2016 for progression to Gateway determination, included a commitment for community consultation. This provided:

| Planning Proposal – Rail corridor land between Worth Place & Watt Street Newcastle (page 47) |
| Part 5 – Community Consultation |
| In accordance with the Department of Planning and Environment’s guidelines, ‘A guide to preparing local environmental plans’ the Planning Proposal should be exhibited for a minimum 28 day period. This would also ensure consistency with the exhibition of the accompanying draft DCP guidelines and planning agreements which are required to be exhibited for a minimum of 28 days. |

This is consistent with the Environmental Planning and Assessment Regulation 2000, and also with the Newcastle Development Control Plan 2012, Part 8 Public Participation.

The planning timeline outlined in the planning proposal proposed that public exhibition would occur in March 2017, with consideration of submissions and a report back to Council in June 2017. As the anticipated timeframe for public exhibition has been deferred, it would be disappointing if the revised timeframe, for public exhibition in May/June 2017, was further delayed. We understand the communications plan and engagement strategy has been prepared meaning there should not be any further delay to implementation of the consultation process.
The public exhibition of the planning proposal forms a statutory part of the plan making process, and reinforces the previous rounds of community consultation which have guided the program and subsequent planning proposal. *A Guide to preparing local environmental plans* (Department of Planning and Environment 2016) provides the notice requirements for public exhibition and the specifications for materials that must be publicly available along with the planning proposal. It is anticipated that any community engagement plan would reiterate these requirements.
12 May 2017

Councillor Nuatali Nelmes
Lord Mayor
Newcastle City Council
Level 2, City Hall
PO Box 489
NEWCASTLE NSW 2300

Dear Lord Mayor

I write to you in relation to the Council resolution of the meeting on 9 May 2017 on the Exhibition of Draft Planning Agreement for Rail Corridor Land between Worth Place and Watt Street Newcastle.

In 2012 the NSW Government committed to a five year review of the NSW Long Term Transport Master Plan. To meet that commitment, Future Transport has been developed to provide a high level visionary and integrated direction for transport infrastructure and services in NSW over the next 40 years.

The Greater Newcastle Future Transport Plan is currently being developed as part of Future Transport. The Greater Newcastle Future Transport Plan will provide an integrated transport strategy for Greater Newcastle for all modes to 2056.

In parallel with this work, Transport for NSW is preparing a Newcastle Transit Network Plan. This Plan will investigate transit corridors for buses, ferries and light rail. Outputs from the Plan will be included in the Greater Newcastle Future Transport Plan. Other key inputs to this planning work will include the Parking Strategy prepared by Transport for NSW and the Active Transport Strategy Plan being prepared jointly by Transport for NSW and Newcastle City Council which is almost complete.

Transport for NSW is working alongside the Department of Planning and Environment, Urban Growth and Hunter Development Corporation in the preparation of the Greater Newcastle Future Transport Plan and the Newcastle Transit Network Plan to ensure alignment of the Plans.
I would like to extend an offer to provide a briefing to you and your fellow Councillors on the status of this planning work at your earliest convenience. My office will be in contact with you to arrange a suitable time.

Yours sincerely

[Signature]

Clare Gardiner-Barnes
Deputy Secretary
Freight, Strategy and Planning
Transport for NSW
Attachment B – Minister for Planning letter re hypothecation of funds
Cr Nuatali Nelmes  
Lord Mayor  
The City of Newcastle  
PO Box 489  
NEWCASTLE NSW 2300

Dear Lord Mayor

PROPOSED AMENDMENT TO NEWCASTLE LEP 2012 – SURPLUS RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET IN THE CITY CENTRE

I am writing to you in relation to Newcastle City Council’s resolution of the meeting of 13 October 2016 regarding the proposed repurposing of the former heavy rail corridor from Worth Place to Scott Street, Newcastle.

Council’s endorsement of “CCL 27/09/16 - ENDORSEMENT OF PROPOSED AMENDMENT TO LOCAL ENVIRONMENTAL PLAN 2012 - RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET NEWCASTLE” on 13 October 2016 included requiring the NSW Government to make several commitments prior to the matter being considered by Councillors, but after the public exhibition of the proposal.

While the proposal is yet to be exhibited, it is considered timely to provide an update on the progress of the commitments required by Part C section 2 of the resolution: “A legislative commitment from the NSW Government that all proceeds from Newcastle Urban Transformation Project will be reinvested into the revitalisation of Newcastle”.

The NSW Government remains committed to reinvesting all former heavy rail corridor land sales revenue back into the Revitalising Newcastle program. Our current estimates of land sales at the following locations:
- West of Civic Link (UoN)
- East of Civic Link (Affordable Housing site)
- Darby Plaza site
- Between Argyle and Brown street alignments

This amounts to approximately $15 million. Given it is not possible to accurately predict the exact amount, we further commit to reconciling the amount received on each sale using the price recorded by the Office of State Revenue. Should further revenue be received justification on how this money was spent will be provided to Council.

I am advised to ensure the sales revenue is spent on revitalising Newcastle, UrbanGrowth NSW and Hunter Development Corporation have negotiated a minimum amount in the draft planning agreement associated with the proposed rezoning that exceeds $15 million.
The planning agreement also commits to land dedication of almost 1.5 hectares. The value of this land has not been included in the minimum spending agreements.

It is also important to note the value of the land and works will far exceed any value gained from the proceeds of the sale of the non-public domain areas of the former rail corridor, and will augment the $500 million committed by the NSW Government for the revitalisation of the city centre.

I trust this information will help to clarify the position of the commitments outlined in Part C section 2 of the 13 October resolution, and the work that the NSW Government has been undertaking to ensure that these commitments are realised.

Yours sincerely

Anthony Roberts MP
Minister for Planning,
Minister for Housing,
Special Minister of State

cc. Mr Jeremy Bath – Interim CEO, Newcastle City Council.
Attachment C – Proposed uses of the former corridor
How the former corridor land is proposed to be used

<table>
<thead>
<tr>
<th>ZONE</th>
<th>PROPOSED LAND USE</th>
<th>Approximate area (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Transport - light rail</td>
<td>38%</td>
</tr>
<tr>
<td>E</td>
<td>Transport - road</td>
<td>51%</td>
</tr>
<tr>
<td>I</td>
<td>Transport - light rail (electrical)</td>
<td>11%</td>
</tr>
<tr>
<td>B</td>
<td>Community benefit - education (University)</td>
<td>Community benefit: 34,000m²</td>
</tr>
<tr>
<td>C</td>
<td>Community benefit - public recreation (Civic)</td>
<td>Transport: 25,500m²</td>
</tr>
<tr>
<td>D</td>
<td>Community benefit - Affordable Housing</td>
<td>Homes, retail and commercial: 7,600m²</td>
</tr>
<tr>
<td>H</td>
<td>Community benefit - public recreation (Darby Plaza)</td>
<td></td>
</tr>
<tr>
<td>K</td>
<td>Community benefit - tourism</td>
<td></td>
</tr>
<tr>
<td>L</td>
<td>Community benefit - public recreation (Market Street Lawn)</td>
<td></td>
</tr>
<tr>
<td>M</td>
<td>Community benefit - tourism</td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>Homes, retail and commercial</td>
<td></td>
</tr>
<tr>
<td>G</td>
<td>Homes, retail and commercial</td>
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</tr>
<tr>
<td>J</td>
<td>Homes, retail and commercial</td>
<td></td>
</tr>
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</table>
Attachment D: Revised Draft Urban Rail Transformation Program Planning Agreement
Deed

Newcastle Urban Rail Transformation Program
Planning Agreement
Under s93F of the Environmental Planning and Assessment Act 1979

Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

[Insert Date]
# Newcastle Urban Rail Transformation Program Planning Agreement

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Newcastle Urban Rail Transformation Program Planning Agreement

Newcastle City Council  
Landcom (t/a UrbanGrowth NSW)  
Hunter Development Corporation
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<td>Release</td>
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Newcastle Urban Rail Transformation Program Planning Agreement
Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

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Newcastle Urban Rail Transformation Program Planning Agreement

Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

Newcastle Urban Rail Transformation Program Planning Agreement

Summary Sheet

Council:
Name: Newcastle City Council
Address: 282 King Street, Newcastle NSW 2300
Telephone: 02 4974 2000
Facsimile: [Insert Details]
Email: [Insert Details]
Representative: [Insert Details]

Developer:
Name: Landcom (t/a UrbanGrowth NSW)
Address: Level 14, 60 Station Street Parramatta NSW 2150
Telephone: (02) 9841 8600
Facsimile: (02) 9841 8688
Email: [Insert Details]
Representative: [Insert Details]

Landowner:
Name: Hunter Development Corporation
Address: Suite B, Level 5, 26 Honeysuckle Drive, Newcastle NSW 2300
Telephone: 02 4904 2750
Facsimile: 02 4904 2751
Email: [Insert Details]
Representative: [Insert Details]

Land:
See definition of Land in clause 1.1.
Development:

See definition of Development in clause 1.1.

Development Contributions:

See clause 9 and Schedule 2.

Application of s94, s94A and s94EF of the Act:

See clause 8.

Security:

Part 4

Restriction on dealings:

See clause 32.

Dispute Resolution:

Expert determination and mediation. See clauses 29 and 30.
Newcastle Urban Rail Transformation Program Planning Agreement
Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

Newcastle Urban Rail Transformation Program Planning Agreement
Under s 93F of the Environmental Planning and Assessment Act 1979

Parties

Newcastle City Council ABN 25 242 068 129 of 282 King Street, Newcastle NSW 2300 (Council)
and
Landcom (t/a UrbanGrowth NSW) ABN 79 268 260 688 of Level 14, 60 Station Street, Parramatta NSW 2150 (Developer)
and
Hunter Development Corporation ABN 94 688 782 063 of Suite B, Level 5, 26 Honesuckle Drive, Newcastle NSW 2300 (Landowner)

Background

A The Developer is established as a corporation under s5(1) of the Landcom Corporation Act 2001 with the corporate name of Landcom.
B The Developer trades under the name of UrbanGrowth NSW.
C The Landowner is a statutory corporation constituted under the Growth Centres (Development Corporations) Act 1974.
D The Landowner is the owner of the Land and leases the Land to the Developer.
E The Landowner and Developer have agreed that the Developer will redevelop the Land.
F The Developer has requested the Council to adopt a Planning Proposal to facilitate the LEP Amendment so as to make permissible the carrying out of the Development on the Land.
G The Developer has made or proposes to make a Development Application to carry out the Development on the Land.
H The Developer offers to make Development Contributions to the Council on the terms set out in this Deed in connection with the LEP Amendment.
Operative provisions

Part 1 - Preliminary

1 Definitions & Interpretation

1.1 In this Deed the following definitions apply:

- **Act** means the *Environmental Planning and Assessment Act 1979* (NSW).
- **Approval** includes approval, consent, licence, permission or the like.
- **Affordable Housing** has the same meaning as in the Act.
- **Authority** means the Commonwealth or New South Wales government, a Minister of the Crown, a government department, a public authority established by or under any Act, a council or county council constituted under the *Local Government Act 1993*, or a person or body exercising functions under any Act including a commission, panel, court, tribunal and the like.
- **Civic Link Land** means the land defined as such in Item 1 of the table to Schedule 2.
- **Civic Station Land** means the land marked ‘Civil Station Land’ on the Civic Station Land Plan.
- **Civic Station Land Plan** means the plan in Schedule 6.
- **Claim** includes a claim, demand, remedy, suit, injury, damage, loss, Cost, liability, action, proceeding or right of action but does not include proceedings to enforce this Deed in the Land and Environment Court or any Court on appeal from that Court.
- **Construction Certificate** has the same meaning as in the Act.
- **Cost** means a cost, charge, expense, outgoing, payment, fee and other expenditure of any nature.
- **Council Specification Documents** means:
  - (a) *City Centre Public Domain Technical Manual*;
  - (b) *Urban Forest Technical Manual*; and
  - (c) *Standard Drawings*;

  and any amendment or replacement of those documents notified to the Developer within 6 months of the date of this Deed.
- **Darby Plaza Land** means the land defined as such in Item 6 of the table to Schedule 2.
- **Deed** means this Deed and includes any schedules, annexures and appendices to this Deed.
- **Design Intent** means the design intent for the relevant Work Item in Schedule 7.
- **Development** means the development of the Land which is facilitated by the LEP Amendment.
- **Development Application** has the same meaning as in the Act.
**Development Consent** means a development consent within the meaning of the Act.

**Development Contribution** means any of the following, or any combination of them, to be used for, or applied towards, a public purpose:

- a monetary contribution,
- the dedication of land free of cost,
- the carrying out of Work,
- the provision of any other material public benefit,

but does not include any Security or other benefit provided by a Party to the Council to secure the enforcement of that Party's obligations under this Deed for the purposes of s93F(3)(g) of the Act.

**Dispute** means a dispute or difference between the Parties under or in relation to this Deed.

**Final Lot** means a lot to be created in the Development for separate residential occupation and disposition, not being a lot created by a subdivision of the Land:

- that is to be dedicated or otherwise transferred to the Council, or
- that may be further subdivided, or
- on which is situated a dwelling-house that was in existence on the date of this Deed

**Foreshore Park Concept Plan** means the concept plan in Schedule 4.

**Item** means the object of a Development Contribution specified in Column 1 of Schedule 2.

**Land** means the land specified or described in Schedule 1.

**LEP** means the *Newcastle Local Environmental Plan 2012*.

**LEP Amendment** means a local environmental plan which amends the LEP in the manner sought in the Planning Proposal.

**Planning Proposal** means planning proposal (Department Ref: PP_2016_NEWCA_007_00) to rezone the surplus portion of the rail corridor between Worth Place and Watt Street Newcastle, the Newcastle Train Station and certain adjacent land.

**Party** means a party to this Deed, including their successors and assigns.

**Land Dedication Plan** means the plan in Schedule 3 showing the location of the land to be dedicated.

**Rectify** means rectify, remedy or correct.

**Regulation** means the *Environmental Planning and Assessment Regulation 2000*.

**Remediation Action Plan** means the remediation action plan in Schedule 5.

**Residential Dwellings** means dwellings or dwelling houses but does not include:

- student accommodation;
- a boarding house;
- group home;
(d) hostel; or
(e) seniors housing,

and all terms used in this definition have the same meaning as in the LEP.

Security means a letter of undertaking from the Developer to the Council containing a commitment to comply with this Agreement on terms satisfactory to the Council.

Subdivision Certificate has the same meaning as in the Act

Work means the physical result of any building, engineering or construction work in, on, over or under land, required to be carried out by the Developer under this Deed.

Work Items means Items which require Works to be carried out under this Deed.

1.2 In the interpretation of this Deed, the following provisions apply unless the context otherwise requires:

1.2.1 Headings are inserted for convenience only and do not affect the interpretation of this Deed.

1.2.2 A reference to a business day means a day, other than a Saturday or Sunday, on which banks are open for business generally in Sydney.

1.2.3 If the day on which something is to be done under this Deed is not a business day, then it must be done on the next business day.

1.2.4 A reference to dollars or $ means Australian dollars and all amounts payable under this Deed are payable in Australian dollars.

1.2.5 A reference in this Deed to a $ value relating to a Development Contribution is a reference to the value exclusive of GST.

1.2.6 A reference to any legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.

1.2.7 A reference to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.

1.2.8 A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Deed.

1.2.9 A reference to a person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.

1.2.10 Where a word or phrase is given a defined meaning, another part of speech or other grammatical form for that word or phrase has a corresponding meaning.

1.2.11 The singular includes the plural, and the plural includes the singular.

1.2.12 References to the word 'include' or 'including' are to be construed without limitation.

1.2.13 A reference to a Party to this Deed includes a reference to the Party's employees, agents and contractors, and the Party's successors and assigns.

1.2.14 Any schedules, appendices and attachments form part of this Deed.
2 Status of this Deed

2.1 This Deed is a planning agreement within the meaning of s93F(1) of the Act.

3 Commencement of this Deed

3.1 This Deed commences on the date on which it has been executed by all Parties.

3.2 The Party who executes this Deed last is to insert on the front page the date they did so and provide a copy of the fully executed and dated Deed to any other person who is a Party.

4 Application of this Deed

4.1 This Deed applies to the LEP Amendment and the Land.

5 Commencement of Development Contributions obligations

5.1 The Developer is under no obligation to make the Development Contributions to the Council in accordance with this Deed unless the LEP Amendment is made.

6 Warranties

6.1 The Parties warrant to each other that they:

6.1.1 have full capacity to enter into this Deed, and

6.1.2 are able to fully comply with their obligations under this Deed.

7 Further agreements relating to this Deed

7.1 The Parties may, at any time and from time to time, enter into agreements relating to the subject-matter of this Deed that are not inconsistent with this Deed for the purpose of implementing this Deed.

8 Application of s 94, s 94A and s 94EF of the Act to the Development

8.1 This Deed does not exclude the application of s 94, s94A or s94EF of the Act to the Development.
9 Provision of Development Contributions

9.1 The Developer and Landowner are to make Development Contributions to the Council in accordance with Schedule 2 and any other provision of this Deed relating to the making of Development Contributions.

9.2 The Council is to apply each Development Contribution made by the Developer or Landowner under this Deed towards the public purpose for which it is made and otherwise in accordance with this Deed.

Part 2 – Provisions relating to dedication of Land

10 Procedures relating to the dedication of Land

10.1 A Development Contribution comprising the dedication of land is made for the purposes of this Deed when:

10.1.1 a deposited plan is registered in the register of plans held with the Registrar General that:

(a) dedicates land as a public road (including a temporary public road) under the Roads Act 1993, or

(b) creates a public reserve or drainage reserve under the Local Government Act 1993, or

10.1.2 the Council is given an instrument in registrable form under the Real Property Act 1900 duly executed by the Landowner as transferor that is effective to transfer the title to the land to the Council when executed by the Council as transferee and registered.

10.2 For the purposes of clause 10.1.2:

10.2.1 the Landowner is to give the Council, for execution by the Council as transferee, an instrument of transfer under the Real Property Act 1900 relating to the land to be dedicated, and

10.2.2 within 7 days of receiving it from Landowner, the Council is to execute it and return it to Landowner, and

10.2.3 within 7 days of receiving it from the Council (properly executed), the Landowner is to lodge it for registration with the Registrar General, and

10.2.4 the Developer and Landowner are to do all things reasonably necessary to enable it to be registered.

10.3 Land required to be dedicated under this Agreement is to be dedicated free of all registered and unregistered encumbrances and affectations, except as otherwise agreed in writing by the Council.

10.4 If, having used all reasonable endeavours, the Landowner cannot comply with clause 10.3, the Landowner may request that Council agree to accept the land subject to those encumbrances and affectations, and:

10.4.1 Council cannot withhold its agreement unreasonably if the encumbrance or affectation does not prevent the future use of the land for the purpose for which it is to be dedicated under this Deed,
unless the encumbrance or affectation is a charge arising as a result of unpaid taxes or charges, and

10.4.2 in all other cases, Council may withhold its agreement in its absolute discretion.

11 Civic Station Works and Dedication

11.1 The Parties acknowledge that at the time of entry into this Deed, the Developer had not determined the extent to which buildings and structures comprising Civic Station would be demolished or retained.

11.2 Despite anything to the contrary in this Deed, the Developer is under no obligation to retain or demolish any part of Civic Station under this Deed, and the Council is under no obligation to accept dedication of the Civic Station Land.

11.3 The Developer must notify the Council within 14 days of obtaining all relevant Approvals for any works it proposes to carry out to Civic Station (Civic Station Works).

11.4 Within 90 days of the Developer providing the notice pursuant to clause 11.3, the Council must notify the Developer whether it will accept dedication of the Civic Station Land, having regard to the Civic Station Works.

11.5 If Council notifies the Developer that it will not accept dedication of the Civic Station Land, the Developer and Landowner may give Council notice of any additional part of the Civic Link Land which the Landowner and Developer require to be retained in the ownership of the Landowner for the purposes of any proposed use to which the Landowner and Developer may put the Civic Station Land.

11.6 The Civic Link Land required to be dedicated under this Deed excludes the Civic Station Land if Council determines that it does not wish to accept dedication of that land pursuant to this clause, and any additional land required to be retained by the Developer and Landowner under clause 11.5.

Part 3 – Provisions relating to the carrying out of Work

12 Design and Consultation

12.1 At the time of entry into this Deed the Developer had not prepared concept plans for the Works Items comprising embellishment works, other than in respect of Work Item 11 for which the Foreshore Park Concept Plan has been prepared.

12.2 The Developer will prepare concept plans for all Work Items comprising embellishment works, other than Work Item 11, in accordance with the Council Specification Documents and will submit them to Council.

12.3 The Parties acknowledge that the Foreshore Park Concept Plan and any other concept plans submitted to Council pursuant to this clause 12, are
preliminary only and are subject to variation in consultation with Council and as a result of Approvals required for the relevant Work Items.

12.4 No amendment to this Deed is required if there is a variation to the Work Items comprising embellishment works as described in this Deed and as shown in concept plans submitted to Council pursuant to this clause, provided that:

12.4.1 the varied Work Item complies with the Council Specification Documents;

12.4.2 any key elements of the Work Item noted in Column 3 of the table to Schedule 2 in respect of the Work Item are included in the varied Work Item; and

12.4.3 in respect of the Civic Link Land and Darby Plaza Land embellishment works, the Work Item is consistent with the objectives outlined in the Design Intent for that Work Item.

12.5 The Developer must not lodge any Development Application or seek any other Approvals for a Work Item comprising embellishment works unless it has first submitted a concept plan to Council for the Work Item in accordance with this clause and considered any comments in respect of the Work Item from Council.

12.6 The Developer must not apply for any Construction Certificate or seek any other Approvals for a Work Item (other than lodging a Development Application) comprising embellishment works unless it has first submitted the construction drawings for the Work Item to Council and considered any comments in respect of the Work Item from Council.

13 Standard of construction of Work

13.1 Any Work that the Developer is required to carry out under this Deed is to be carried out in accordance with:

13.1.1 the requirements of any relevant Approval issued by a relevant Authority,

13.1.2 any Australian standards and other laws applicable to the Work,

13.1.3 the Council Specification Documents and

13.1.4 in a proper and workmanlike manner, complying with current industry practice and standards relating to the Work.

13.2 If there is any inconsistency between the requirements of any relevant Approval, any Australian standards or laws, or the Council Specification Documents, then the requirements of any relevant Approval, Australian standards and other applicable laws prevail to the extent of the inconsistency.

13.3 The Developer must appoint Council as the certifier in respect of any Works comprising embellishment works for the purpose of issuing a Construction Certificate in respect of those Works.
14 Variation to Work

14.1 The design or specification of any Work that is required to be carried out by the Developer under this Deed may be varied in accordance with this clause without the necessity for an amendment to this Deed.

14.2 For the purposes of clause 14.1, the Developer may make a written request to the Council to approve a variation to the design or specification of a Work in order to enable it to comply with the requirements of any Authority imposed in connection with any Approval relating to the carrying out of the Work.

14.3 The Council is not to unreasonably delay or withhold its approval to a request made by the Developer under clause 14.2.

15 Maintenance and management of Works

15.1 The Parties may, by agreement in writing, specify Work Items to which the Maintenance Period applies and the standard and other particulars of maintenance required.

15.2 If the Maintenance Period applies to a Work, the Developer is to maintain the Work during that Period, in accordance with the standard and other particulars of maintenance agreed between the Parties.

15.3 Despite any other provision of this Deed, if the Developer has complied with its obligations under this clause, the Council cannot make any claim, objection or demand about the state or condition of a Work referred to in clause 15.1 after the end of the Maintenance Period for that Work.

15.4 In this clause, Maintenance Period means the period of 24 months commencing on and from the date that Council accepts responsibility for a Work under clause 16.

16 Acceptance of risk in Works

16.1 Subject to anything to the contrary in this Agreement, the Council accepts responsibility for a Work on the later of:

16.1.1 when Work located on land to be dedicated to Council is completed for the purposes of this Deed in accordance with clause 21, or

16.1.2 when land on which that Work is located is dedicated to the Council.

16.2 The Developer, at its own cost, is to repair and make good to the satisfaction of the Council (acting reasonably) any loss or damage to a Work from any cause whatsoever which occurs before completion of the Work.

17 Access to land by Council

17.1 The Developer and Landowner are to permit the Council, its officers, employees, agents and contractors to enter the Land or any other land owned or controlled by the Developer or Landowner at any time, upon giving reasonable prior notice, to:

17.1.1 inspect, examine or test any Work, or

17.1.2 remedy any breach by the Developer in carrying out a Work.
18 Access to land by Developer

18.1 The Council is to permit the Developer, its officers, employees, agents and contractors to enter and occupy any land owned or controlled by the Council, including any part of the Land dedicated to the Council, to

18.1.1 enable the Developer to carry out any Work under this Deed that is required to be carried out on that land, or

18.1.2 perform any other obligation imposed on the Developer by this Agreement.

19 Council’s obligations relating to Work

19.1 The Council is not to unreasonably delay, hinder or otherwise interfere with the performance by the Developer of its obligations under this Deed in relation to Work.

20 Protection of people and property

20.1 The Developer is to ensure to the fullest extent reasonably practicable in carrying out any Work that:

20.1.1 all necessary measures are taken to protect people and property, and

20.1.2 unnecessary interference with the passage of people and vehicles is avoided, and

20.1.3 nuisances and unreasonable noise and disturbances are prevented.

21 Completion of Work

21.1 The Developer is to give the Council written notice of the date on which it will complete Work required to be carried out under this Deed.

21.2 The Council is to inspect the Work the subject of the notice referred to in clause 21.1 within 14 days of the date specified in the notice for completion of the Work.

21.3 Work is completed for the purposes of this Deed when the Council, acting reasonably, gives a certificate to the Developer to that effect, and Council can only withhold the certificate if the Work is not completed in accordance with this Deed.

22 Rectification of Defects

22.1 During the Defects Liability Period, the Council may give to the Developer a Rectification Notice.

22.2 The Developer is to comply with a Rectification Notice at its own cost according to its terms and to the satisfaction of the Council.

22.3 The Council is to do such things as are reasonably necessary to enable the Developer to comply with a Rectification Notice that has been given to it under clause 22.1
22.4 In this clause:

22.4.1 **Defect** means anything that adversely affects, or is likely to adversely affect, the appearance, structural integrity, functionality or use or enjoyment of a Work or any part of a Work.

22.4.2 **Defects Liability Period** means the period of 12 months commencing on the day immediately after the Council accepts responsibility for a Work under clause 16.

22.4.3 **Rectification Notice** means a notice in writing

(a) identifying the nature and extent of a Defect,

(b) specifying the works or actions that are required to Rectify the Defect,

(c) specifying the date by which or the period within which the Defect is to be rectified.

23 **Works-as-executed-plan**

23.1 No later than 60 days after a Work is completed for the purposes of this Deed, the Developer is to submit to the Council a full works-as-executed-plan for the Work.

23.2 The Developer, being the copyright owner in the plan referred to in clause 23.1, gives the Council a non-exclusive licence to use the copyright in the plans for the purposes of this Deed.

Part 4 – Security and Enforcement

24 **Provision of Security**

24.1 The Developer is to give the Security to the Council when it executes this Deed.

25 **Security for dedication of land**

25.1 If the Landowner does not dedicate the land required to be dedicated under this Deed, or any part thereof, at the time at which it is required to be dedicated, the Landowner consents to the Council compulsorily acquiring that land for compensation in the amount of $1 without having to follow the pre-acquisition procedures under the Just Terms Act.

25.2 The Council is to only acquire land pursuant to clause 25.1 if it considers it reasonable to do so having regard to the circumstances surrounding the failure by the Landowner to dedicate the land required to be dedicated under this Deed.

25.3 Clause 25.1 constitutes an agreement for the purposes of section 30 of the Just Terms Act.
25.4 If, as a result of an acquisition referred to in clause 25.1, the Council is required to pay compensation to any person other than the Landowner, the Landowner is to reimburse the Council for that amount upon a written request being made by the Council or the Council can call on any Security for that purpose.

25.5 The Landowner indemnifies and keeps indemnified the Council against all claims made against the Council as a result of any acquisition by the Council of the whole or any part of the land that is required to be dedicated under this Deed.

25.6 The Developer and Landowner are to promptly do all things necessary, and consent to the Council doing all things necessary, to give effect to this clause 25, including without limitation:

25.6.1 signing any documents or forms,
25.6.2 giving land owner’s consent for the lodgement of any Development Application,
25.6.3 producing certificates of title to the Registrar-General under the Real Property Act 1900, and
25.6.4 paying the Council’s costs arising from this clause 25.

25.7 In this clause, Just Terms Act means the Land Acquisition (Just Terms Compensation) Act 1991.

26 Breach of obligations

26.1 If the Council considers that the Developer or Landowner (Relevant Party) is in breach of any obligation under this Deed it may give a notice to the Relevant Party:

26.1.1 specifying the nature and extent of the breach,
26.1.2 requiring the Relevant Party to Rectify the breach to the Council’s satisfaction, and
26.1.3 specifying the period within which the breach is to be rectified, being a period that is reasonable in the circumstances.

26.2 A notice given under clause 26.1 is to allow the Relevant Party not less than 28 days (or such further period as the Council considers reasonable in the circumstances) to Rectify the breach.

26.3 If the Relevant Party does not comply with the notice given under clause 26.1 relating to the carrying out of Work under this Deed, the Council may step-in and remedy the breach.

26.4 Nothing in clause 26.3 affects the Council’s other rights to enforce this Deed.

26.5 Any costs incurred by the Council in remedying a breach in accordance with clause 26.3 may be recovered by the Council under this Deed or as a debt due in a court of competent jurisdiction.

26.6 For the purpose of clause 26.3, the Council’s costs of remedying a breach the subject of a notice given under clause 26.1 include, but are not limited to:

26.6.1 the costs of the Council’s servants, agents and contractors reasonably incurred for that purpose,
26.6.2 all fees and charges necessarily or reasonably incurred by the Council in remediying the breach, and

26.6.3 all legal costs and expenses reasonably incurred by the Council, by reason of the breach.

27 Council to consult before enforcing this Deed

27.1 This clause applies to any of the Developer’s or Landowner’s obligations under this Deed.

27.2 If the Council reasonably forms the opinion that the Developer or Landowner (Relevant Party) has failed to comply with an obligation to which this clause applies, it is not to enforce this Deed against the Relevant Party unless it has first notified the Relevant Party in writing of its intention to do so and has consulted with the Relevant Party as to:

27.2.1 the reason for the non-compliance,

27.2.2 the likely effects of the non-compliance, and

27.2.3 the Relevant Party’s capacity in all of the circumstances to reasonably Rectify the non-compliance.

27.3 The Council is not to enforce this Deed against the Relevant Party unless, after having consulted with the Relevant Party:

27.3.1 it has reasonably formed the opinion the Relevant Party has no reasonable excuse for the non-compliance,

27.3.2 it has notified the Relevant Party in writing that it intends to enforce the Deed not earlier than 14 days from the date of the notice, and

27.3.3 the notice specifies the enforcement action it intends to take.

27.4 At any time between the date of the notice referred to in clause 27.3 and the time when the Council takes action to enforce this Deed, the Relevant Party may notify the Council of a Dispute under clause 29 or 30.

27.5 If the Relevant Party notifies the Council in accordance with clause 27.4, the Council is not to enforce this Deed against the Relevant Party in relation to the relevant non-compliance unless and until the dispute resolution process under clause 20 or 30 has been exhausted without resolution between the parties.

28 Enforcement in court

28.1 Without limiting any other provision of this Deed (other than clause 27), the Parties may enforce this Deed in any court of competent jurisdiction.

28.2 For the avoidance of doubt, nothing in this Deed (other than clause 27) prevents:

28.2.1 a Party from bringing proceedings in the Land and Environment Court to enforce any aspect of this Deed or any matter to which this Deed relates,

28.2.2 the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Deed or any matter to which this Deed relates.
Part 5 – Dispute Resolution

29 Dispute resolution – expert determination

29.1 This clause applies to a Dispute between any of the Parties to this Deed about a matter arising in connection with this Deed that can be determined by an appropriately qualified expert (Expert Determination Dispute) if:

29.1.1 the Parties to the Dispute agree that it can be so determined, or

29.1.2 the Chief Executive Officer of the professional body that represents persons who appear to have the relevant expertise to determine the Dispute gives a written opinion that the Dispute can be determined by a member of that body.

29.2 Such a Dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.

29.3 If a notice is given under clause 29.2, the Parties are to meet within 14 days of the notice to try to resolve the Dispute.

29.4 If the Dispute is not resolved within a further 28 days, the Dispute must be referred to the President of the NSW Law Society to appoint an expert to determine the Dispute.

29.5 The expert determination binds the Parties, except in the case of the expert's fraud or misfeasance.

29.6 Each Party must bear its own costs arising from or in connection with the appointment of the expert and the expert determination.

29.7 The Parties are to share equally the costs of the President, the expert, and the expert determination.

30 Dispute resolution – mediation

30.1 This clause applies to any Dispute under this Deed other than a Dispute to which clause 29 applies.

30.2 Such a Dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.

30.3 If a notice is given under clause 30.2, the Parties are to meet within 14 days of the notice to try to resolve the Dispute.

30.4 If the Dispute is not resolved within a further 28 days, the Parties must mediate the dispute in accordance with the Mediation Rules of the Law Society of New South Wales published from time to time, and must request the President of the Law Society, or the President’s nominee, to select a mediator.

30.5 If the Dispute is not resolved by mediation within a further 28 days, or any longer period that may be needed to complete any mediation process which has been started, then the Parties may exercise their legal rights in relation to the Dispute, including by taking legal proceedings in a court of competent jurisdiction in New South Wales.

30.6 Each Party is to bear its own costs arising from or in connection with the appointment of a mediator and the mediation.
30.7 The Parties are to share equally the costs of the President, the mediator, and the mediation.

Part 6 –Restriction on Dealings

31 Registration of this Deed

31.1 In this clause 31, **Dedication Land** means any part of the Land which is to be dedicated to Council.

31.2 The Parties agree to register this Deed for the purposes of s93H(1) of the Act on the title to the Dedication Land, after the Lot 2 in DP1226145 (**Lot 2**) is subdivided to create the part of Lot 2 which comprises Dedication Land as a separate lot.

31.3 Within 10 business days of the Developer being notified by LPI of the creation of the part of the Dedication Land on Lot 2 as a separate lot, the Developer is to deliver to the Council in registrable form:

   31.3.1 an instrument requesting registration of this Deed on the title to each lot containing any Dedication Land, executed by the Landowner and any other person required by the Registrar-General to execute such instrument, and

   31.3.2 the written irrevocable consent of each person referred to in s93H(1) of the Act to that registration.

31.4 The Developer and Landowner at their cost are to:

   31.4.1 do such other things as are reasonably necessary to enable registration of this Deed to occur, and

   31.4.2 provide the Council with evidence of registration within 5 days of being notified by the Land and Property Information of such registration.

31.5 If this Deed is registered on the title to a lot which contains Dedication Land and that lot is subsequently subdivided such that any of the newly formed lots do not contain any part of the Dedication Land then the Parties agree to do all things as are reasonably necessary to ensure that the Deed is not registered on the title to those newly formed lots which do not contain the Dedication Land, including by instructing the Registrar-General not to register this Deed on the title to those lots.

31.6 The Parties are to do such things as are reasonably necessary to remove any notation relating to this Deed from the title to the Land:

   31.6.1 in so far as the part of the Land concerned is not Dedication Land, and

   31.6.2 in relation to any other part of the Dedication Land, once the Developer has completed its obligations under this Deed to the reasonable satisfaction of the Council or this Deed is terminated or otherwise comes to an end for any other reason.
Assignment, sale of Land, etc

32.1 The Landowner is not to sell or transfer the Land, other than a Final Lot to any person unless:

32.1.1 the Landowner has, at no cost to the Council, first procured the execution by the person to whom the Land or part is to be sold or transferred, of a deed in favour of the Council on terms satisfactory to the Council, and

32.1.2 the Council has given written notice to the Landowner stating that it reasonably considers that the purchaser, is reasonably capable of performing its obligations under the Deed, and

32.1.3 the Landowner is not in breach of this Deed, and

32.1.4 the Council otherwise consents to the transfer, such consent not to be unreasonably withheld.

32.2 The Developer and Landowner are not to assign their rights or obligations under this Deed, or novate this Deed to any person unless:

32.2.1 the Developer or Landowner has, at no cost to the Council, first procured the execution by the person to whom the Developer’s or Landowner’s rights or obligations under this Deed are to be assigned or novated, of a deed in favour of the Council on terms satisfactory to the Council, and

32.2.2 the Council has given written notice to the Developer or Landowner stating that it reasonably considers that the assignee or novatee is reasonably capable of performing its obligations under the Deed, and

32.2.3 the Developer and Landowner are not in breach of this Deed, and

32.2.4 the Council otherwise consents to the assignment or novation, such consent not to be unreasonably withheld.

32.3 Clauses 32.1 and 32.2 do not apply:

32.3.1 in relation to any sale or transfer of any land if this Deed is registered on the title of that land at the time of the sale or transfer; or

32.3.2 in relation to any sale or transfer by the Landowner of any part of the Land to the University of Newcastle, provided that the relevant part of the Land does not include any Dedication Land.

32.4 Nothing in this Deed prevents:

32.4.1 the Landowner selling or transferring any part of the Land, assigning its rights and obligations under this Deed or novating this Deed to the Developer; or

32.4.2 the Developer assigning its rights and obligations under this Deed to the Landowner or novating this Deed to the Landowner,

provided that the Developer and Landowner jointly provide Council with 10 business days written notice of the proposed transfer, sale, assignment or novation and written notice of the date of settlement of any sale or transfer of the Land within 10 business days after the settlement has occurred.

32.5 If a sale, transfer, assignment or novation under clause 32.4 occurs, then on and from the date of the sale, transfer, assignment or novation (Effective Date):

32.5.1 the Transferor is released from its obligations under this Deed;
32.5.2 the Transferee is substituted for the Transferor under this Deed and is bound to perform the obligations of the Transferor under this Deed including those which arose before the Effective Date and which have not yet been performed; and

32.5.3 the Transferee indemnifies the Council against all Claims which the Council suffers or incurs in relation to this Deed which arise or relate to acts or omissions of the Transferor occurring after the Effective Date; and

32.5.4 if the Transferor is the Developer, then the Council will return the Security to the Transferor within 10 business days of the Effective Date.

32.6 In clause 32.5:

32.6.1 Transferor means the Party which is selling or transferring part of the Land or assigning, its rights or obligations under this Deed or novating this Deed; and

32.6.2 Transferee means the party to whom Land is being sold or transferred, or to whom rights and obligations under this Deed are being assigned or to whom this Deed is being novated;

Part 7 – Indemnities & Insurance

33 Release

33.1 Each Party releases the other Party from any Claim it may have against the other Party arising in connection with the performance of their obligations under this Deed except if, and to the extent that, the Claim arises because of the other Party's negligence or default.

34 Indemnity

34.1 Each Party indemnifies the other Party from and against all Claims that may be sustained, suffered, recovered or made against the other Party arising in connection with the performance of their obligations under this Deed except if, and to the extent that, the Claim arises because of the other Party's negligence or default.

35 Insurance

35.1 This clause only applies if Landcom is the Developer under this Deed.

35.2 The Developer warrants, and Council acknowledges, that:

35.2.1 the Developer is a member of the NSW Treasury Managed Fund (Fund); and

35.2.2 the Fund provides the Developer with insurance cover against any liability arising from a breach by the Developer of its obligations under this Deed.
Part 8 - Other provisions

36 Review of Deed

36.1 The Parties are to review this Deed every 5 years, and otherwise if either Party considers that any change of circumstance has occurred, or is imminent, that materially affects the operation of this Deed.

36.2 For the purposes of clause 36.1, the relevant changes include (but are not limited to) any change to a law that restricts or prohibits, or enables the Council or any other planning authority to restrict or prohibit, any aspect of the Development.

36.3 For the purposes of addressing any matter arising from a review of this Deed referred to in clause 36.1, the Parties are to use all reasonable endeavours to agree on and implement appropriate amendments to this Deed.

36.4 A Party's failure to agree to take action requested by the other Party as a consequence of a review referred to in clause 39.1 is not a Dispute for the purposes of this Deed, and is not a breach of this Deed.

37 Notices

37.1 A notice, consent, information, application or request (Notification) that must or may be given or made to a Party under this Deed is only given or made if it is in writing and sent in one of the following ways:

37.1.1 delivered or posted to that Party at its address set out in the Summary Sheet,

37.1.2 faxed to that Party at its fax number set out in the Summary Sheet, or

37.1.3 emailed to that Party at its email address set out in the Summary Sheet.

37.2 A Party may change its address or fax number by giving the other Party 3 business days' notice of the change, in which case the new address or fax number is treated as the address or number in the Summary Sheet.

37.3 A Notification is to be treated as given or made if it is:

37.3.1 delivered, when it is left at the relevant address,

37.3.2 sent by post, 2 business days after it is posted,

37.3.3 sent by fax, as soon as the sender receives from the sender's fax machine a report of an error-free transmission to the correct fax number, or

37.3.4 sent by email and the sender does not receive a delivery failure message from the sender's internet service provider within a period of 24 hours of the email being sent.

37.4 If a Notification is delivered, or an error-free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.
38 Approvals and consent

38.1 In this clause, a reference to an approval or consent does not include a reference to a Development Consent.

38.2 Except as otherwise set out in this Deed, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Deed in that Party’s absolute discretion and subject to any conditions determined by the Party.

38.3 A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

39 Costs

39.1 The Developer will pay the Council’s costs of preparing, negotiating, executing and stamping this Deed and any document related to this Deed, up to a maximum amount of $1,000.00. To the extent that the Council’s costs exceed this maximum amount, Council will be responsible for paying that excess amount.

40 Entire Deed

40.1 This Deed contains everything to which the Parties have agreed in relation to the matters it deals with.

40.2 No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Deed was executed, except as permitted by law.

41 Further acts

41.1 Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to effect, perfect or complete this Deed and all transactions incidental to it.

42 Governing law and jurisdiction

42.1 This Deed is governed by the law of New South Wales.

42.2 The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them, and are not to object to the exercise of jurisdiction by those courts on any basis.

43 No Fetter

43.1 Nothing in this Deed shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.
44  Illegality

44.1 If this Deed or any part of it becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties are to co-operate and do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Deed is entered into.

45  Severability

45.1 If a clause or part of a clause can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.

45.2 If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part of it is to be treated as removed from this Deed, but the rest of this Deed is not affected.

46  Amendment

46.1 No amendment of this Deed has any force or effect unless it is in writing and signed by the Parties to this Deed in accordance with clause 25D of the Regulation.

47  Waiver

47.1 A Party does not waive any of the other Party's obligation or breach of obligation merely by failing to do, or delaying in doing, something under this Deed.

47.2 A waiver by a Party is effective only if it is in writing.

47.3 A written waiver by a Party is effective only in relation to the particular obligation or breach for which it is given. It is not to be taken as an implied waiver of any other obligation or breach, or as an implied waiver of that obligation or breach in relation to any other occasion.

48  GST

48.1 In this clause:

- Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and Tax Invoice have the meaning given by the GST Law.
- GST Amount means in relation to a Taxable Supply the amount of GST payable for the Taxable Supply.
- GST Law has the same meaning as in A New Tax System (Goods and Services Tax) Act 1999 (Cth) and any other Act or regulation relating to the imposition or administration of the GST.
- Input Tax Credit has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a Party includes an Input Tax Credit for an acquisition made by that Party but to which another member of the same GST Group is entitled under the GST Law.
**Newcastle Urban Rail Transformation Program Planning Agreement**

**Newcastle City Council**

**Landcom (t/a UrbanGrowth NSW)**

**Hunter Development Corporation**

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**Taxable Supply** has the meaning given by the GST Law, excluding (except where expressly agreed otherwise) a supply for which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.

48.2 Subject to clause 48.4, if GST is payable on a Taxable Supply made under, by reference to or in connection with this Deed, the Party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.

48.3 Clause 48.4 does not apply to the extent that the Consideration for the Taxable Supply is expressly stated in this Deed to be GST inclusive.

48.4 No additional amount is payable by the Council under clause 48.4 unless, and only to the extent that, the Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.

48.5 If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this Deed by one Party to the other Party that are not subject to Division 82 of the *A New Tax System (Goods and Services Tax) Act 1999*, the Parties agree:

48.5.1 to negotiate in good faith to agree the GST inclusive market value of those Supplies before issuing Tax Invoices for those Supplies;

48.5.2 that any amounts payable by the Parties in accordance with clause 48.2 (as limited by clause 48.4) to each other for those Supplies will be set off against each other to the extent that they are equivalent in amount.

48.6 No payment of any amount under this clause 48, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided the recipient with a Tax Invoice or Adjustment Note as the case may be.

48.7 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a Party, must exclude the amount of any Input Tax Credit entitlement of that Party in relation to the relevant cost, expense or other liability.

48.8 This clause continues to apply after expiration or termination of this Deed.

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49 **Explanatory Note Relating to this Deed**

49.1 The Appendix contains the Explanatory Note relating to this Deed required by clause 25E of the Regulation.

49.2 Under clause 25E(7) of the Regulation, the Parties agree that the Explanatory Note in the Appendix is not to be used to assist in construing this Deed.
Schedule 1  
(Clause 1.1)

Land

The land comprised in the lots set out below:

- Lot 2 in DP1226145
- Lot 2 in DP1226551
- Lot 4 in DP1226551
- Lot 6 in DP1226551
Newcastle Urban Rail Transformation Program Planning Agreement
Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

Schedule 2
(Clause 9)

Development Contributions

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
<th>Column 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item</td>
<td>Public Purpose</td>
<td>Manner &amp; Extent and Key Elements</td>
<td>Timing</td>
<td>Responsible Party</td>
</tr>
<tr>
<td>Civic Link</td>
<td>Civic Link - Public Open Space</td>
<td>Dedication of the approximately rectangular portion of Lot 2 in DP1226145 shown bounded in red on the Land Dedication Plan (Civic Link Land), subject to clause 11</td>
<td>Dedication after completion of Work Items 2, 3, and 4</td>
<td>Landowner</td>
</tr>
</tbody>
</table>
### Newcastle Urban Rail Transformation Program Planning Agreement

**Newcastle City Council**

**Landcom (t/a UrbanGrowth NSW)**

**Hunter Development Corporation**

<table>
<thead>
<tr>
<th></th>
<th>Civic Link - Public Open Space</th>
<th>Full or partial demolition of any buildings/structures on the Civic Link Land as determined by the Developer</th>
<th>Works to commence within 6 months of the grant of Approval for those Works.</th>
<th>Developer</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td>Developer</td>
</tr>
<tr>
<td>3</td>
<td>Civic Link - Public Open Space</td>
<td>Remediation of the Civic Link Land in accordance with the Remediation Action Plan</td>
<td>Works to be completed within 6 months of the grant of Approval for those Works</td>
<td>Developer</td>
</tr>
<tr>
<td>4</td>
<td>Civic Link - Public Open Space</td>
<td>Embellishment of the Civic Link Land with a minimum value of $2,285,000 up to a maximum value of $2,795,000 including the following key elements:</td>
<td>Works to commence within 6 months of the grant of Approval to those Works and provided the Council has remediated the land referred to in Item 5, if required, and Works to be carried out in association with the Work Item 5</td>
<td>Developer</td>
</tr>
</tbody>
</table>

- soft landscaping
- footpaths
- trees
- furniture (benches, bins, bike rack, drink fountain)
- lighting
- public art
<table>
<thead>
<tr>
<th></th>
<th>Civic Link - Public Open Space</th>
<th>Embellishment of the land being Museum Square and the Civic Station forecourt adjacent to the Civic Link Land identified within the ‘boundary for embellishment’ in the Design Intent for Civic Link in Schedule 7 with a minimum value of $1,290,000 up to a maximum value of $1,575,000, including the following key elements: • soft landscaping • footpaths • trees • furniture • lighting</th>
<th>Works to commence within 6 months of the grant of Approval for those Works and completion of the remediation works being Item 3, and the remediation by Council of the land on which these Works are to be located, if required.</th>
<th>Developer</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Darby Plaza - Public Open Space</td>
<td>Dedication of land being the small portion of Lot 2, DP1226551 as shown bounded in red on the Land Dedication Plan (Darby Plaza Land).</td>
<td>Dedication after completion of Works being Items 7 and 8</td>
<td>Landowner</td>
</tr>
</tbody>
</table>
Newcastle Urban Rail Transformation Program Planning Agreement
Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

<table>
<thead>
<tr>
<th></th>
<th>Darby Plaza- Public Open Space</th>
<th>Remediation of Darby Plaza Land in accordance with the Remediation Action Plan</th>
<th>Works to commence within 6 months of the grant of Approval for the Works</th>
<th>Developer</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td>Developer</td>
</tr>
<tr>
<td>8</td>
<td>Darby Plaza - Public Open Space</td>
<td>Embellishment of Darby Plaza Land with a minimum value of $360,000 up to a maximum value of $440,000, including the following key elements:</td>
<td>Works to commence within 6 months of the grant of Approval for those Works</td>
<td>Developer</td>
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<tr>
<td></td>
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<td>• soft landscaping</td>
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<td></td>
<td>• footpaths</td>
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<td>• trees</td>
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<td></td>
<td></td>
<td>• furniture (benches, bins)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>• lighting</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Expanded Foreshore Park - Public Open Space</td>
<td>Foreshore Park Land and part of Lots 3 and 5 in DP 1226551 in accordance with the Remediation Action Plan (between western alignment with Perkins Street and eastern extent of the proposed RE1 zone)</td>
<td>Works to commence within 6 months of the grant of Approval for those Works</td>
<td>Developer</td>
</tr>
<tr>
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</tr>
<tr>
<td>9</td>
<td>Dedication of the long strip of part of Lot 4 and part of Lot 6 (between western alignment with Perkins Street and eastern extent of the proposed RE1 zone) in DP 1226551 shown bounded in red on the Land Dedication Plan (excluding land required for light rail alignment to southern boundary of lot) (Foreshore Park Land).</td>
<td>Dedication after completion of Work Items 10, 11, 13 and 14.</td>
<td>Landowner</td>
<td></td>
</tr>
</tbody>
</table>
Newcastle Urban Rail Transformation Program Planning Agreement

Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

11 Expanded Foreshore Park - Public Open Space

Embellishment of Foreshore Park Land and part of Lots 3 and 5 in DP 1226551 (between the western alignment with Perkins Street and the eastern extent of the proposed RE1 zone) with a minimum value of $4,205,000 up to a maximum value of $5,140,000, including the following key elements:

- three new pedestrian crossings between Wharf Road and Hunter/Scott Street at locations to be determined (potentially at Wolfe, Market and Newcomen Streets)
- shared road aligned with Perkins Street, between Wharf Road and Hunter Street
- soft landscaping
- footpaths
- trees
- furniture (benches, bins, bike rack, drink fountain)
- lighting
- public art
- streetscape works to north side of Scott Street and Hunter Street and south side of Wharf Road

Works to commence within 6 months of the grant of Approval for those Works

Developer
## Newcastle Urban Rail Transformation Program Planning Agreement

### Newcastle City Council
### Landcom (t/a UrbanGrowth NSW)
### Hunter Development Corporation

**Civic Lane Widening**

<table>
<thead>
<tr>
<th>No</th>
<th>Description</th>
<th>Details</th>
<th>Timeframe</th>
<th>Responsible Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>Streetscape Improvement</td>
<td>Dedication of land to north side of Civic Lane being the strip of land marked in red on the Land Dedication Land being part of Lot 2, DP1226145, with dimensions of approximately 1m wide and 154m long</td>
<td>Within 6 months of the registration of the plan of subdivision to create the land to be dedicated as a separate lot</td>
<td>Landowner</td>
</tr>
</tbody>
</table>

**Heritage Conservation**

<table>
<thead>
<tr>
<th>No</th>
<th>Description</th>
<th>Details</th>
<th>Timeframe</th>
<th>Responsible Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Signal Box Heritage conservation</td>
<td>Signal Box - Works to make good heritage fabric of building to enable the fit-out by others, up to a maximum value of $300,000 (Excludes alterations or additions to building)</td>
<td>Works to commence within 6 months of the grant of Approval for the Works or the written advice from Council that the works do not need development consent (under clause 5.10(3) of the LEP).</td>
<td>Developer</td>
</tr>
</tbody>
</table>
## Newcastle Urban Rail Transformation Program Planning Agreement

**Newcastle City Council**

**Landcom (t/a UrbanGrowth NSW)**

**Hunter Development Corporation**

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</thead>
<tbody>
<tr>
<td>14</td>
<td>Signal Box Heritage conservation</td>
<td>Signal Box toilet block - Redevelopment of building to provide public toilets for use by park and signal box use in accordance with DA2016-01081.</td>
<td>Works to be completed within 6 months of the making of the LEP Amendment</td>
</tr>
<tr>
<td>15</td>
<td>Civic Station Heritage conservation</td>
<td>Works to maintain the building in good order until full or partial demolition (Excludes alterations or additions to building)</td>
<td>Works to commence within 6 months of the grant of Approval or the written advice from Council that the works do not need development consent (under clause 5.10(3) of the LEP).</td>
</tr>
<tr>
<td>16</td>
<td>Civic Station Heritage conservation</td>
<td>Civic Station - Dedication of any retained buildings or structures comprising Civic Station to Council subject to clause 11.</td>
<td>Dedication after completion of Work Items 2, 4 and 5</td>
</tr>
<tr>
<td>Item</td>
<td>Description</td>
<td>Details</td>
<td>Developer</td>
</tr>
<tr>
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</tr>
<tr>
<td>17</td>
<td>Newcastle Station - Works to heritage fabric to enable temporary uses up to a maximum value of $1,500,000</td>
<td>Works to commence within 6 months of the grant of Approval or the written advice from Council that the works do not need development consent (under clause 5.10(3) of the LEP).</td>
<td>Developer</td>
</tr>
<tr>
<td>18</td>
<td>Newcastle Station - Ongoing maintenance of building and site</td>
<td>Upon completion of Works being Item 17 and for a period of not more than 24 months from commencement or until control of the site is relinquished by Hunter Development Corporation, whichever comes sooner.</td>
<td>Developer</td>
</tr>
</tbody>
</table>
Newcastle Urban Rail Transformation Program Planning Agreement
Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

Affordable Housing

<table>
<thead>
<tr>
<th>No.</th>
<th>Affordable Housing</th>
<th>Provision of a minimum of 10% of total Residential Dwellings on the land the subject of the Planning Proposal as Affordable Housing</th>
<th>To be confirmed at completion of the development of all sites</th>
<th>Developer</th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
<td></td>
<td></td>
<td></td>
<td>Developer</td>
</tr>
</tbody>
</table>
Schedule 3
(clause 1.1)

Land Dedication Plan
Schedule 4
(clause 1.1)

Foreshore Park Concept Plan
Schedule 5

Remediation Action Plan

(Clause 1.1)
Schedule 6
(clause 1.1)

Civic Station Land Plan
Schedule 7
(clause 1.1)

Design Intent
The Darby Plaza area is identified as a Character Area within the draft amendment to the Newcastle Development Central Plan 2012. The objectives for this area are to:

1. Provide new open space and improve pedestrian amenity along Hunter Street and Darby Plaza.
2. Promote a permeable street network and enhance pedestrian connections from Darby street to the foreshore.
3. Promote active street frontages.
4. Protect heritage items and contributory buildings.
5. Provide a strong built edge to Darby Plaza and create an integrated space between the public and private lands.

Within the broader character area, the Darby Plaza public open space will facilitate pedestrian and cycle access between Hunter street and Argyle street, at the alignment with Darby street. The public domain will be integrated with the future private open space on the adjacent sites and the design will allow for this.

The objectives of the Darby Plaza public open space are to provide a space which:

1. Facilitates linkages and accessibility between Darby street and the harbour foreshore, enhanced by visual links and signage.
2. Provides opportunities for people to rest, walk, and cycle in a safe and comfortable environment, including through the provision of:
   a) Sealing and shade
   b) High quality paving treatments
   c) Lighting and passive surveillance opportunities, and
   d) Indigenous plant and tree species.
3. Includes restricted access to neighbouring development sites through a shared vehicular/pedestrian zone from Argyle street, delineated through landscape treatments.
4. May be fronted by active uses include care/retail uses to the western edge, incorporating opportunities for al-fresco dining.

Embellishment is to be in accordance with a development approval and generally compliant with the Newcastle Development Control Plan 2012 and Newcastle City Council's relevant Technical Manuals including City Centre Public Domain, Urban Forest, and Landscape.
Civic Link Design Intent

Civic area is identified as a Character Area within the draft amendment to the Newcastle Development Control Plan 2012. The objectives for this area are to:

1. Provide a new public space that links the civic, administrative, education and cultural heart of Newcastle to the foreshore.
2. Guide development surrounding the new Civic Link and along Civic Lane that contributes to the realisation of the area as the civic heart of Newcastle.
3. Promote a permeable street network and enhance pedestrian connections from Hunter Street to the foreshore.
4. Promote active frontages to streets and public spaces.
5. Respect heritage items and contributory buildings.

Within the broader character area, the focus of Civic Link is to create a new open space, and walking, cycling and visual connections that link Newcastle's Civic buildings to the waterfront. The public domain will provide for passive recreation with the potential to accommodate intimate community events. It will be integrated with the private open space or public realm paving areas on the adjacent sites and the design will allow for this.

The objectives of the Civic Link public open space are to provide a space which:

a) facilitates linkages, continuity and accessibility within and between the Civic Precinct and the harbour foreshore, enhanced by visual links and signage.

b) enables recreation opportunities that provide opportunities for people to meet, rest, walk, and cycle in a safe and comfortable environment, including through the provision of:
   a. formal and informal seating and shade
   b. high quality landscaping and design
   c. shade structures of good quality
   d. lighting and passive surveillance opportunities and
   e. deep soil planting with Indigenous plant and tree species

   c) allows for a formalise 3m pathway from Hunter Street to Worth Place to ensure easy pedestrian movement as well as a visual linkage.

   d) Public art piece within the Civic Link space

   e) incorporates the interpretation of the former significant uses of the site and structures located above and below the ground.

   f) is capable of supporting smaller public gatherings

   g) is fronted by active uses include cafe/retail uses to the western edge, incorporating opportunities for al-fresco dining.

   h) includes restricted access to Civic Lane m the south-west corner of the site through a shared vehicular/footpath zone, delineated through landscape and other appropriate street furniture (bollards) treatments.

Embellishment is to be in accordance with a development approval and generally compliant with the Newcastle Development Control Plan 2012 and Newcastle City Council’s relevant Technical Manuals including City Centre Public Domain, Urban Forest, and Landscape.
Newcastle Urban Rail Transformation Program Planning Agreement
Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

Execution

Executed as an Deed

Dated:

Executed on behalf of the Council

General Manager

Witness/Name/Position

Executed on behalf of the Developer
Executed on behalf of Landcom (t/a UrbanGrowth NSW) by me, as delegate of Landcom (t/a UrbanGrowth NSW) and I hereby certify that I have no notice of revocation of such delegation:

________________________
Name/Position

________________________
Witness/Name/Position
Newcastle Urban Rail Transformation Program Planning Agreement
Newcastle City Council
Landcom (t/a UrbanGrowth NSW)
Hunter Development Corporation

Executed on behalf of the Hunter Development Corporation by its authorised delegate in the presence of:

__________________________  ____________________________
Witness Signature            Signature of Authorised Delegate

__________________________
Witness Name

__________________________
Full Name of Authorised Delegate
Appendix
(Clause 49)

Environmental Planning and Assessment Regulation 2000
(Clause 25E)

Explanatory Note

Draft Planning Agreement
Under s93F of the Environmental Planning and Assessment Act 1979

Parties

Newcastle City Council ABN 25 242 068 129 of 282 King Street, Newcastle NSW 2300 (Council)

and

Landcom (t/a UrbanGrowth NSW) ABN 79 268 260 688 of Level 14, 60 Station Street, Parramatta NSW 2150 (Developer)

and

Hunter Development Corporation ABN 94 688 782 063 of Suite B, Level 5, 26 Honeysuckle Drive, Newcastle NSW 2300 (Landowner)

Description of the Land to which the Draft Planning Agreement Applies

- Lot 2 DP 1226145
- Lot 2 DP 1226551
- Lot 4 DP 1226551
- Lot 6 DP 1226551
Description of Proposed Instrument Change

Rezoning of the surplus portion of the rail corridor between Worth Place and Watt Street Newcastle, the Newcastle Train Station and certain adjacent land to enable mixed use, public open space and tourist uses.

Summary of Objectives, Nature and Effect of the Draft Planning Agreement

Objectives of Draft Planning Agreement

The objective of the Draft Planning Agreement is to provide increased public open space for the Newcastle community and to retain, maintain and improve heritage aspects of the former Newcastle CBD rail corridor.

Nature of Draft Planning Agreement

The Draft Planning Agreement is a planning agreement under s93F of the Environmental Planning and Assessment Act 1979 (Act). It is an agreement between the Council, the Landowner and the Developer. The Draft Planning Agreement is a voluntary agreement under which Development Contributions (as defined in clause 1.1 of the Draft Planning Agreement) are made by the Developer for public purposes (as defined in s93F(3) of the Act).

Effect of the Draft Planning Agreement

The Draft Planning Agreement:

- relates to the LEP Amendment (as defined in clause 1.1 of the Draft Planning Agreement),
- does not exclude the application of s94, s94A or s94EF of the Act to the Development,
- provides for embellishment of open space to create a new Civic Link, Darby Plaza and expanded Foreshore Park;
- provides for dedication of the above mentioned open space, including buildings within;
- provides for the maintenance and restoration of heritage buildings and facilitates adaptive reuse of Newcastle Station and Signal Box;
- provides for remediation works to be carried out in accordance with a Remediation Action Plan;
- provides for the widening of Civic Lane;
- provides for the funding of an affordable housing project on a specified site with a fallback position of a minimum of 10% of total residential development as affordable housing,
- is to be registered on the title to those parts of the Land to be dedicated to Council,
- imposes restrictions on the Parties transferring the Land or part of the Land or assigning, or novating an interest under the agreement, subject to exceptions,
- provides two dispute resolution methods for a dispute, being expert determination and mediation
Assessment of the Merits of the Draft Planning Agreement

The Planning Purposes Served by the Draft Planning Agreement

The Draft Planning Agreement:

- promotes and co-ordinates the orderly and economic use and development of the land to which it applies,
- provides land for public purposes,
- provides for the provision and maintenance of affordable housing, and
- provides increased opportunity for public involvement and participation in environmental planning and assessment of the Development.

How the Draft Planning Agreement Promotes the Public Interest

The draft Planning Agreement promotes the public interest by promoting the objects of the Act as set out in s5(a)(ii), (iv) and (viii) and (c) of the Act.

For Planning Authorities:

Development Corporations - How the Draft Planning Agreement Promotes its Statutory Responsibilities

N/A

Other Public Authorities – How the Draft Planning Agreement Promotes the Objects (if any) of the Act under which it is Constituted

N/A

Councils – How the Draft Planning Agreement Promotes the Elements of the Council’s Charter

The Draft Planning Agreement promotes the elements of the Council’s charter by:

[Drafting Note. To be Completed]

All Planning Authorities – Whether the Draft Planning Agreement Conforms with the Authority’s Capital Works Program

[Drafting Note. To be Completed]

All Planning Authorities - Whether the Draft Planning Agreement specifies that certain requirements must be complied with before issuing a construction certificate, subdivision certificate or occupation certificate
CCL 22/08/17
SUPPLEMENTARY REPORT - EXHIBITION OF DRAFT PLANNING AGREEMENT FOR RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET NEWCASTLE

Attachment E: Council's Draft Engagement Plan
Rail Rezoning - Public Exhibition Period

Engagement and Communications Plan

August 2017
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Introduction

Hunter Development Corporation (formerly Urban Growth NSW) lodged a request to amend the Newcastle LEP 2012 on 6 July 2016 to rezone surplus rail corridor land between Worth Place and Watt Street in the Newcastle city centre.

On 13 October 2016 Council resolved to endorse a planning proposal to commence the amendment to Newcastle LEP 2012.

The Planning Proposal was forwarded to the NSW Department of Planning and Environment (DPE) for a ‘gateway determination’. The DPE issued the gateway determination on 13 December 2016, outlining that the proposal could proceed to public exhibition for a minimum of 28 days.

An associated draft Planning Agreement and Development Control Plan (DCP) to complement the Planning Proposal for the rail corridor rezoning has also been prepared. The Planning Agreement principally relates to the dedication and embellishment of public recreation areas and the provision of affordable housing within the Planning Proposal and the DCP proposes development guidelines that will apply to future development should the rail corridor rezoning be supported.

It is important that Council explain the three different documents that are on public exhibition; the Planning proposal, the draft Planning Agreement and DCP and the process that applies to each of the documents. Council has already provided advice and assistance in establishing a project specific webpage to inform the community of the LEP process and status of the rezoning process.


The elected Council has expressed a desire to ensure youth are included in any consultation activities. The Newcastle Youth Council (NYC) recommended social media as the best method to promote the message.

City Engagement Framework

Newcastle City Council is committed to being a leader in local government in Australia. These are our guiding principles to help us achieve this, improve our service delivery and respond to our community’s needs. Our City Engagement Charter is to:

Be accessible and inclusive by:
- Actively listening to our diverse community's needs and expectations so that they may be understood and considered by the elected Council.

**Actively seek input into our decision-making by:**
- Encouraging the community to provide meaningful input and feedback
- Enabling genuine community participation and collaboration by using best practice consultation tools and techniques
- Using emerging innovative communication technologies to engage, plan and encourage information sharing with our community.

**Be open and transparent by:**
- Being clear and concise in all our communications
- Sharing information about Council services, activities and decisions
- Regularly promoting and celebrating the achievements of Council and the local community.

**Participation in decision making**

Community participation refers to the level or degree to which the community is involved in planning and decision making.

Newcastle City Council recognises and abides by best practice principles developed by the International Association for Public Participation (IAP2). This Community Engagement Strategy will include opportunities for stakeholders to be informed, consulted, involved and collaborated with, as defined by the IAP2 spectrum shown in the figure below.

![Increasing the level of public impact Level of community influence over decisions](image-url)

<table>
<thead>
<tr>
<th>Goal</th>
<th>Inform</th>
<th>Consult</th>
<th>Involve</th>
<th>Collaborate</th>
<th>Empower</th>
</tr>
</thead>
<tbody>
<tr>
<td>To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.</td>
<td>To obtain public feedback on analysis, alternatives and/or decisions</td>
<td>To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.</td>
<td>To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.</td>
<td>To place final decision-making and/or devolved budgets in the hands of the public.</td>
<td></td>
</tr>
<tr>
<td>We will keep you informed.</td>
<td>We will keep you informed, listen to acknowledge concerns and provide feedback on how public input influenced the decision.</td>
<td>We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.</td>
<td>We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.</td>
<td>We will implement what you decide.</td>
<td></td>
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</tbody>
</table>
Requirements for community consultation

The Department of Planning & Environment have prepared ‘A guide to preparing LEPs’. It uses plain English to spell out the requirements in the *Environmental Planning and Assessment Act 1979* (EP&A Act). In terms of community consultation for planning proposals (including the rail corridor) the minimum requirements are:

- Notification in a newspaper that circulates in the area affected by the planning proposal
- Notification on the website of the relevant planning authority
- Notification in writing to affected adjoining landowners, unless the planning authority is of the opinion that the number of landowners makes it impractical to notify them.

There are similar public notice requirements for Planning Agreements and DCPs.

Objectives

The project objectives are:

- Promote community awareness that the Planning Proposal and associated draft Planning Agreement and DCP are on public exhibition for comment
- Ensure that providing feedback is easy
  
  To help the community understand the documents that are on public exhibition and the timeframes for the documents to be finalised and put in place.

To inform the community about:

- Hunter Development Corporation’s (formerly UrbanGrowth) request to amend the LEP
- The process involved with amending the LEP
- Changes to planning controls including - zoning, floor space and building heights
- The draft Planning Agreement
- The draft DCP for the rail corridor.

Community feedback:

- To gain feedback from the community for the reuse of surplus rail corridor land
- To gain community feedback to assist the decision making process on Council’s Planning Proposal to amend the LEP, associated draft Planning Agreement and draft DCP guidelines.

Stakeholders

The internal stakeholders for this project are:
• Elected Council - decision making e.g.
  • LEP endorsement for sending to Minister to 'make' the plan
  • adoption of DCP and Planning Agreement
• Council’s Urban Planning Team - processing Planning Proposal to amend LEP, preparing DCP and Planning Agreement
• Urban Design Consultative Group - advisory role to the Urban Planning Team
• Development and Building - advisory role to the Urban Planning Team

The external stakeholders for this project are:
• All Newcastle residents / land owners
• Business operators
• Community groups
• Government agencies

Engagement Outcomes
The outcomes for the engagement and communications work are:
• Stakeholders better understand the LEP amendment process;
• Stakeholder are aware of when submissions can be made
• Stakeholders understand the purpose of Council's Planning Proposal (to amend the LEP) and associated draft Planning Agreement and draft DCP guidelines
• The above documents are easily accessible, enabling informed written submissions

The information gained from stakeholders during exhibition of Council's planning proposal, draft Planning Agreement and DCP will help inform the final documents presented to Council for consideration.

Timelines
One of the objectives of this strategy is to increase awareness and understanding of where the rezoning proposal sits in the extensive wider engagement program that has already been undertaken regarding the removal of the heavy rail line.

A timeline will be created that will be displayed on the rail rezoning public exhibition Engagement HQ site. As an example, a screen shot of the timeline associated with the South Stockton Active Hub is provided below.
Project Timeline

- 2012 - South Stockton Public Domain Plan exhibited and adopted by Council.


- 2016 - Students from St. Peters primary School Stockton call on Council to build a new playground.

- 2017 - Concept planning commences. Concept plans shown to consultative committees.

Public Exhibition
This consultation is open for contributions.

Review
Revision of Concept plans based on community feedback.

Feedback
The outcomes of the public exhibition period made publicly available.

- September 2017 - Detailed Design and relevant planning approvals

- Mid 2018 - Construction of South Stockton Active Hub
Engagement Activities

Development of a designated rail rezoning project engagement site on Council's main website page

A specific former rail corridor rezoning project engagement site will be set up on Council's website. Resident's/visitors to the site will be able to use the geomapping tool Social Pinpoint and undertake an embedded survey. The site will also have relevant documents available for download, including the draft Planning Agreement and DCP, FAQs, a timeline (described above) and the ability to make a formal submission on any or all of the documents on exhibition.

Geomapping tool map and survey

A Social Pinpoint map will be developed and included on the rail rezoning public exhibition project site. Each 'planning parcel' associated with each component of the rail corridor under the LEP will be included on the map and will have a description of what is proposed (zone, building height, FSR, potential dwelling yield, proposed non-residential area) and have a brief survey embedded for people to provide comment. This serves the purpose of informing the public about the different aspects of the Planning Proposal and also provides the opportunity for the community to provide feedback additional to any formal submissions.

A report on the survey responses will be published.

An example of a Social Pinpoint map is provided below.
Community information sessions

Two community information sessions will be held with residents to describe the purpose of Council's Planning Proposal (to amend the LEP) and associated draft Planning Agreement and draft DCP guidelines and answer any questions residents may have. Collateral will be provided so residents can be walked through the various components of the proposal.

Ipdas will be available and staff will assist residents to use the social pinpoint map and survey, as well as describe the ways they can lodge formal submissions.

Submissions

Formal submissions will be able to be provided via the rail Planning Proposal public exhibition project site and via traditional methods (posted written submissions).

When calling or advertising for public submissions, council will note that all submissions will be made public unless there is a specific request for a submission to remain confidential. All submissions made during the public exhibition period will be published on the relevant part of the council's website, unless non-publication or anonymity has been requested by the person or body making the submission.

Council officers will produce a summary of all issues raised in submissions and provide a response to each of these issues.

Public Voice Session

Community representatives will also have the opportunity to present their comments about the Hunter Development Corporation (formerly UrbanGrowth NSW) Planning Proposal during the consultation and exhibition period at a Council Public Voice Session, as resolved at the Ordinary Council meeting held on 26 April 2017.
## Communication plan

<table>
<thead>
<tr>
<th>Target audience</th>
<th>Communication tools</th>
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<tbody>
<tr>
<td>Councillors</td>
<td>Councillor Memos</td>
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<tr>
<td></td>
<td>Community information sessions, with invitations via the corporate diary</td>
</tr>
<tr>
<td></td>
<td>Media releases</td>
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<tr>
<td>Community</td>
<td><strong>Media</strong></td>
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<td></td>
<td>Media release about the public exhibition and promotion of drop-in sessions</td>
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<tr>
<td></td>
<td>Editorial/article about public exhibition, encouraging community to have their say</td>
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<tr>
<td></td>
<td><strong>Advertising</strong></td>
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<td></td>
<td>Print advertisements in Newcastle Herald to promote public exhibition</td>
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<td></td>
<td><strong>Digital</strong></td>
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<td></td>
<td>Promotion of public exhibition on Council's main website, with link to engagement site</td>
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<tr>
<td></td>
<td>Online advertising, with links to Council’s website and engagement page</td>
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<tr>
<td></td>
<td><strong>Newsletters</strong></td>
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<tr>
<td></td>
<td>Article in Council eNews (a fortnightly e-newsletter).</td>
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<tr>
<td></td>
<td>Reminders of drop-in sessions</td>
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<td></td>
<td><strong>Social media</strong></td>
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<tr>
<td></td>
<td>Posts on council main social media channels, with link to Council’s engagement site.</td>
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<tr>
<td></td>
<td>Posts to promote drop-in sessions</td>
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<tr>
<td></td>
<td><strong>Letter to all landowners</strong></td>
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<td></td>
<td>Letter to all affected adjoining landowners to advise of public exhibition and drop-in sessions</td>
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<tr>
<td>Non digitally connected</td>
<td>Print advertising</td>
</tr>
<tr>
<td>Staff</td>
<td>Regular updates via NovoNews and Council’s intranet with details of drop in sessions.</td>
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</tbody>
</table>
CCL 22/08/17
SUPPLEMENTARY REPORT - EXHIBITION OF DRAFT PLANNING AGREEMENT FOR RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET NEWCASTLE

Attachment F: Gateway Determination from the Department of Planning and Environment
Mr Peter Chrystal  
Interim Chief Executive Officer  
Newcastle City Council  
PO Box 489  
Newcastle NSW 2300  

Dear Mr Chrystal  

Planning proposal to amend Newcastle Local Environmental Plan 2012 – Rail Corridor and Adjacent Lands  

I am writing in response to Council’s request for a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 (EP&A Act) in respect of the planning proposal for the now surplus portion of the rail corridor, Newcastle Rail Station and certain adjacent land.  

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.  

In making this determination, I have carefully considered the proposed rezoning of Parcel 12. I understand the challenges that this site has posed for Council when determining planning controls, particularly considering the uncertainty regarding the longer term future of the adjacent land. As such I have determined not to support Parcel 12 proceeding as part of the broader planning proposal. I am of the opinion that Parcel 12 should proceed separately as a consolidated proposal for both the site and the adjacent council owned land.  

I also have not supported the identification of Parcel 12 and Parcel 8 (and adjacent land) as key sites and therefore requiring an architectural design competition. I consider that the existing provisions, including the requirement to consider design excellence provide adequate support for quality design and that a mandatory architectural design competition for future development on these sites represents an unnecessary additional step.  

As delegate of the Secretary, I have agreed that the planning proposal’s inconsistencies with S117 Directions 4.1 Acid Sulfate Soils and 4.3 Flood Prone Land are of minor significance. No further approval is required in relation to these Directions. I have also agreed with the inconsistency with Direction 6.1 Approval and Referral Requirements and 6.3 Site Specific Provisions in relation to the identification of the Newcastle Railway Station as a key site.  

Council will still need to obtain the agreement of the Secretary to comply with the requirements of S117 Direction 6.2 Reserving Land for Public Purposes. Council should ensure this occurs prior to the plan being made.
The Department supports Council’s approach to exhibit the planning proposal with the draft development control guidelines and planning agreement to inform the community about the detail of what is proposed. However if the legal drafting for the planning agreement delays the exhibition, it is considered appropriate that an updated letter of offer is adequate for the purposes of public exhibition of the planning proposal so as not to unreasonably delay exhibition of the planning proposal.

The Department is currently consulting on an improved policy framework for voluntary planning agreements. Council is encouraged to consider the draft material in respect to their negotiations with Urban Growth NSW.

I note that Council’s resolution includes a number of matters relating to transport planning within the Newcastle City Centre that are beyond the scope of the LEP amendment process. These are matters for Council to progress with Transport for NSW and Urban Growth NSW directly.

Consistent with Council’s proposal, the amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council’s request for the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the timeframes outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Katrine O’Flaherty from the Hunter office to assist you. Ms O’Flaherty can be contacted on (02) 4904 2710.

Yours sincerely

[Signature]

Marcus Ray
Deputy Secretary
Planning Services

13/12/2016
Gateway Determination

Planning proposal (Department Ref: PP_2016_NEWCA_007_00): rezone the surplus portion of the rail corridor between Worth Place and Watt Street Newcastle, the Newcastle Train Station and certain adjacent land

I. the Deputy Secretary Planning Services, at Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act 1979 that an amendment to the Newcastle Local Environmental Plan (LEP) 2012 to rezone the surplus portion of the rail corridor between Worth Place and Watt Street Newcastle, the Newcastle Rail Station and certain adjacent land, should proceed subject to the following conditions:

1. Amend the planning proposal and draft maps prior to community consultation to:
   a. remove Parcel 12, and remove the key site from Parcel 12 and Parcel 8;
   b. clearly describe the proposed changes on individual parcels, including land outside of the corridor, for the purposes of community consultation;
   c. clearly identify the additional land, outside of the rail corridor, that is subject to amendment including within the proposal's title, summary and justification.
   d. address the consistency of the proposal with the Hunter Regional Plan 2036;
   e. provide additional information regarding the strategic justification for decisions regarding the proposed pedestrian connection and Darby plaza concepts;
   f. note changes to the level of retail, transport and social impact of the proposal (as otherwise stated in the studies submitted by the proponent) following the reduction in proposed B4 zone by Council and removal of Parcel 12; and
   g. correction of minor anomaly related to Parcel 3 (Council report, Attachment E) and inclusion of an amendment to map labelling for Parcel 10 to identify the parcel as SP2 Infrastructure (Electricity Generating Works Facility).

2. Community consultation is required under section 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 as follows:
   a. the Planning Proposal be made publicly available for 28 days; and
   b. the relevant authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be publicly available along with planning proposals as identified in section 4.5 of A guide to preparing Local Environmental Plans, Department of Planning and Environment 2016.
3. Consultation is not required with any public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act 1979. Previous consultation with the Mine Subsidence Board for the purposes of s117 direction 4.2 is considered adequate.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Environmental Planning and Assessment Act 1979. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.

5. The timeframe for completing the LEP is 12 months from the date of the Gateway Determination.

Dated 13th day of December 2016.

[Signature]
Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning
CCL 22/08/17
SUPPLEMENTARY REPORT - EXHIBITION OF AMENDMENT TO
SECTION 6.01 NEWCASTLE CITY CENTRE OF NEWCASTLE
DEVELOPMENT CONTROL PLAN 2012

Attachment A: Original Report and Attachments of CCL 09/05/17 -
Exhibition of Draft Amendment to Section 6.01
Newcastle City Centre of Newcastle Development
Control Plan 2012

DISTRIBUTED UNDER SEPARATE COVER
PURPOSE

The purpose of this report is to outline the amendment to Section 6.01 Newcastle City Centre of Newcastle Development Control Plan 2012 (DCP), and to seek a resolution of Council to place the draft amendment on public exhibition concurrently with the associated planning proposal to amend the Newcastle Local Environmental Plan 2012 for rail corridor land between Worth Place and Watt Street in the Newcastle City Centre.

RECOMMENDATION

1 Council resolves to place the draft amendment to Newcastle Development Control Plan 2012 (DCP) Section 6.01 Newcastle City Centre, as provided in Attachment A on public exhibition concurrently with the associated planning proposal to amend the Newcastle Local Environmental Plan 2012 (LEP) for rail corridor land between Worth Place and Watt Street in the Newcastle City Centre, for 28 days.

KEY ISSUES

2 Section 6.01 of the DCP contains guidelines for development within the Newcastle City Centre. It is proposed to amend this section to incorporate design guidelines for development occurring within the former railway corridor land between Worth Place and Watt Street Newcastle and certain adjacent land. As with the other locality specific sections of the DCP, the relevant development guidelines sections, such as Section 7.03 Traffic, Parking and Access, will also apply to development in the former railway corridor.

3 Section 6.01 was originally prepared by the Department of Planning and Environment (DPE). As a result it has a different format and appearance to the remainder of the DCP. As part of this amendment, the format and appearance of Section 6.01 has been changed, to be consistent with the format and appearance of the remainder of the DCP. A copy of Section 6.01 Newcastle City Centre, detailing the proposed amendment is contained in Attachment A. The proposed changes are shown in red text.

4 The Newcastle City Centre section of the DCP comprises four parts:

   i) Introduction - this part includes general information about the Newcastle City Centre, including the vision, purpose and aims of the section.
ii) Character Areas - The Newcastle City Centre is divided into eight distinct character areas. Specific principles have been developed to guide development within each character area. The former railway corridor land extends through the West End, Civic, East End and Foreshore character areas. Additional principles have been added to the Civic, East End and Foreshore character areas to address changes proposed to the railway corridor land.

iii) General Controls - this section sets out general controls that apply to all development in the Newcastle City Centre. The controls are broadly grouped in relation to building form and how development is to address the public domain. Various changes have been made to this section and these are discussed in more detail below:

a) The proposed amendment to the general controls include new sections for:

- Landscaping - this section is included to provide guidance on landscaping of private land in the Newcastle City Centre and encourage the use of green walls and roofs.

- Site Amalgamation - this section has been included to illustrate opportunities for parts of the rail corridor land to be amalgamated with adjoining land and result in better built form outcomes.

- Infrastructure - this section has been added to ensure adequate consideration is given to services, including stormwater and overland flow paths. It is likely that the map referenced in this section of the DCP will need to be updated as a result of ongoing consultation with UrbanGrowth NSW in relation to stormwater and overland flow path connections, in the broader context of all of the Newcastle City Centre urban renewal projects.

b) Changes have also been incorporated within the access network controls and map, to identify new site connections to improve access between Hunter Street and the Foreshore. In particular, the pedestrian access between Hunter Street and Civic Lane is now proposed to be encouraged under the DCP as through-site connections, rather than land reservation acquisition under the LEP, as was proposed in the planning proposal endorsed by Council on 13 October 2016. The Gateway Determination issued by the DPE on 13 December 2016 raised issues with the strategic justification for an acquisition of land to achieve the link. The DCP could achieve a similar outcome without the necessity for land acquisition.

iv) Key Precincts - the Newcastle City Centre DCP currently identifies three areas as key precincts with specific objectives. The existing key precincts are: Former Hunter Street Mall, Wheeler Place and Birdwood Park. The most significant change proposed to Section 6.01 is the creation of four additional key precincts to cover the former rail corridor land, each with specific objectives and design guidelines that reflect the unique character,
opportunities and constraints of each precinct. The proposed new precincts are: Civic Link, Darby Plaza, Hunter Street Live-work units, and Newcastle Station and Foreshore Park. These are discussed in more detail below.

a) The four additional key precincts are:

Civic Link

This Precinct sits within the civic character area to the north of Hunter Street and is bound by Workshop Way and Merewether Street. It encompasses the former Civic Railway Station and railway corridor and the Newcastle Museum. Specific design controls have been included to address access and development adjoining Civic Lane and Civic Link open space.

Darby Plaza

Darby Street currently ends at the intersection with Hunter Street and there is no direct connection to Argyle Street and the foreshore. Darby Plaza will form a new community focused space that provides a pedestrian and cycle connection from Hunter Street to Argyle Street. The plaza will be a combination of public open space and publicly accessible private open space. Specific design controls have been developed to address view lines and the built form adjoining the open space.

Hunter Street Live-work units

This Precinct is located on the Northern side of Hunter Street, between Crown Street and Newcomen Street. This precinct is constrained by the relatively narrow width of the former railway corridor and limited opportunity for amalgamation with adjoining sites. A sensitive design response is needed to minimise view and amenity impacts to the adjoining residential apartment building whilst providing street edge definition.

Having regard to the site constraints, the envisaged form of development is 2-3 storey terrace style building/s containing 'live-work' units. These units will incorporate ground floor commercial / retail space connected to residential space above. Terrace style live-work units are a style of building found in other parts of the Newcastle City Centre and will define the street edge and offer natural surveillance of the street.

Newcastle Station and Foreshore Park

This Precinct incorporates the Newcastle Railway Station buildings and its surrounds as well as Foreshore Park.
Specific design controls have been developed to address access and permeability through the area, and retention of view lines to and from heritage buildings.

5 The Urban Design Consultative Group (UDCG) has reviewed the draft DCP section and is generally supportive of the draft controls, with the exception of a small number of issues within the key precincts, as detailed below. Concern was raised that the draft DCP does not address urban design and landscape issues in Hunter Street frontage, to integrate with proposed light rail.

6 Design guidelines for Hunter Street have not been included in the draft DCP because the DCP only applies to development that requires consent under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Work on public land and/or by or on behalf of public authorities is usually undertaken under Part 5 of the EP&A Act, and does not need to address DCP guidelines. The design and upgrading of Hunter Street is therefore outside of the scope of the planning proposal, and draft DCP section which relates to the former railway corridor land.

7 The specific design and construction requirements of the new public open spaces (proposed to be zoned RE1 Public Recreation under the planning proposal) will be addressed in a planning agreement between UrbanGrowth NSW and Council. A draft planning agreement is currently being developed and will come before Council as a separate report for consideration and to seek endorsement for exhibition. It is intended that the planning agreement would also be exhibited concurrently with the planning proposal and draft DCP section. The planning agreement would apply regardless of whether or not the work is undertaken under Part 4 or Part 5 of the EP&A Act.

8 Issues raised by the UDCG in relation to the key precincts are:

i) Civic Link

   a) *The height of buildings permitted for the site to the immediate north on the opposite side of Wright Lane remains at 30m and this continues to pose issues in relation to overshadowing and consistency of building form.*

   **Comment:**

   This site is located outside of the planning proposal boundary and is a development control within the LEP. As such, no controls can be included in the draft DCP to address this issue.

   b) *The 7m road reserve width will be insufficient to achieve adequate separation between new residential buildings and the existing buildings located on the southern side of Civic Lane.*

   **Comment:**

   The 7m road reserve width itself is sufficient to provide for one way traffic and pedestrian pathway for Civic Lane. The future use of the
sites adjacent to Civic Lane may not be for residential accommodation and can be for any purpose listed as permissible in the B4 Mixed Use zone. Development for the purpose of residential apartments is required to comply with State Environmental Planning Policy 65 - Design Quality of Residential Apartment Development (SEPP 65) and the Apartment Design Guide. The building separation requirements specified in these documents take precedence over DCP guidelines, and as with any development site, new buildings will need to address all relevant planning controls. As such, the proposed width of Civic Lane is considered to be acceptable.

c) Very clear design concept and implementation strategy needed for Civic Link before development adjoining the site proceeds.

Comment:

The design concepts for Civic Link are largely outside the scope of the DCP, which predominantly deals with development upon development lots. The draft DCP section seeks to ensure active frontages adjoining this important open space area, along with appropriate street wall heights to facilitate high amenity. The design of the Civic Link open space itself is still in development by UrbanGrowth NSW. General design principles will form part of the planning agreement between UrbanGrowth NSW and Council. As outlined previously the draft planning agreement is currently being developed and will come before Council as a separate report for consideration and to seek endorsement for exhibition. It is intended that the planning agreement would also be exhibited concurrently with the planning proposal and draft DCP section.

ii) Darby Plaza

a) Query the difference between the 22m street wall height and the 24m LEP height.

Comment:

The general street wall height for most sites is 16m. For this site a 22m street wall height is proposed to ensure the building design emphasises the prominent corner of this site.

b) Critical for site to be integrated with the adjacent Centenary Road Site.

Comment:

A site amalgamation plan has been included in the draft DCP section to identify the preferred amalgamation of lots.

c) Before any development on the sites fronting the proposed new Darby Plaza is considered in detail, an integrated design for the building
forms addressing the Plaza be prepared in consultation with all affected landholders.

Comment:

The planning proposal as endorsed by Council on 13 October 2016 proposed to identify the Darby Plaza site on the key site map. Clause 7.5 of the LEP requires an architectural design competition for development having a capital investment value of more than $5M when identified on the key site map. The gateway determination issued by the Department of Planning and Environment on 13 December 2016 did not support this and advised:

"I have not supported the identification of Parcel 12 and Parcel 8 (and adjacent land) (the Darby Plaza site) as key sites and therefore requiring an architectural design competition. I consider the existing provisions, including the requirement to consider design excellence provide adequate support for quality design and that a mandatory architectural design competition for future development on these sites represents an unnecessary additional step."

To include such a requirement in the DCP would be contrary to the gateway determination. As outlined previously, the draft DCP section includes a site amalgamation plan for this area to ensure that integrated planning with adjacent sites will still occur, rather than the land being developed in isolation.

iii) Hunter Street Live-work units

a) Although the UDCG support the draft DCP controls for this precinct, the UDCG remains of the view that:

“it is not attractive for any residential uses, and that a landscaped / pedestrian space would be preferable. A development of this option for consideration is to also utilise and partly activate the space with facilities such as ball courts / practice nets which require only limited width, screening these from the road with planting.”

Comment:

It is acknowledged that redevelopment of this part of the corridor is challenging, and consideration has been given to other options including:

- Multi-level car park: the narrow site width and need to ensure amenity and view lines are retained to the adjoining residential apartment building mean that this form of development would not be feasible.

- Open space: the site orientation and surrounding development would mean the site is in shadow throughout the day. The poor amenity and proximity to other areas of open space would likely see
a public space in this location underutilised with possible crime and safety risks.

- At grade car parking and / or ball courts and practice nets: this option is not considered to be a good urban design outcome for the main street in the centre of the city in close proximity to a light rail stop.

On balance it is still considered that enclosing the street with comfortably scaled buildings with an active edge that offers opportunities for natural surveillance provides a more pedestrian focused outcome. It could also provide the opportunity for a complementary active land use adjacent to a future light rail stop proposed within this vicinity.

b) The proposed LEP controls for zoning, height and floor space ratio be reconsidered.

Comment:

The planning proposal currently proposes a B4 Mixed use zone for this area. For the purposes of exhibition it is appropriate that the draft DCP section also covers this area. This precinct will receive further consideration following the concurrent exhibition of the planning proposal and the draft DCP section.

FINANCIAL IMPACT

9 The proposed amendment does not have a direct financial impact on the operations of Council. The provision of development guidelines has an indirect benefit through more efficient processing of development applications.

COMMUNITY STRATEGIC PLAN ALIGNMENT

10 The proposed amendment aligns with the Liveable and Distinctive Built Environment strategic direction of the Community Strategic Plan.

IMPLEMENTATION PLAN/IMPLIEDATIONS

11 The process for preparing and amending DCPs and the matters that a DCP may deal with are specified in the EP&A Act and associated Regulation. The Act and Regulation require a relevant planning authority to prepare a DCP and the DCP be placed on public exhibition for at least 28 days.

RISK ASSESSMENT AND MITIGATION

12 There are no risks to Council in the proposed amendment to the DCP. The legal process is being followed. The recommended public exhibition period of 28 days is consistent with the plan making requirements under the EP&A Act.
The proposed amendment to the DCP is dependent upon the planning proposal progressing and could be discontinued if required.

**RELATED PREVIOUS DECISIONS**

14 At the Extraordinary Council Meeting held on 13 October 2016, Council resolved to forward the planning proposal for an amendment to the LEP to amend zoning, building height, and floor space ratio and land acquisition maps for the rail corridor land between Worth Place and Watt Street, Newcastle to the DPE, for a gateway determination. A gateway determination was issued on 13 December 2016. The gateway supported Council's proposed approach to exhibit amendment to the Newcastle City Centre section of the DCP concurrently with the planning Proposal.

**CONSULTATION**

15 Consultation has occurred with the UDCG on 15 March 2017.

16 The community will be consulted during the exhibition period. It is proposed that the draft amended Section 6.01 Newcastle City Centre will be exhibited concurrently with the planning proposal.

**OPTIONS**

**Option 1**

17 The recommendation as at Paragraph 1. This is the recommended option.

**Option 2**

18 Council not proceed with the draft amendment to the DCP. This is not the recommended option.

**BACKGROUND**

19 A gateway determination was issued by the DPE on 13 December 2016 to enable the planning proposal for an amendment to the LEP to amend zoning, building height, floor space ratio and land acquisition maps for the rail corridor land between Worth Place and Watt Street Newcastle to proceed.

20 To support the planning proposal to amend the LEP, detailed draft DCP guidelines have been prepared, to provide further guidance on development within the former rail corridor. It is intended to exhibit the draft DCP guidelines concurrently with the planning proposal.

**REFERENCES**

Nil.

**ATTACHMENTS**
Attachment A: Draft Section 6.01 Newcastle City Centre - Newcastle Development Control Plan 2012.


Attachments are distributed under separate cover.
CCL 09/05/17
EXHIBITION OF DRAFT AMENDMENT TO SECTION 6.01 NEWCASTLE CITY CENTRE
OF NEWCASTLE DEVELOPMENT CONTROL PLAN 2012

Attachment A: Draft Section 6.01 Newcastle City Centre
Amendment history

<table>
<thead>
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<th>Version Number</th>
<th>Date Adopted by Council</th>
<th>Commencement Date</th>
<th>Amendment Type</th>
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<tr>
<td>1</td>
<td>-</td>
<td>September 2014</td>
<td>New</td>
</tr>
<tr>
<td>2</td>
<td>TBC</td>
<td>TBC</td>
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Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined taking into consideration the provisions of this section.

Land to which this section applies

This section applies to the Newcastle City Centre as shown in Figure 6.01 - 1 below.

![Figure 6.01-1: Newcastle City Centre Land Application Map](image)

Development (type/s) to which this section applies

This section applies to all development consisting:

- New buildings or structures
- Additions or alterations to existing buildings or structures
Applicable environmental planning instruments and legislation

The provisions of the following listed environmental planning instrument/s also apply to development applications to which this section applies:

- Newcastle Local Environmental Plan 2012
- State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development
- State Environmental Planning Policy No 71 - Coastal Protection
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

In the event of any inconsistency between this section and the above listed environmental planning instrument, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: Section 74E (3) of the Environmental Planning and Assessment Act 1979 enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

Related sections

The following sections of this DCP will also apply to development to which this section applies:

- Any applicable land use specific provision under Part 3.00
- 4.04 Safety and Security
- 7.02 Landscaping, Open Space and Visual Amenity
- 7.03 Traffic, Parking and Access
- 7.05 Energy Efficiency
- 7.06 Stormwater
- 7.07 Water Efficiency
- 7.08 Waste Management

Note 1: Any inconsistency between the locality specific provision and the landuse specific provision, the locality specific provision will prevail to the extent of the inconsistency.

Note 2: Provisions within Section 6.01.04 - Key Precincts will have precedence over other sections of the DCP.

The following sections of this DCP may also apply to development to which this section applies:

- 3.01 Subdivision - where subdivision of land is proposed
- 4.01 Flood Management - all land which identified as flood prone under the Newcastle Flood Policy or within a PMF or area likely to flood.
- 4.03 Mine Subsidence - within mine subsidence area
- 5.01 Soil Management - works resulting in any disturbance of soil and/or cut and fill
- 5.02 Land Contamination - land on register or where risk from previous use
- 5.03 Tree Management - trees within 5m of a development footprint or those trees likely to be affected by a development
- 5.04 Aboriginal Heritage - known/likely Aboriginal heritage item/site and/or potential soil disturbance
- 5.05 Heritage Items - known heritage item or in proximity to a heritage item.
5.06 Archaeological Management - known/likely archaeological site or potential soil disturbance
5.07 Heritage Conservation Areas - known conservation area
7.04 Movement Networks - where new roads, pedestrian or cycle paths are required.
7.09 Advertising and Signage
7.10 Street Awnings and Balconies - awnings or balconies located over public land

Associated technical manual/s
- City Centre Public Domain Technical Manual

Definitions

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Section 9.00 - Glossary, of this plan.

Additional information

This Newcastle Development Control Plan (DCP) section provides detailed standards and guidance for development in Newcastle’s city centre.

This section forms part of the community vision and is consistent with the provisions of the Newcastle Local Environmental Plan (LEP) 2012. It is to be read in conjunction with the LEP and other relevant sections of the DCP for the assessment of all development applications in the city centre.

This guide has been developed to consolidate and replace sections 6.01 and 6.02 of the Newcastle Development Control Plan 2012. This guide has performance criteria that explain the planning outcomes to be achieved. Accompanying the performance criteria are acceptable solutions that illustrate the preferred way of complying with the corresponding performance criterion. There may be other ways of complying with performance criteria and it is up to the applicant to demonstrate how an alternative solution achieves this.

Development Application requirements

3D modelling: any application to carry out development that exceeds two storeys in height, or development that is in a “Key Precinct” is to be accompanied by a 3D file of the proposed development within the context of the Newcastle CBD 3D model. The format should be compatible to that used by the City of Newcastle council.

The 3D Model should be used to develop the following information:
- context 'before' and 'after' streetscape drawings/images and/or photomontages;
- shadow diagrams; and
- assessment of impact on view corridors.
Urban Design Consultative Group

Council has established an Urban Design Consultative Group to provide independent urban design and architectural advice on major development proposals within the Newcastle City Centre. The Urban Design Consultative Group is recognised by the Minister for Planning as a SEPP 65 Design Review Panel. In addition to providing advice on SEPP 65 matters, the Group may consider any development matters in accordance with the approved Charter for the Urban Design Consultative Group.

Note: Clause 7.5 (4) of the Newcastle Local Environmental Plan 2012 requires an architectural design competition for certain types of development.

Clause 7.5 (6) of the Newcastle Local Environmental Plan 2012 states that the consent authority may grant consent for a variation of up to 10% of the maximum floor space ratio or height control if the proposal has been reviewed by a Design Advisory Panel.
6.01.01 Introduction

The vision

Newcastle City Centre will continue to grow and evolve to strengthen its position as the Hunter Region’s capital. The city centre will reflect the Newcastle Community Strategic Plan 2030 vision to be a ‘Smart, Liveable and Sustainable City’, and the initiatives of the Newcastle Urban Renewal Strategy. Newcastle city centre will be an attractive city that is built around people and reflects our sense of identity.

Purpose of this section

This Development Control Plan section has been prepared as an implementation action of the Newcastle Urban Renewal Strategy. It integrates place-based planning for Newcastle East, Honeysuckle and Newcastle West. The Development Control Plan section contains a comprehensive set of planning and design guidelines. The design guidelines are derived from the characteristic features of distinct areas within the city centre.

Aims of this section

1. To implement the Newcastle Urban Renewal Strategy
2. To integrate planning for Newcastle East, Honeysuckle and Newcastle West
3. To provide a comprehensive set of planning and design guidelines based on the characteristic of distinct areas within the city centre.
6.01.02 Character Areas

A. Character Areas overview

Within the city centre there are a number of areas with distinct characteristics. These ‘character areas’ each have their own unique setting that provide opportunities for the ongoing renewal and revitalisation of the city centre. They are divided into areas based on their attributes, including topography, landscape, heritage, streetscape, land uses and built form. The character areas are described in the following character statements in this part and are identified in Figure 6.01-2.

In addition to the character areas, seven ‘key precincts’ have been identified. The key precincts are focused around major public spaces in the city centre and have special provisions outlined in Part 6.01.04 of this DCP section that need to be considered.

This part contains the character statements and supporting principles for development within all character areas of Newcastle’s city centre. The statements are place-specific and build on the existing urban structure, character of the neighbourhoods and important elements that will contribute to the future quality of the area. The statements are supported by a number of principles that help reinforce and enhance the character of each locality.

![Figure 6.01: Character Areas Overview](image)

**Overall principles**

1. The unique character of each Character Area is enhanced.
2. New development has regard to the fabric and character of each area in scale, proportion, street alignment, materials and finishes and reinforce distinctive attributes and qualities of built form.
3. Heritage items and their setting are protected.
4. Public spaces, including streets, lanes and parks maintain high levels of solar access.
5. Active frontages address the public domain.
6. Existing significant views and vistas to buildings and places of historic and aesthetic importance are protected.
B. West End

This area is the western gateway to Newcastle’s city centre and is an area of unrealised potential. It currently has showroom and bulky goods facilities, retail, car dealerships and self storage. The predominance of larger consolidated land holdings and fewer environmental and heritage constraints make this precinct ideally suited to become the future CBD of Newcastle. This precinct has fewer public domain assets. Improvement of public open space is needed to ensure the precinct is well-served as it evolves into a commercial precinct. Public domain opportunities include improvements to Birdwood Park, the Cottage Creek corridor and connections to the river foreshore. Public domain improvements should be in accordance with any adopted public domain plan of Council.

Principles

1. New public spaces are created to meet the demands of the future CBD and existing public open spaces are improved, such as Birdwood Park and Cottage Creek. Opportunities for new publicly accessible spaces are identified.

2. Birdwood Park is recognised as an important element in the public domain network and as the western ‘gateway’ to the city centre.

3. New development fronting Birdwood Park addresses the park edge and promotes a sense of enclosure by being built to the street alignment. Any new development ensures adequate midwinter lunch time sun access to Birdwood Park.

4. Development along the rail corridor, Cottage Creek, lanes or through-site links provide a building address to encourage activity, pedestrian and cycleway movement, and improve safety.

5. Building entries are inviting with activate frontages that allow visual permeability from the street to within the building.

6. Distinctive early industrial, warehouse and retail buildings that contribute to the character of the area are retained and re-purposed.

7. Heritage items and their setting are protected.
C. **Honeysuckle**

Honeysuckle is currently the premier locale for A-grade large floor plate commercial office development. A range of complementary uses include higher density residential development, restaurants and hotels which take advantage of Honeysuckle’s prime position on the Hunter River foreshore. Honeysuckle has opportunities for significant public domain. The extension of the foreshore park westwards will form a continuous publicly accessible foreshore that extends from Maryville to Merewether around the city centre peninsula.

**Principles**

1. Development between the rail corridor and Honeysuckle Drive provides a building address to both frontages.
2. Development along the waterfront, Cottage Creek, lanes or through-site links provide a building address to encourage activity, pedestrian and cycleway movement, and improve safety.
3. Heritage items and their setting are protected

*Figure 6.01 4 - Honeysuckle Character Area*

*Image 6.01-3: Honeysuckle Drive, A-grade commercial office building*

*Image 6.01-4: Honeysuckle waterfront, mixed-use development*
D. Civic

Civic is the administrative, cultural and educational centre of Newcastle. It includes facilities that reflect Newcastle’s importance as a major regional city such as Newcastle Museum, Newcastle Art Gallery and City Hall. It is the location of major public assets such as Wheeler Place and the Civic Theatre.

The relocation of the courts to Civic and the introduction of more educational facilities associated with the University of Newcastle will have a major effect on the future character and activity within this area. Smaller commercial spaces will redevelop as support services for the courts and the university, and an increased student population will create flow-on demand for housing, retail and other services.

**Principles**

1. The pedestrian connection linking a number of the city’s cultural buildings and spaces is reinforced, between Newcastle Art Gallery, through Civic Park and Wheeler Place, past the Newcastle Museum to the foreshore of the Hunter River.

2. Visual and physical connections through the area and between Civic and the Hunter River foreshores are opened.

3. Development between the former rail corridor and Hunter Street provides a building address to both frontages.

4. Public open space in the heart of Civic is improved and expanded through the addition of the Civic Link to complement and enhance Wheeler Place.

5. Development along publicly accessible spaces, lanes or through-site links provide a building address to encourage activity, pedestrian and cycleway movement, and improve safety.

6. Mid-winter lunch time sun access is protected to the footpath on the south side of Hunter Street and to Wheeler Place, Civic Link, Civic Park and Christie Place.

7. Distinctive early industrial, warehouse, and retail buildings that contribute to the character of the area are retained and re-purposed.

8. Development is encouraged that will support the role of Civic as the primary administrative, cultural and educational centre of Newcastle.

9. The expansion of Civic should extend northwards to link the Civic public realm to Newcastle Museum.

![Figure 6.01-4: Civic Character Area](image1)

![Image 6.01-5: Christie Place, between University House and City Hall](image2)
E. Parry Street

The area to the north of National Park and south of King Street is currently a mixture of commercial development with some residential and retail development such as the shopping centre, Marketown. In the future, this precinct will be characterised by more high density residential development taking advantage of the good amenity offered by proximity to the city centre and National Park and available services such as retail, entertainment and employment opportunities.

**Principles**

1. Public domain spaces are improved to support the evolving character of the area into a high-density residential and mixed use precinct.
2. Distinctive early industrial and warehouse buildings that contribute to the character of the area are retained and re-purposed.
3. Development along Cottage Creek provides a building address to encourage activity, pedestrian and cycleway movement, and improve safety.
F. East End

East End centres on the former Hunter Street Mall (between Perkins and Newcomen Street) and the terminus of Hunter Street at Pacific Park. The precinct is characterised by hilly topography and a mix of uses focusing on the retail spine of Hunter Street Mall. The subdivision is more finely grained than other areas of the city centre. A mix of heritage listed and historic buildings give this part of Newcastle a unique character and offer interesting and eclectic streetscapes.

Principles

1. Hunter Street Mall continues to be the main retail spine of the area, supported by a range of complimentary uses, including residential, commercial, entertainment and dining.

2. Hunter Street Mall is recognised and enhanced as a major pedestrian space and an informal meeting place.

3. The historic fine grain character is maintained and enhanced.

4. Significant views to and from Christ Church Cathedral are protected, including views from Market Street and Morgan Street. Views to Hunter River are protected and framed along Market Street, Watt Street and Newcomen Street.

5. Vistas that terminate at significant heritage buildings are protected, such as Fort Scratchley.

6. Distinctive early industrial, warehouse and retail buildings that contribute to the character of the area are retained and re-purposed, including prominent corner buildings.

7. Existing laneways and pedestrian connections are enhanced.

8. Heritage items and their setting are protected. New buildings respect the setting of heritage buildings.

9. In-fill buildings, additions and alterations to respond to the height, massing and predominant horizontal and vertical proportions of existing buildings.

10. Recreational opportunities are created by establishing public space and pedestrian connections from Scott Street to the Hunter River foreshore.
G. Newcastle Beach

With the redevelopment of Newcastle Hospital, Newcastle Beach has emerged as the location of a cluster of high rise tourist and visitor accommodation and high quality residential apartments overlooking the beach.

Newer developments have been accompanied by high quality public domain improvements and good pedestrian through-site connections to the beach front. The area adjoins Newcastle East Heritage Conservation Area, so development on this edge must ensure sensitive transitions responding to the lower scale development in Newcastle East Heritage Conservation Area.

**Principles**

1. The public domain and amenity is enhanced to support the high-density residential and hotel uses.
2. Pedestrian access is improved to Newcastle Beach.
3. New development addresses the street to provide a good interface with the public domain.
4. Development adjoining Newcastle East Heritage Conservation Area creates a transition in scale by aligning the scale, proportion, from and finishes of the associated buildings.
5. The high environmental quality of the area is maintained.
H. Newcastle East Heritage Conservation Area

Newcastle East Heritage Conservation Area is characterised by an intact heritage streetscape which is recognised by its inclusion as a Heritage Conservation Area in Schedule 5 of Newcastle LEP 2012, and by the number of state significant heritage items. It is a highly significant cultural landscape that provides a record of the early development of Newcastle.

The area is primarily residential with terrace housing dating from the late nineteenth century. Small corner shops and other ancillary retail or commercial uses are present. Terrace houses are built to the street boundary, with many featuring first floor verandas that overhang the footpath.

The fringes of the area feature heritage listed warehouses that have been converted for residential and commercial uses, and notable buildings including Fort Scratchley Historic Site, Boatman's Row, the Cohen Bondstore and Coutt's Sailors Home. The north edge of Newcastle East Heritage Conservation Area is bounded by the Coal River Precinct, a place of outstanding heritage significance listed on the NSW State Heritage Register.

Development in this area is subject to the provisions of the Newcastle DCP 2012 heritage provisions and the following principles.

**Principles**

1. The heritage significance of Newcastle East Heritage Conservation Area is retained and conserved.

2. Development responds to and complements heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

3. New development respects the scale, character and significance of existing buildings.

4. Existing views and vistas are maintained into and out of the area to the water and the foreshore parkland.

5. The continuity of Newcastle East's heritage conservation is retained and the diverse social mix of the area is maintained.
I. Foreshore

The extensive foreshore is the primary open space asset of Newcastle’s city centre. It showcases the city’s unique natural setting, between the Hunter River and the Pacific Ocean. The foreshore provides public access linking the river and ocean waterfronts and is also the location of many significant heritage places such as Newcastle Railway Station buildings, Fort Scratchley, Customs House, the Ocean Baths and Nobby’s Point lighthouse. Key public facilities can also be found in this precinct such as Nobby’s Beach, Newcastle Beach, Queens Wharf, Nobby’s Beach Surf Pavilion, and the foreshore cycleway and promenade. Development must complement the leisure, recreation and heritage uses of the Foreshore area.

**Principles**

1. The area is enhanced and continues to be the city's major recreational open space for Newcastle’s workers, residents and visitors.

2. New public open space provides recreational opportunities for the community and key access links to the foreshore.

3. New development respects the scale, character and significance of existing buildings, especially heritage items.

4. New development promotes and facilitates the continuity of public access to the whole foreshore.

5. New development complements the use of public spaces as an events space.

6. Heritage items and their setting are protected, including the Aboriginal cultural heritage and non-Aboriginal archaeology.

7. The adaptive re-use of the Newcastle Railway Station maximises the long term potential of the site as a major visitor and community focal point.
6.01.03 General controls

A. Building form

A1. Street wall heights

Street wall heights refer to the height of the building that addresses the public street from the ground level up to the first building setback. They are an important element to ensure a consistent building scale in streets that have a mix of uses, heritage items and infill development.

Street wall heights can provide a sense of enclosure to the street and contribute to the city’s character through street alignment with appropriate street-width to building height ratios. They can also have a direct impact on sunlight access to the public domain.

Performance criteria

A1.1. Street wall heights of new buildings define and enclose the street, are appropriately scaled and respond to adjacent development.

Acceptable solutions

1. New buildings have a street wall height of 16m unless indicated otherwise in Figure 6.01-12.
2. Any development above the street wall height is set back a minimum of 6m, as shown in Figure 6.01-11.
3. Corner sites may be emphasised by design elements that incorporate some additional height above the nominated street height.

Alternative solutions

- The street wall height of new buildings may vary if the desired future character is to maintain the existing street wall height of neighbouring buildings, such as heritage streetscapes.
- Deeper setbacks above the street wall height may be needed for heritage buildings or conservation areas to maintain the scale of the streetscape and the setting of heritage items.
- Where it can be demonstrated that there will be no adverse impact in terms of overlooking, overshadowing, or streetscape appearance, a variation to the street wall height setback may be possible.
Figure 6.01-12: Street wall heights plan
A2. Building setbacks

A building setback is the distance between the building and the street boundary, a neighbouring site, waterfront, or any other place needing separation. Building setbacks can enhance development and its relationship with the adjoining sites and the public domain, particularly in terms of access to sunlight, outlook, view sharing, ventilation, wind mitigation and privacy.

In a city centre it is desirable to locate the frontage of lower levels (the podium) on the street boundary to give strong definition to the street and create setbacks in the upper building elements.

Performance criteria

A2.1. Building setbacks define and address the street and public domain spaces, and respond to adjacent buildings.

Acceptable solutions

1. Front setbacks are nil (zero) unless shown otherwise in Figure 6.01-13 and Table 6.01-1.
2. Where it is not possible to meet the setbacks in Figure 6.01-13 and Table 6.01-1 new development aligns with the adjoining front setbacks.
3. When a setback is used, footpaths, steps, ramps and the like may be provided within it.
4. Minor projections beyond the setback are possible for Juliette balconies, sun shading devices, and awnings. Projections into the setbacks are complementary to the style and character of adjoining buildings.

<table>
<thead>
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<th>Minimum setback for side and rear boundaries</th>
<th>Side boundary</th>
<th>Rear boundary</th>
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<tbody>
<tr>
<td>Below street wall height</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Between street wall height and 45m</td>
<td>6m</td>
<td>6m</td>
</tr>
<tr>
<td>Above 45m</td>
<td>12m</td>
<td>12m</td>
</tr>
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</table>

Table 6.01-1: Minimum setback for side and rear boundaries
**Performance criteria**

A2.2 Side and rear setbacks enhance amenity and allow for ventilation, daylight access, view sharing and privacy for adjoining buildings.

**Acceptable solutions**

1. Development may be built to the side and rear boundary (a nil setback) below the street wall height.
2. Commercial development above street wall height is consistent with the side and rear setbacks outlined in Table 6.01-1 and Figure 6.01-13.

**Alternative solutions**

- Where there is no adjoining development to respond to, half the separation distances to boundary recommended in the Apartment Design Guide may be acceptable.
- Where there are no openings within the wall, the side setbacks are consistent with Table 6.01-1 and Figure 6.01-13
A3. Building separation

Building separation is the distance between two or more buildings on the same site. Building separation ensures ventilation, daylight access, view sharing and increased privacy between neighbouring buildings. In residential buildings and mixed-use buildings, separation between windows and balconies from other buildings is particularly important for privacy, acoustic amenity, view sharing and sun access.

Building separation can also enhance the built form by visually separating building elements that can result in more usable public domain spaces in terms of mitigating wind impact and ensuring daylight access. Building separation provided at lower levels, between buildings on the same site, can visually break long building frontages and provide opportunities for mid-block through-site links that connect to other streets or open space.

Performance criteria

A3.1. Sites that accommodate more than one building achieve adequate daylight, ventilation, outlook, view sharing and privacy for each building.

Acceptable solutions

1. Buildings achieve the minimum building separation for commercial buildings within the same site, as shown in Table 6.01-2 and Figure 6.01-14.

2. Building separation distances may be longer for residential and mixed-use developments to satisfy SEPP 65 guidance.

3. Sites with a road frontage 100m or greater include separation between buildings to maximise view corridors between the buildings and provide appropriate through-site links.

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<td>Up to 16m</td>
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<tr>
<td>Nil or 6m for link</td>
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</table>

Table 6.01-2: Minimum building separation

Image 6.01-19: Solid walls with non-habitable room windows are used for end elevations to manage privacy impacts

Image 6.01-20: Building separation in this residential development allows for ventilation, daylight access, view sharing and privacy

Figure 6.01-14: Section showing minimum separation distances between buildings within the same site and a minimum 6m separation where a through-site link is required.
A4. Building depth and bulk

The size of building floor plates has a direct impact on building bulk and urban form. Setting a maximum size of floor plates is also important to allow for ventilation, daylight access, view sharing and privacy in neighbouring development and the public domain.

Performance criteria

A4.1. Building depth and floor plate sizes relates to the desired urban form and skyline of the city centre.

Acceptable solutions

1. Buildings achieve the maximum building depth and floor plate sizes as outlined in Table 6.01-3.
2. Buildings with large floor plates are expressed as separate building elements, as shown in Figure 6.01-15.
3. Buildings above street wall height have a maximum building length of 50m.
4. Floor plates are flexible and allow adaption for multiple configurations or uses.

<table>
<thead>
<tr>
<th>Building typology</th>
<th>Floor plates affected</th>
<th>Maximum GFA per floor</th>
<th>Maximum building depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Campus style commercial building</td>
<td>All floor plates Honeysuckle</td>
<td>2500m²</td>
<td>25m</td>
</tr>
<tr>
<td>Commercial tower</td>
<td>Above street wall height</td>
<td>1200m²</td>
<td>25m</td>
</tr>
<tr>
<td>Residential tower</td>
<td>Above street wall height</td>
<td>900m²</td>
<td>18m</td>
</tr>
</tbody>
</table>

Table 6.01-3: Maximum building depth and floor plate size

Performance criteria

A4.2. Buildings achieve good internal amenity with minimal artificial heating, cooling and lighting.

Acceptable solutions

1. Workspaces in office buildings achieve adequate natural light. Design solutions include windows, atria, courtyards or light wells and by locating workspaces within 10-12m from a window or daylight source.
2. Consider opportunities to incorporate natural ventilation for commercial and mixed use development. Design solutions include the use of cross ventilation or stack effect ventilation via atria, light wells or courtyards to reduce reliance on artificial sources.

A5. Building exteriors

The design of building exteriors create visual interest to the streetscape and unify developments of different styles and lot widths. Detailed architectural treatments, materials, finishes and colour have the potential to reference the history of the precinct and shape the future character of the area.

Performance criteria

A5.1. Building exteriors feature high quality design with robust materials and finishes.

Acceptable solutions

1. Materials and finishes complement the character of the precinct.
2. External walls are constructed of high quality and durable materials and finishes with low maintenance attributes such as face brickwork, rendered brickwork, stone, concrete and glass.
3. An exterior material and finishes sample board and schedule shall be submitted with development application to show the quality of the materials proposed.

Performance criteria

A5.2. Building exteriors make a positive contribution to the streetscape and public domain.

Acceptable solutions

1. Buildings are articulated to differentiate between the base, middle and top.
2. Visually prominent parts of buildings such as balconies, overhangs, awnings, and roof tops are of high design quality.
3. Roof lines are to be designed to create a visually interesting skyline with roof plant and lift overrun integrated into the overall architectural design of the building.
4. Facades do not incorporate large expanses of a single material, including reflective glass.
**Performance criteria**

A5.3. Building exteriors are designed to ensure a positive contribution to streets and public spaces.

**Acceptable solutions**

1. Building exteriors clearly define the adjoining streets, street corners and public spaces, designed with safety in mind and easy to navigate for pedestrians.
2. Where development exposes a blank wall a visually interesting treatment is applied to the exposed wall.
3. Balconies and terraces are provided where buildings overlook parks and squares to contribute to casual surveillance.
4. External building facade lighting is integrated with the design of the building and contributes to the character of the building and surrounding area.

**Performance criteria**

A5.4. Building exteriors respond to adjoining buildings.

**Acceptable solutions**

1. Adjoining buildings are considered in terms of:
   (a) appropriate alignment of building line, awnings, parapets, cornice lines and street wall heights
   (b) setbacks above street wall heights
   (c) selection of materials and finishes
   (d) façade proportions including horizontal or vertical emphasis
   (e) detailing of the interface with adjoining buildings.

Image 6.01-24: Balconies and terraces that overlook public spaces contribute to safety and natural surveillance.

Image 6.01-25: Detailed design and building articulation along the street edge adds interest to the pedestrian environment.
A6. Heritage buildings

This section applies to the assessment of building or alteration work (including demolition) of heritage items listed in Schedule 5 of the Newcastle LEP 2012 that requires development consent.

Additional guidelines for development within Heritage Conservation Areas are provided in the Newcastle DCP 2012, Heritage Technical Manual, City of Newcastle Heritage Strategy and the Newcastle East Heritage Conservation Area City Character Area contained in Part 02 of this Development Control Plan.

Within the city centre there are numerous heritage items of state and local significance that reflect the city’s history and culture and make it unique. Retaining heritage buildings is an essential element in revitalising Newcastle.

The city centre contains a concentration of heritage items and streetscapes typified by late 19th and early 20th century buildings of between two and six storeys of a consistent scale, form and character. Many of these buildings have architectural emphasis at the skyline in the form of tower elements and parapet detail. The rich architectural detail of many heritage items is a distinctive characteristic of the Newcastle city centre.

Performance criteria

A6.1. Development conserves and enhances the cultural significance of heritage items.

Acceptable solutions

1. A heritage management report, prepared by a suitably qualified heritage specialist, ensures the proposal achieves this performance criteria.
2. New development is consistent with the strategic actions of the City of Newcastle Heritage Strategy and the principles of the Newcastle Heritage Policy 2013.
3. New development enhances the character and heritage significance of heritage items, heritage conservation areas, archaeological sites or places of Aboriginal heritage significance.
4. Views and sight lines to heritage items and places of historic and aesthetic significance are maintained and enhanced, including views of the Christ Church Cathedral, T&G Building, Newcastle Courthouse and former Post Office.
Performance criteria

A6.2. Infill development conserves and enhances the cultural significance of heritage items and their settings.

Acceptable solutions

1. Design infill development to respond to the scale, materials and massing of adjoining heritage items. Design solutions include:
   (a) aligning elements such as eaves lines, cornices and parapets
   (b) responding to scale proportion, pattern, form or rhythm of existing elements such as the structural grid
   (c) complementary colours, materials and finishes.

2. Infill development responds to heritage items, historic streetscapes, contributory buildings and the public domain using best practice methods, design philosophies and approaches.

3. Archaeologically excavate and expose the item, and if possible, retain item in situ for permanent public display, allowing for sufficient set back to allow the item to be interpreted by the public. Where items cannot be retained in-situ ensure that the archival recording of the item is of sufficient standard that it can be used for interpretative purposes.

4. Prepare content which communicates and promotes the understanding of the historical context of the archaeological item and allow for content to be provided on an appropriate physical or digital platform.

Image 6.01-27 Combining contemporary infill with heritage buildings creates an interesting relationship between old and new.

Image 6.01-28 The wharf building at Walsh Bay in Sydney is an example of successful adaptive reuse of heritage items.

Image 6.01-29: This historic marine building has been transformed into the Honeysuckle brewery, a popular destination on the waterfront.
**Performance criteria**

A6.3. Alteration and additions respond appropriately to heritage fabric and the items' cultural significance.

**Acceptable solutions**

1. New building work and uses encourage adaptation that has minimal impacts and is low maintenance.

2. Internal and external alterations and additions are designed as a contemporary layer that is readily identifiable from the existing building, responding to but not mimicking its forms of architectural details. Design solutions include separating new work from old by:

   (a) incorporating generous setbacks between existing and new fabric
   (b) glazed voids between new additions and the existing building
   (c) using shadow lines and gaps between old and new work
   (d) using lighting, materials and finishes that enhance and reveal aspects of the heritage item.

3. Employ innovative design strategies to deal with existing physical aspects of heritage buildings that may not be ideal for the proposed new use. Design solutions may include:

   (a) introducing generously sized voids to improve access to natural light and ventilation when building depth is greater than recommended.
   (b) facilitate sunlight access in heritage items by using the full depth of rooms and introducing skylights and clerestory windows where ceiling heights are high.
   (c) expose services, wall and ceiling framing, particularly in public areas and foyers, to reveal the significant internal fabric of heritage items.
   (d) exposing, re-using and interpreting the fabric of existing interiors.

**Performance criteria**

A6.4. New building elements support future evolution of the heritage item

**Acceptable solutions**

1. Alterations are reversible and easily removed.

2. Primary and significant fabric is retained including structure.

3. New work is physically set-off the existing fabric.

4. Alterations and additions allow the ongoing adaptation of the heritage item in the future.
Performance criteria

A6.5. Employ interpretation treatments when altering, adapting or adding to a heritage item.

Acceptable solutions

1. Expose the fabric of heritage items by removing later additions that obscure and detract from heritage fabric.

2. Incorporate contemporary insertions in the building in a manner that allows the building layers to be readily identifiable and appreciated.

3. Provide interpretive treatments. Design solutions include:
   (a) displays of artefacts and objects associated with the heritage item in foyers and public areas.
   (b) public art that references the cultural significance of the heritage item.

Performance criteria

A6.6. Encourage new uses for heritage buildings.

Acceptable solutions

1. Employ innovative design strategies to enable heritage items and contributory buildings to accommodate new uses. Design solutions may include new building elements/additions that expand the existing envelope of the heritage building while still respecting and minimising impact on cultural significance.

2. Use innovative approaches to provide car parking where the provision of a basement or other onsite car parking is not possible. Design solutions include:
   (a) allowing heritage building to provide less car parking than is normally required for that land use, or no car parking where not physically possible
   (b) using car share schemes
   (c) sharing space within existing nearby car parking structures

Alternative solutions

Key development controls or standards may need to be varied for adaptive re-use residential projects to facilitate appropriate heritage responses and development viability.

Standards and controls that may need to be varied relate to:

- building and room depths
- building separation
- visual privacy
- deep soil requirements
- car parking requirements
- common circulation in apartment buildings

Image 6.01-31: Example of a supermarket integrated into a heritage building in Pyrmont Sydney
A7. Awnings

Awnings increase the usability and amenity of public footpaths by protecting pedestrians from sun and rain. They encourage pedestrian activity along streets and in conjunction with active edges, such as retail frontages, support and enhance the vitality of the local area. Awnings, like building entries, provide a public presence and interface within the public domain and contribute to the identity of a development.

Performance criteria

A7.1. Awnings provide shelter for public streets where most pedestrian activity occurs.

Acceptable solutions

1. Continuous street frontage awnings or weather protection to entrances are provided for all new developments in areas requiring an active frontage on Figure 6.01-25 (B3 Active street frontages).

2. Awnings are continuous to ensure pedestrian amenity.

Performance criteria

A7.2. Address the streetscape by providing a consistent street frontage in the City Centre.

Acceptable solutions

1. Awnings are generally flat or near flat and similar to the prevailing awning of each particular streetscape and in keeping with the design of the building.

2. Awnings that break the continuity of the edge fascia with strongly geometrical forms such as triangular or barrel vaulted shapes are avoided.

3. First floor verandahs are permitted in the East End and Newcastle East Character Areas where they are designed to be sympathetic with the overall form, proportion and division of bays of the buildings to which they are attached.

4. Awnings attached to residential terraces are designed in a manner that responds to the division of buildings into vertical bays.
A8. Design of parking structures

On-site parking includes underground (basement), surface (at-grade) and above ground parking, including parking stations. Underground and semi-underground parking minimises the visual impact of car parks and is an efficient use of the site, which creates the opportunity to increase communal and private open space.

High water table and mine subsidence and the impact of these on development feasibility means that above ground car parking structures are often the only way to accommodate on-site parking in Newcastle. A well designed car parking structure is an opportunity to introduce innovative design to the city, whether it is a new build, freestanding, retrofit or part of an integrated mixed use development.

Parts of Newcastle city centre are flood prone. In these areas, if basement car parking is provided, it should be designed to minimise the potential for inundation during a flood event.

Note: Traffic, parking and access controls for the city centre are covered by Newcastle DCP 2012 Section 7.03. This section contains additional provisions for managing the visual impact of car parking in the city centre.

Performance criteria

A8.1. At-grade or above-ground parking structures are well designed.

Acceptable solutions

1. Proposed at-grade or above-ground parking structures whether freestanding or part of larger developments in the city centre are to be reviewed and endorsed by Council’s Urban Design Consultative Group prior to be lodged for development consent as:

   (a) having fulfilled the requirements of Newcastle DCP 2012 Section 7.03.04 Clause B Parking areas and structures

   (b) being well designed and well integrated with the streetscape and ground plane of the particular site and minimise the visual impact of parking structures

   (c) Consultative Group confirms that development meets the performance criteria.

Performance criteria

A8.2. Minimise the visual impact of at grade or above-ground parking structures.
Acceptable solutions

1. All parking is provided within the building footprint either within basements or well integrated into the building’s design using materials and architectural façade treatments that are common to the rest of the development.

2. Where on-site parking cannot be provided within the building footprint it is located to the side or rear and not visible from the primary street frontage.

3. Access to above ground car parking is located in side or rear streets or lanes.

4. At-grade or above-ground car parking is screened from view from public spaces. Design solutions include:
   (a) green walls and roofs
   (b) solar panels incorporated into screens and awnings over car parking
   (c) architecturally designed façade treatments that incorporate artworks
   (d) using car park roof tops for community facilities such as tennis courts
   (e) sleeved by active and/or other uses as per Figure 6.01-16 and Figure 6.01-17.

Performance criteria

A8.3. Basement car parks are designed to provide protection against flooding.

Acceptable solutions

1. The design of entry ramps, ventilation points and pedestrian exits prevents water entering the basement until the last possible moment in a flood event, as shown in Figure 6.01-18. Design solutions include warning signage of the hazard and the route to safe refuge affixed in prominent locations.

Figure 6.01-16: Diagram showing sleeved car parking
**Figure 6.01-17: Diagram showing screened car parking**

**Figure 6.01-18 Basement ramp design to minimise inundation**
A9. Landscaping

Performance Criteria

A9.1 New development incorporates landscaping and communal open space that respects the desired character of the streetscape, adjoining land and public spaces.

Acceptable solutions

1. Landscaping and communal open space is provided having regard to the desired streetscape character, building setbacks and relationship to public open space.

2. Landscaping on upper levels and roof tops through the use of roof and wall gardens is encouraged in compliance with section 7.02.07 Green walls and roof space.

3. Private open space areas which adjoin public open space complement the landscape character of the public open space.

4. Residential buildings in the city centre do not require the provision of a deep soil zone.
B. Public domain

B1. Access network

Streets and lanes provide pedestrian and vehicle connections through the city at all hours. The structure of the access network determines how permeable movement is through the city. Pedestrian activity can be encouraged by developing a fine-grain, connected and legible street and lane network that integrates pedestrians, cycling and public transport.

The promotion of active transport (walking and cycling) increases activity in the city centre by increasing the opportunities for people to move around. More activity equates to a higher retail spend. Active transport promotes well-being and reduces the environmental impacts of congestion. It is critical that streets and bike networks are safe, attractive and well connected to promote active transport.

Performance criteria

B1.1 Streets prioritise pedestrian, cycling and public transport users to support sustainable travel behaviour.

Acceptable solutions

1. Improved and new pedestrian connections are as shown in Figure 6.01-19 and are designed in accordance with the City Centre Public Domain Technical Manual.

2. Sites with a street frontage 100m or greater incorporate additional pedestrian connections to improve access and permeability.

3. New pedestrian connections are within comfortable walking distance to public transport.

4. Streets and lanes are connected to encourage pedestrian use.

5. Way finding signage is incorporated and clearly defined.
Figure 6.01-19: Network Access Map
**Performance criteria**

B1.2 Lanes, through-site links and pedestrian paths are retained, safe and enhanced to promote access and public use.

**Acceptable solutions**

1. Retain existing laneways
2. New streets, lanes, through-site links and pedestrian paths are provided as shown in Figure 6.01-19 and designed in accordance with the City Centre Public Domain Technical Manual.
3. Lanes and through-site links maintain clear sight lines from each end.
4. Dead-ends or cul-de-sacs are avoided. Where they exist they are extended to the next street, where possible. Where unavoidable, way finding signage should be provided.
5. Pedestrian bridges are avoided over public spaces, including lanes.
6. Development adjacent to a lane or pedestrian path includes:
   (a) active uses at the ground level
   (b) appropriate lighting
   (c) access for service vehicles if necessary.
7. Streets, lanes and footpaths include lighting and illumination in accordance with the requirements of the City Centre Technical Manual.
8. Blank walls and solid fencing that inhibit natural surveillance and encourages graffiti should be avoided.

**Performance criteria**

B1.3 New development improves permeability between Civic Lane and Hunter Street through the provision of a new through-site link which is safe, useable and attractive.

**Acceptable solutions**

1. An additional through-site or mid-block link is provided from Hunter Street to Civic Lane where it can align with existing pedestrian and vehicular access ways, or where it can provide connections to pedestrian and cycle networks, public open space and public facilities. The general location of the preferred link is shown in Figure 6.01-19.

**Performance criteria**

B1.4 Street and block network is permeable and accessible to promote pedestrian use.

**Acceptable solutions**

1. A permeable pedestrian network from the city centre to the foreshore is provided as shown in Figure 6.01-19.
2. Through-site connections on privately owned land:
   - Have a public character, are easily identified by users, safe, well lit, highly accessible and have a pleasant ambience;
   - Have a minimum width of 5m with no obstructions;
   - Have buildings which address the frontage and/or contain active uses to provide opportunities for natural surveillance.
   - Have clear and direct through-ways; Are open to the sky and publicly accessible at all times;
   - Are clearly distinguished from vehicle access ways;
   - Align with breaks between buildings so that view corridors are extended and there is less sense of enclosure;
   - Do not contain structures such as electricity substations, carpark exhaust vents, swimming pools etc.);
   - Incorporate signage at street entries indicating public accessibility and the street to which the through-block connections ends; and
   - Are designed in accordance with the Crime Prevention Through Environmental Design principles.

3. Residential developments with a frontage to a through site link incorporate windows, doors and verandahs facing the through-site link at ground level.

4. Arcades in retail and commercial developments:
   (a) Are a minimum width of 3m; and
   (b) Include ground level active uses; and
   (c) Have access to natural light, and
   (d) Provide public access during business hours; and
   (e) Have clear connections to streets and lanes with a direct line of sight between entrances.

5. Pedestrian crossings are located to enable a direct line of travel for pedestrians.

6. Pedestrian-only public lanes are designed in accordance with the City Centre Technical Manual.
Performance criteria

B1.5 Public transport facilities are integrated into the access network.

Acceptable solutions

1. Pedestrian access to public transport stops is convenient, safe and accessible.
2. Light rail and bus stop locations are coordinated to enable convenient mode change, i.e. stops are located within walking distance from each other.
3. Cycling routes and cycle parking are coordinated and integrated with the location of public transport stops to enable convenient mode change.
4. The design of public transport facilities has regard to Crime Prevention through Environmental Design Principles.

Performance criteria

B1.6 Cycle routes are safe, connected and well-designed.

Acceptable solutions

1. Separated cycle ways are provided on Hunter Street as shown in Figure 6.01-19 and designed in accordance with the City Centre Technical Manual.
2. Cycle ways are connected into the network indicated in the City of Newcastle Cycling Strategy and accessible to public transport stops.
3. Safety is maximised through active street frontages. Buildings that adjoin pedestrian and cycle paths are designed to address the path and provide passive surveillance opportunities.
4. Signage should be provided along cycle routes identifying key destinations, transport stops, bicycle parking, travel times and distances.
5. Commercial development includes end of trip cycling infrastructure. Design solutions include:
   (a) secure bike parking
   (b) shower and change room facilities.
B2. Views and vistas

Preserving significant views around the city is critical to place-making, wayfinding and for retaining the unique character of Newcastle. Significant views include views from public places towards specific landmarks, heritage items or areas of natural beauty. The most important views in Newcastle tend to be along streets leading to the water or landmark buildings, including Christ Church Cathedral and Nobby’s Head.

With the redevelopment of the former rail corridor lands, key views and vistas are to be established and will create a visual connection and link the city to the foreshore.

Performance criteria

B2.1 Public views and sight lines to key public spaces, the waterfront, prominent heritage items and landmarks are protected.

Acceptable solutions

1. New development protects the views nominated in Figure 6.01-23.
2. New development in the vicinity of views to Christ Church Cathedral nominated on Figure 6.01-23 must ensure that vistas of the Cathedral’s tower, roof-scape and pinnacles of the buttresses are preserved.
3. Open space and breaks in the built form align with existing streets and view corridors as identified in Figure 6.01-23.
4. A visual impact assessment accompanies the application and confirms that this performance criteria has been met.
Figure 6.01-23: Views and Vistas Map
**Performance criteria**

B2.2 New development achieves equitable view sharing from adjacent development.

**Acceptable solutions**

1. Align new development to maximise and frame view corridors between buildings, taking into account topography, vegetation and surrounding development.

2. Where there is potential impacts on views an assessment of the following principles should be submitted with the application:
   - (a) the views to be affected
   - (b) what part of the property the views are obtained
   - (c) the extent of the impact
   - (d) the reasonableness of the proposal that is causing the impact.

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**Note: Visual Impact Assessments**

A visual impact assessment identifies and analyses the affected views in their existing state, includes photomontages of the view once the proposed development is in place and then assess the impact on that view.
B3. Active Street Frontages

Active street frontages promote an interesting and safe pedestrian environment. Shops, studios, offices, cafés, recreation and community facilities provide the most active street fronts. Residential buildings can contribute positively to the street by providing a clear street address, direct access from the street and outlook over the street.

Figure 6.01-24 Active street frontages plan – amended

Image 6.01-47: Shopfronts activate the street edge

Performance criteria

B3.1 In identified activity hubs, ground floor uses add to the liveliness and vitality of the street.

Acceptable solutions

1. Active frontages are a minimum 70% of the primary street frontage. They have transparent glazing to allow unobstructed views from the adjacent footpath to at least a depth of 6m within the building.

2. Active frontages are to be provided in activity nodes:
   (a) in the locations shown in Figure 6.01-24
   (b) on through block links, pedestrian only lanes and arcades
   (c) on all other streets where possible.

3. New development:
   (a) maximises entries or display windows to shops and/or food and drink premises, customer service areas and activities which provide pedestrian interest and interaction.
   (b) minimises fire escapes, service doors, car park entries and plant and equipment hatches and grilles, to the active frontage
   (c) provides elements of visual interest such as display cases, or creative use of materials where fire escapes, service doors and plant and equipment hatches cannot be avoided.
   (d) provides a high standard of finish for shop fronts.
   (e) avoid blank walls that inhibit natural surveillance and encourage graffiti.

4. Street frontages are activated through one or more of the following:
   (a) retail and shop fronts
   (b) cafés or restaurants
   (c) active office uses, visible from the street
   (d) public building or community facilities where activities inside the building are visible from the street
   (e) entries and lobbies
   (f) multiple entries for residential buildings
(g) uses that overlook the street
(h) uses that screen or sleeve car parks to a minimum depth of 6m from the street
(i) avoiding porte cochères

5. Ground levels of buildings in commercial core and mixed zones have a minimum 4m floor to ceiling height on the ground floor to ensure flexibility for a variety of active uses.

6. Foyer and lobby spaces are no more than 20% of the street frontage where active frontages are required as shown in Figure 6.01-24, or no more than 8m of a street frontage elsewhere.

7. The ground floor level is at the same level as the footpath.

8. Shopfronts are enclosed, unless they are food and drink premises.

9. Security grills, where provided, are fitted internally behind the shop front, are fully retractable and at least 50% transparent when closed.

10. Active uses in existing and new laneways are encouraged.
Figure 6.01-24: Active Street Frontages Map
B4. Addressing the street

Addressing the street’ relates to all development outside the "active frontage areas" shown on Figure 6.01-24 or where a continuous 'active frontage' cannot be achieved.

A positive building address to the street contributes to the safety, amenity and quality of the public domain. The way buildings interface with the public domain also has a direct influence on the urban character of the city. It defines the relationship between the building and the street edge and can determine how accessible and functional a building is. All development adjoining the public domain needs to be well designed, using high quality durable materials.

Performance criteria

B4.1 Buildings positively address streets, footpaths, lanes and other public spaces.

Acceptable solutions

1. Acceptable design solutions include:
   (a) maximise the number of entries onto the street
   (b) ground floor internal uses are visible from the street
   (c) building name and / or street number signage is well designed and easily identifiable
   (d) well lit building entries
   (e) well designed efficient external lighting to non-residential buildings
   (f) building frontages to incorporate Crime Prevention through Environmental Design entries are at the same level as the adjacent footpath on sites not flood affected
   (g) finished floor levels are no greater than 500mm above or below the adjacent footpath or public domain
   (h) finished floor levels are no greater than 1.2m above the adjacent footpath or public domain on sites with a cross fall of greater than 1 in 10
   (i) high quality finishes and public art that is visible from the public domain
   (j) opportunities for direct surveillance from the building to the adjacent street
   (k) ground floor residential uses can be elevated up to 1.0m above ground level for privacy
**Performance criteria**

B4.2 Ground levels are designed to mitigate flood risk while ensuring accessibility and a positive relationship to the public domain.

**Acceptable solutions**

1. Equitable access to a building is provided where the lowest level is elevated above the flood planning level.
2. Locate accessibility ramps from the footpath to the lowest level of buildings above the flood planning level so that a positive address to the street and activated frontages are maintained.
**B5. Public artwork**

Public art is a defining quality of dynamic, interesting and successful cities. More public artworks are needed in private developments and in the public domain. Public art can be integrated with essential infrastructure, such as stormwater treatment and water collection or aboveground car park screening.

**Performance criteria**

B5.1 Significant development incorporates public artwork.

**Acceptable solutions**

1. Public and civic buildings, development on key sites and development over 45m in height are to allocate 1% of the capital cost of development towards public artwork for development.
2. Council is consulted on the location and proposal for public art.

**Performance criteria**

B5.2 Artworks in new buildings are to be located so they can be appreciated from streets and public spaces

**Acceptable solutions**

1. Design solutions include:
   
   (a) locating artworks in a public foyer so that they are visible from the street
   (b) integrating public artwork into the design of the building such as its façade or roof features
   (c) integrating public artworks with the delivery of essential open space infrastructure such as stormwater treatment or rainwater collection.

**Performance criteria**

B5.3 Public artworks are used to interpret heritage components or recognise former uses of large development sites

**Acceptable solutions**

1. Work with a heritage consultant and/or a public artist to develop innovative ways to interpret heritage using public art.
B6. Sun access to public spaces

Good sun access is a key contributor to the amenity of public spaces, particularly during winter. Sun access in public spaces is becoming more important as more people move into apartments in the city centre. Good sun access ensures that public spaces such as squares and parks are inviting and well utilised. This section should be read in conjunction with section A1 Street wall heights and Part 3 Key precincts (where applicable).

Performance criteria

B6.1 Reasonable sunlight access is provided to new and existing significant public spaces.

Acceptable solutions

1. Sunlight access is provided to significant public spaces for at least 2 hours during mid-winter between 9am and 3pm, demonstrated by shadow diagrams. Significant public spaces in the city centre include:
   (a) Civic Park
   (b) Civic Link
   (c) Darby Plaza
   (d) Wheeler Place
   (e) Birdwood Park
   (f) Little Birdwood Park
   (g) Cathedral Park
   (h) Pacific Park
   (i) National Park
   (j) Christie Place
   (k) Fletcher Park
   (l) Church Walk Park.

Note: Shadow diagrams submitted with the development application are to indicate the existing condition and proposed shadows at each hour between 9am and 3pm on 21 June. Shadow diagrams are not to include vegetation. If required, the consent authority may require additional detail to assess the overshadowing impact.

Image 6.01-53: Good sun access ensures that public spaces such as parks

Image 6.01-54: Good sun access is a key contributor to the amenity of public spaces.
B7. Infrastructure

**Performance Criteria**

B7.1 Stormwater, water and sewerage infrastructure is integrated into each site and does not create negative off-site impacts.

**Acceptable Solutions**

1. Drainage, overland flow paths and infrastructure easements are generally as shown in Figure 6.01.25
2. Stormwater management facilities comply with Section 7.06 Stormwater of this DCP.
3. New development has water and sewer links into the existing network with suitable capacity.

B8. Site Amalgamation

To prevent the isolation and fragmentation of former rail corridor land, sites between Worth Place and Darby Plaza should conform to the amalgamations shown in the Figure 6.01-25.

**Performance Criteria**

B8.1 Surplus rail corridor land is amalgamated with adjoining land to create useable sites that are consistent with the desired character of the area.

**Acceptable Solutions**

1. Former rail corridor lands identified in the Figure 6.01-25 are wholly or partially amalgamated with the adjoining land to the north or to the south.
2. The former rail corridor lands are subdivided by an east/west and/or north/south split, to create an amalgamated lot.
3. Potential amalgamated site 1 shown on Figure 6.01-25 does not mean all sites need to be amalgamated but rather a combination of sites that utilises the former rail land effectively.
4. The amalgamation of former rail corridor lands identified in the 'Amalgamated Parcels Map' does not result in the creation of an isolated lot unless it is demonstrated that:
   (a) The orderly, economic use and development of separate sites can be achieved; and
   (b) The lots are of a suitable size and dimensions to facilitate new development that is consistent with the desired character of the area; and
   (c) The Planning Principles outlined by the NSW Land and Environment Court for redevelopment resulting in isolated sites are satisfied.
Figure 6.01-25: Infrastructure Plan

Proposed indicative location of:
- Red: Sewer
- Green: Stormwater drainage network
- Light blue: Water
- Blue: Link into existing water system
- Orange: Link into existing sewer system
Figure 6.01-26 Amalgamated Parcels Map
6.01.04 Key Precincts

A. Overview

Seven key precincts have been identified within the Character areas of Newcastle’s city centre. They are:

- Hunter Street Mall
- Wheeler Place
- Birdwood Park
- Civic Link
- Darby Plaza
- Hunter Street Live-work units
- Newcastle Station and Foreshore Park

These seven key precincts have their own set of objectives and performance criteria designed to achieve specific outcomes related to particular development and public domain opportunities of that precinct. These specific performance criteria and acceptable solutions must be considered in addition to the general controls in this section.

The key precinct guidelines in this section prevail over the more general guidelines in Section 6.01.03 in the event of any inconsistency.
Figure 6.01-27: Character Areas and Key Precincts Map
B. Hunter Street Mall

Figure 6.01-28: Hunter Street Mall Precinct

**Existing character**

The Hunter Street Mall precinct contains a mix of uses and building types. In its centre is the former Hunter Street Mall (between Perkins and Newcomen Streets), a shared street for pedestrians and vehicles and is becoming a popular destination for a variety of activities including specialty retail, dining, entertainment, nightlife and events. The precinct is rich in cultural heritage with views of Christ Church Cathedral. Access to the foreshore is currently constrained.

**Future character**

This precinct has the potential to develop as boutique pedestrian-scaled main street shopping, leisure, retail and residential destination. Infill development is encouraged that promotes activity on the street and which responds to heritage items and contributory buildings. Views to and from
Christ Church Cathedral and the foreshore are retained and enhanced. Foreshore access is improved.

**Objectives**

1. Strengthen the sense of place and urban character of the east end as a boutique retail, entertainment and residential destination.

2. Diversify the role of Hunter Street Mall precinct as a destination for many activities including retail, dining, entertainment, nightlife and events, additions to regular day-to-day services for local residents.

3. Promote active street frontages.

4. Protect heritage items and contributory buildings.

5. Protect views to and from Christ Church Cathedral.

6. Promote a permeable street network in Hunter Street Mall precinct with well connected easily accessible streets and lanes.

7. To create a space that is safe, comfortable and welcoming for pedestrians.

*Image 6.01-55: Potential public domain upgrades to Hunter Street Mall (Impression: JND Design 2012)*

**Performance criteria**

B1 Pedestrian permeability and amenity is improved.

**Acceptable solutions**

1. New lanes and through-site links are provided in the locations identified in Figure 6.01-28. They are designed in accordance with the Public Domain section of this Development Guide and the City Centre Technical Manual.

2. New links include:

   (a) a continuous pedestrian connection between Newcomen and Perkins Streets mid block between Hunter and King Streets.
(b) a minimum 3m wide pedestrian only link between Newcommen and Laing Streets connected to the Laing Street alignment.

(c) a new pedestrian link or arcade between Thorn and Wolfe Street.

(d) a pedestrian connection between Morgan and King Street.

**Performance criteria**

B2 Significant views and protected (refer to section B3).

**Acceptable solutions**

1. Development between Thorn and Morgan Street provides an opening on the Market Street alignment to preserve views of Christ Church Cathedral.

**Performance criteria**

B3 Building form integrates with existing heritage character and retains contributory buildings.

**Acceptable solutions**

1. Street wall heights ensure a minimum two hours of sunlight between 9am and 3pm in mid-winter to the southern side of Hunter Street Mall.

2. Large scale new development is articulated so that large expanses of building form are broken down into smaller elements to relate to the fine grain of the precinct.

3. Retain and adaptively re-use existing character buildings that are not heritage items but contribute to the historic identity of the precinct.

**Performance criteria**

B4 Hunter Street Mall is a pedestrian and vehicular thoroughfare and a place of activity.

**Acceptable solutions**

1. Remove existing lightweight and concrete freestanding awnings structures.

2. Define clear pedestrian spaces along the fronts of buildings.

3. Provide a centrally located one way share-way for vehicles with threshold treatments at the entry and exit to Hunter Street Mall between Perkins and Newcomen Streets.

4. Provide limited short stay car parking with priority given to accessible parking spaces.

5. Provide a centrally located space that is relatively clear of obstructions that can be used for special events.

6. Remove the pedestrian bridge along Market Street to promote connections to the waterfront and future light rail stops.

7. Integrate Market Street into the mall using common public domain materials and treatments.

8. Provide additional street trees, new street furniture, new lighting, bike rings and way finding signage.

**Performance criteria**

B5 Servicing and access is designed to minimise conflicts with pedestrians.
**Acceptable solutions**

1. Hours for service deliveries from Hunter Street Mall are restricted to minimise potential conflicts with other activities.
2. Vehicle access and servicing is located to minimise conflicts with pedestrians.
3. Loading docks and their access points are not located on Hunter Street Mall.

*Figure 6.01-29: Section through the former David Jones building, showing a proposed connection terminated by the view of Victoria Theatre.*
C. Wheeler Place

**Figure 6.01-30: Wheeler Place Key Precinct**

**Existing character**

The Wheeler Place precinct contains the primary administrative and cultural facilities of Newcastle. These facilities reflect Newcastle’s importance as a major regional city and include the City of Newcastle Administration Building, Newcastle Courts Complex, Newcastle Art Gallery, the Newcastle Museum, Civic Theatre and City Hall. The precinct also contains major public open space in the form of Wheeler Place and Civic Park.

**Future character**

The civic importance of the precinct will be reinforced by improving pedestrian access through the precinct and linkages to Newcastle Museum and the foreshore in the north and Darby Street to the south east. Major new education facilities will be provided through the redevelopment of the Civic Arcade site for new faculties for the University of Newcastle.
Objectives

1. Promote Wheeler Place precinct as the civic, administrative, education and cultural heart of Newcastle.
2. Promote a permeable street network and enhance pedestrian connections to Newcastle Museum and the foreshore in the north and Newcastle Art Gallery and Darby Street to the south via Wheeler Place and Civic Park.
3. Promote active frontages to streets and public spaces along the pedestrian route through the precinct.
4. Protect heritage items and contributory buildings.
5. Protect sunlight to Christie Place, Wheeler Place, Civic Park and the southern side of Hunter Street.

Image 6.01 1-57: Potential public domain upgrades to Wheeler Place (Impression: JMD Design)

Performance criteria

C1 Pedestrian permeability and amenity is improved.

Acceptable solutions

1. New lanes and through-site links are provided as shown in Figure 6.01-30.
2. The pedestrian crossing on Hunter Street linking Wheeler Place and Civic Station Link is enhanced by increasing the width of the crossing.
3. Pedestrian connections between Hunter Street, Civic Station Link and the Newcastle Museum are improved and enhanced. Design solutions include:
   (a) redesign Civic Station forecourt as a pedestrian space that has common fixtures, materials and details to those in Wheeler Place.
   (b) adapt Civic Station so that it addresses the new pedestrian forecourt, providing an activated frontage.
   (c) link the pedestrian route across the rail corridor at Civic Station to pedestrian paths across the forecourt to Newcastle Museum.
4. A new through site-link or arcade from Christie Place to Hunter Street is provided.
5. A new through-site link or arcade is provided from Christie Street to Auckland Street.
6. New development provides an address to Christie Place with active frontages.

**Performance criteria**

**C2** Building form integrates with existing heritage character and retains contributory buildings.

**Acceptable solutions**

1. Redevelopment of the former Civic Arcade site on the corner of Hunter and Auckland Street provides (as shown in Figures 6.01-31 and 6.01-32):
   (a) a slender tower located near the corner of Hunter and Auckland Streets, no wider than University House (former Nesca House)
   (b) ensure the clock tower of City Hall retains its prominence in the precinct
   (c) an appropriate curtilage is provided to Civic Theatre
   (d) protect sunlight access to Christie Place
   (e) a 6m setback to the tower from the rear façade of University House.

2. New buildings and alterations to existing buildings along the rail corridor have double frontages with active frontages to Hunter Street and rear frontages designed to address the rail corridor.

**Performance criteria**

**C3** Wheeler Place is designed to support a range of uses and events.

**Acceptable solutions**

1. A light weight stage can be erected to host events in accordance with any adopted public domain plan of Council.
2. Wheeler Place is redesigned to improve pedestrian amenity by increasing shade and providing a water feature, seating and bike rings.
3. Bespoke street furniture, fixtures and public art is provided to distinguish Wheeler Place from other public places in Newcastle city centre and in accordance with any adopted public domain plan of Council.
4. A Water Sensitive Urban Design Strategy is developed for landscaping to sustainability manage stormwater.
5. The quality of public domain treatments is improved, with materials, finishes and fixtures, including bespoke fixtures and public art, selected in accordance with the performance standards and specifications of the City Centre Technical Manual.

**Performance criteria**

**C4** Servicing and access minimises conflicts with pedestrians.
Acceptable solutions

1. Service deliveries are not to be made from Hunter Street for development which has access to another street frontage.
2. For development that has no other frontage than Hunter Street, hours for service deliveries are restricted to minimise potential conflicts with other activities.
3. Vehicle access and servicing is located to minimise conflicts with pedestrians.
4. Loading docks and their access points are not permitted on Hunter Street.

Figure 6.01-31: Section through Christie Place and the University site showing building form and setbacks.

Figure 6.01-32: Section through the University site showing building form and setbacks.
D. Birdwood Park

Figure 6.01-33: Birdwood Park Key Precinct

**Existing character**

The Birdwood Park precinct is the western gateway to Newcastle city centre and currently houses a range of uses including showroom and bulky goods retail, car dealerships and self storage. This precinct contains the major heritage assets, including the former brewery.

Birdwood Park is the primary open space but is currently surrounded by busy roads resulting in sub-standard amenity.

**Future character**

This precinct has the potential to become part of the future central business district of Newcastle. This is due to the location of the new transport interchange in the precinct. There is also a predominance of larger consolidated land holdings and fewer environmental and heritage constraints combined with generous floor space and height allowances. Improvements to streetscapes and Birdwood Park will raise the quality of the public domain, while adaptive re-use of the former brewery will enrich built form character in this precinct.
Objectives

1. Guide development that contributes to the realisation of a future commercial core.
2. Create a sense of arrival into the city centre from the western approach.
3. Promote active street frontages.
4. Protect heritage items and contributory buildings.
5. Promote a permeable street network in Birdwood Park precinct with well connected easily accessible streets and lanes.
6. Provide new public spaces and improve pedestrian amenity, particularly to Birdwood Park.
7. Improve Birdwood Park with a strong built edge and protecting sunlight access.

Performance criteria

D1 Pedestrian permeability and amenity is improved.

Acceptable solutions

1. New lanes and through-site links are provided in the locations identified in Figures 6.01-33 and 6.01-34. They are designed and constructed in accordance with the Public Domain section of this Development Guide and the City Centre Technical Manual.
2. The design of the laneway network integrates with the ground floor uses of adjoining buildings and provides opportunities for external activities.

Performance criteria

D2 The bulk of building form is managed to promote good amenity for pedestrians and neighbouring buildings and to integrate well with heritage items and contributory buildings.
Acceptable solutions
1. Large scale new development is articulated so that large expanses of building form are broken down into smaller elements to reduce building bulk.
2. Taller buildings are set back from Hunter Street, to provide a gradual increase in scale from Hunter Street.

Performance criteria
D3 Public domain - promote Birdwood Park as the primary open space asset in the precinct.

Acceptable solutions
1. New development in the precinct ensures that a minimum of 3 hours of sunlight is provided to 50% of Birdwood Park between 9 am and 3 pm on 21 June.
2. Reshape King Street, along Birdwood Park, as a shared pedestrian and vehicular street and a place of pedestrian activity by:
   (a) reducing the road carriageway to minimum widths to maximise space on the footpath for pedestrians, landscaping, public art or outdoor dining.
   (b) raising the level of the carriageway and marking the space with indicators to slow drivers and signal arrival into a shared space.
   (c) incorporating other traffic calming measures such as landscaping and low speed limits.
   (d) restricting service vehicle access at certain times of the day to allow for other activities.
3. Public domain works including tree planting, furniture, lighting and materials, is carried out in accordance with the City Centre Technical Manual.

Performance criteria
D4 Servicing and access minimises conflicts with pedestrians.

Acceptable solutions
1. Service deliveries are not to be made from Hunter Street or Stewart Avenue for development which has access to another street frontage.
2. For development that has no other frontage than Hunter Street, hours for service deliveries are restricted to minimise potential conflicts with other activities.
3. Vehicle access and servicing is located to minimise conflicts with pedestrians.
4. Loading docks and their access points are not permitted on Hunter Street.
Figure 6.01-35: Section though buildings fronting King Street and Birdwood Park showing 20m solar access plane setback
E. Civic Link

[Map of Civic Link Precinct]

Existing character
Civic Link Precinct sits within the Civic Character zone to the north of Hunter Street and is bound by Workshop Way and Merewether Street. The Precinct encompasses the former Civic Station and railway corridor and the Newcastle Museum.

Future character
This part of the city is intended to form part of the civic heart of Newcastle and will provide an important link between some of the region’s most important civic and cultural assets, including Civic Park, City Hall, Civic Theatre, Newcastle Museum and the foreshore.

The focus on Civic is to leverage the best value from new investments by creating open space and walking and cycling connections that link Newcastle’s civic buildings to the waterfront and the light rail system.

Creating a new civic focused public space, linking Hunter Street to the museum will provide a direct visual and physical connection from Wheeler Place to the harbour and meet the needs of the incoming populations.

Objectives
1. Provide a new public space that links the civic, administrative, education and cultural heart of Newcastle to the foreshore.
2. Guide development surrounding the new Civic Link and along Civic Lane that contributes to the realisation of the area as the civic heart of Newcastle.
Creating a new civic focused public space, linking Hunter Street to the museum will provide a direct visual and physical connection from Wheeler Place to the harbour and meet the needs of the incoming populations.

**Objectives**

1. Provide a new public space that links the civic, administrative, education and cultural heart of Newcastle to the foreshore.
2. Guide development surrounding the new Civic Link and along Civic Lane that contributes to the realisation of the area as the civic heart of Newcastle.
3. Promote a permeable street network and enhance pedestrian connections from Hunter Street to the foreshore.
4. Promote active frontages to streets and public spaces.
5. Respect heritage items and contributory buildings.

**Performance Criteria**

E1. Civic Lane provides an accessible, attractive link between Civic Link/Hunter Street and Wright Lane/Workshop Way. Vehicular and service access to the properties on the northern side of Hunter Street and the new developments between Civic Lane and Wright Lane is from Civic Lane.

**Acceptable solutions**

1. Civic Lane provides vehicular access, including basement carpark access to properties on the northern side of Hunter Street and the new developments between Civic Lane and Wright Lane.
2. Civic lane provides one-way vehicular movement in an east to west direction with an entry via a shared way through Civic Link onto Hunter Street.
3. A minimum 1.2m wide footpath is provided on the southern side of Civic lane.
4. Consolidated access points are provided to building lots along Civic Lane to reduce the dominance of driveways.
5. Pedestrian access along the northern side of Civic Lane is integrated within the building setback of the associated development.

*Figure 6.01-37: Civic Lane*
Performance criteria

E2. Pedestrian permeability and amenity is improved by the connection of the Wheeler Place Key Precinct through Honeysuckle to the waterfront.

Acceptable solutions

1. New lanes and open pedestrian links are provided in the locations identified in Figure 6.01-36.
2. New or enhanced links include:
   (a) Direct pedestrian connection between Hunter Street and Wright Lane / Honeysuckle Drive.
   (b) A minimum 4.5m wide pedestrian only link on the northern side of the former railway corridor between Civic Link and Merewether Street.
   (c) A minimum 8m wide vehicular accessway adjoining the southern boundary of the former railway corridor accessed from Merewether Street and a pedestrian link adjoining the northern boundary, between Civic Link and Merewether Street.

Performance Criteria

E3. Servicing and vehicular access minimises conflicts with pedestrians.

Acceptable solutions

1. Service deliveries and garbage collection hours are restricted to minimise potential conflict with pedestrians and other activities within the shared zone of the Civic Link open space.
2. Vehicle access and servicing to the sites adjoining Civic Lane is provided from Civic Lane to minimise conflicts with pedestrians.

Performance Criteria

E4. The bulk of building form is managed to achieve good amenity for pedestrians and neighbouring buildings, and to respect and integrate well with nearby heritage items and contributory buildings.

Acceptable solutions

1. New development is articulated so that large expanses of building form are broken down into smaller elements.
2. Taller buildings are set back from Civic Link, to provide a gradual increase in scale along the former railway corridor from Civic Link to the east and from Civic Link to the west.

3. Street wall heights ensure a minimum two hours of sunlight between 9am and 3pm in mid-winter to at least 50% of the Civic Link open space.

4. Buildings facing Civic Link include prominent architectural features or design on corners.

5. Buildings with a secondary frontage to a laneway incorporate setbacks that enable ground floor active uses, vehicular access and off-street loading zones. Upper level setbacks enable compliance with the Apartment Design Guide.

6. A reduced setback above the street wall height of 3m may be appropriate within sites bounded by Civic Link and Merewether Street.

Figure 6.01-39: Civic Link Section View Wheeler Place to Newcastle Museum
F. Darby Plaza

Existing character
Darby Street is the main dining centre of Newcastle and offers a mix of shops, cafes and restaurants and night life. At present Darby Street ends at the intersection with Hunter Street.

Future character
Darby Plaza will form a new community focused public space, providing a pedestrian and cycle connection from Hunter Street to the harbour.

Objectives
1. Provide new open space and improve pedestrian amenity.
2. Promote a permeable street network and enhance pedestrian connections from Darby Street to the foreshore.
3. Promote active street frontages.
4. Respect heritage items and contributory buildings.
5. Provide a strong built edge to Darby Plaza and create an integrated space between the public and private land.
**Performance criteria**

F1. Pedestrian permeability and amenity is improved with the capacity to generate safe public movement from Darby Street and Argyle Street to the waterfront.

**Acceptable solutions**

1. Adjacent mixed use development provides active frontages to both Hunter Street and the new Darby Plaza with active ground floor uses and natural surveillance from floors above.
2. Extension of view corridors from the eastern side of Darby Street and Argyle Street improves lines of sight increasing safety and wayfinding.

**Performance criteria**

F2. Darby Plaza supports a range of uses and activities and is edged by mixed use development along the west including active ground floor uses.

**Acceptable solutions**

1. Buildings adjoining Darby Plaza incorporate a ground floor setback from Darby Plaza as shown in Figure 6.01-40, which aligns with the eastern side of Darby Street.
2. Buildings adjoining Darby Plaza are designed to integrate into the public open space.

**Performance criteria**

F3. Servicing and access minimises conflicts with pedestrians.

**Acceptable solutions**

1. Vehicular access and servicing is from Argyle Street via a shared way within Darby Plaza and located so as to minimise and manage potential conflicts with pedestrians.
2. Hours for service delivery are restricted to minimize potential conflicts with pedestrian activities within the plaza.

**Performance criteria**

F4. Significant views are strengthened (refer to Section B2 View and vistas).

**Acceptable solutions**

1. Buildings adjoining Darby Plaza complement the view corridor through Darby Plaza.

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*Figure 6.01-41 Section through Darby Plaza*
G. Hunter Street Live-Work Units

Figure 6.01-42: Hunter Street Live-Work Units Key Precinct

Existing Character

Hunter Street features some of Newcastle’s best heritage buildings and offers a mix of shops, cafes, restaurants and other local businesses.

The former rail line ran directly to the northern edge of Hunter / Scott Streets between Crown and Newcomen Streets creating a poor and inactive interface. The rail corridor at this location is heavily overshadowed by the existing commercial and residential buildings fronting Wharf Road.

Future Character

New mixed use development, greater pedestrian priority and future transport improvements contribute to the potential for Hunter Street / Scott Street to be strengthened as Newcastle’s ‘main street. Infill development is encouraged on the northern side of Hunter Street between the alignments with Crown and Brown Streets to promote activity and improve the pedestrian interface and street edge definition. New built form at this location is sensitively scaled to allow for the maintenance of significant view lines from the adjoining residential apartments to the north. It is envisaged that this site, will be suitable for live-work style units fronting onto Hunter Street with ground floor commercial or office uses.
Objectives
1. Improve the pedestrian interface and street edge definition of Hunter Street.
2. Promote active street frontages.
3. Respect heritage items and contributory buildings.
4. Ensure development responds to and respects the amenity of adjoining residential development.

Performance criteria
G1. Hunter Street is strengthened as Newcastle’s ‘main street.’

Acceptable solutions
1. Active ground floor frontages supporting small office or retail uses are created along Hunter Street.
2. Built form is scaled to maintain a comfortable, human scaled streetscape.
3. Pedestrian amenity and walkability is enhanced by the provision of wide footpaths.
4. Windows and balconies overlook Hunter Street increasing natural surveillance and sense of safety.

Performance criteria
G2. The built form is appropriate to the land size and dimensions, provides streetscape definition and activation, and respects views from adjoining residential apartments.

Acceptable solutions
1. New development in this section of Hunter Street:
   (a) Incorporates active uses at ground level,
   (b) Provides individual pedestrian entries off Hunter Street,
   (c) Is of good quality contemporary design that complements nearby terrace development; and
   (d) Avoids monotonous design by incorporating articulation and a variety of materials and colours
2. New development respects views from the adjoining residential apartments located to the north of the former rail corridor, through the use of appropriate setbacks, building heights, roof form and building articulation.

Note: The NSW Land and Environment Court Planning Principle describes the process for assessing view impacts and will need to be considered in the design of the development.

3. Continuous street frontage awnings do not need to be provided in areas requiring an active frontage on Figure 6.01-42.

Alternative Solutions
• Alternate forms of development that are compatible with the narrow site width and surrounding development may be considered on the portion of the site east of Crown Street.
Performance criteria

G3. Vehicular access and servicing minimises conflicts with pedestrians

Acceptable solutions

1. Vehicle access and car parking is provided via a rear laneway from Argyle Street.
2. A 10m Vehicle turning head is provided at the eastern end of the rear access lane to allow vehicles to exit the site to Argyle Street.

Alternative Solutions

- The laneway may be extended north at the eastern end to link with Wharf Road.

Performance Criteria

G4. Live Work Units provide adequate parking accessed from the laneway.

Acceptable Solutions

1. Required car parking may be provided within the access laneway, rather than individual lots.
2. Variation to car parking rates may be considered in accordance with Section 7.03 Traffic, Parking and Access.

Performance Criteria

G5. New development respects and maintains heritage items - AA Company Abutment and Bridge

Acceptable Solutions

1. New development incorporates sufficient setbacks from the AA Company Bridge abutment so that it is retained in situ for permanent public display.
2. A physical interpretation is prepared which communicates and promotes the understanding of the historical context of the AA Company Bridge Abutment and its relationship to the early railways. The interpretation allows for content to be provided on an appropriate physical or digital platform.

Alternative Solutions

- If the bridge abutment cannot be retained in situ, options for its removal and re-installation where it can be kept on public display are to be developed in consultation with Newcastle City Council.
H. Newcastle Station and Foreshore Park

Existing character
Newcastle Railway Station, built in 1859, has State heritage significance due to its historical associations with the Great Northern Railway as its second terminus.

The Station site is central to Foreshore Park, located along Wharf Road, which provides vast open space for activities, recreation and community uses.

Future character
The Newcastle Railway Station forms a key position in the development of the urban environment in this part of the city, including views of the building itself and key built forms in its surrounds. The space between the platforms has historically been naturally lit and this should be considered in the redevelopment, as a way of retaining the history of the item as a station.

The future character of Newcastle Station and Foreshore Park Key Precinct will fully respect and celebrate the heritage integrity of the Station, and could accommodate a range of different activities including community, tourism, retail, leisure and commercial uses.

Newcastle Railway Station is proposed to be repurposed into a hallmark destination, retaining and adapting the heritage character with a mix of uses and providing a focal point for the East End. It will accommodate enterprises and activities that attract visitors, activate the area and stimulate the economy.
The future use of the station will be supported and enhanced by the expansion of the Foreshore Park to the west of the station. Development adjoining this area will complement and support the use of this area as an event space.

**Objectives**

1. Provide a new focal point for the community in the East End.
2. Promote a permeable street network and enhance pedestrian connections from Hunter Street to the foreshore.
3. Promote active frontages to streets and public spaces.
4. Respect heritage items and contributory buildings.

**Performance Criteria**

H1. Newcastle Station and Foreshore Park is a regional tourist and leisure destination for both residents and tourists.

**Acceptable Solutions**

1. Improve pedestrian permeability and amenity by providing a link from Scott Street between the significant Station buildings to the foreshore.
2. Protect the heritage and history of the Newcastle Station through its adaptive re-use.
3. Create a public open space area that is safe and well-utilised.
4. Promote the Foreshore Park as a regional open space asset.
5. The built form and land use considers noise impacts on nearby residential uses.
6. The built form of the Newcastle Station buildings provides frontages to Scott Street and to the north facing Foreshore Park.
7. View corridors identified in Figure 6.01-23 are retained.

**Performance Criteria**

H2. The Newcastle Railway Station group of buildings integrate with the public domain and encourage pedestrian access and permeability.

**Acceptable Solutions**

1. The use of the site, including the adaptive reuse of heritage items maintains the human scale of the buildings to the street and public spaces.
2. Pedestrian movement networks are developed around and through the heritage buildings.
3. Heritage items located adjacent to public open space, integrate with the public domain.
4. Development of the Newcastle Railway Station site:
   (a) Maintains views of Newcastle Station along Scott Street, particularly the main building and the Western Wing.
   (b) Maintains the view corridor from the harbour front to the roof elements on the main building and Western wing from a pedestrian level.
   (c) Ensure that the general bulk of any new development on the site does not compete with, impede or detract from the current tiered elevation and depth created by the built form in its current configuration.
(d) Maintains the view corridor from the west to Customs house. The bulk of new structures does not obscure views to and from the clock element on Customs house, beyond what has already been established.

(e) Ensures that the form, massing, scale and bulk of new development are complementary to the existing built form of the Newcastle Railway Station.
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CCL 09/05/17
EXHIBITION OF DRAFT AMENDMENT TO SECTION 6.01 NEWCASTLE CITY CENTRE
OF NEWCASTLE DEVELOPMENT CONTROL PLAN 2012

Attachment B: Urban Design Consultative Group report 15 March 2017
URBAN DESIGN CONSULTATIVE GROUP MEETING

ITEM No. 2

Date of Panel Assessment: 15th March 2017
Address of Project: Rail corridor
Name of Project (if applicable): N/A
DA Number of Pre-DA?: Draft DCP guidelines for Rail Corridor land
No. of Buildings: N.A.
No. of Units: N.A.
Declaration of Conflict of Interest: Prof. Michael Ostwald
Attendees: Applicant
Steve Aebi – Urban Growth
Nicola Robinson – Urban Growth
David Tickle – Hassell
Jenny Rudolph – Elton Consulting
Council
Steven Masia

Background Summary
The rail corridor land is presently subject to a Planning Proposal, and a draft LEP covering zoning, height and FSR controls which is currently on public exhibition. In parallel Section 6.01 of the Newcastle City Centre of Newcastle DCP 2012 is under review and the advice of the Panel is sought in relation to proposed amendments in the draft of that document. These comprise:-

- Insertion of extensive new wording relating to the rail corridor land
- Accompanying diagrams for each of 4 ‘Key Precincts’, and in addition 7 separate diagrams covering:-
  - Street wall height
  - Building setbacks
  - Access network
Views and vistas
- Active street frontages
- Infrastructure
- Amalgamated parcels

The Panel has twice previously reviewed the issues and the preliminary submissions from Urban Growth regarding the Rail Corridor, on 11th July and 17th August 2016. The proposed controls have responded positively to most of the Panel’s comments, but a number remain of concern.

The draft controls do not address the important related issues of landscape and urban design of the Hunter Street frontage when (and if) the street in future accommodates the proposed light rail. Continuity of street tree planting in particular will be critical.

The amended wording in the written document covers broad general principles and is considered to be satisfactory. Similarly the 7 diagrams covering general issues are supported. The following comments address only the diagrams covering the 4 ‘Key Precincts’.

Key Precincts
The report of the Panel for the August meeting in relation to the 5 main ‘Open Spaces’ is reiterated below in italics, with comments on the proposed amendments following:

01 Civic Link

The Group welcomed the additional access and public space connecting the Civic buildings with the Museum and the foreshore. The detailed landscape plan will hopefully explore further opportunities beyond the indicative design, which appears somewhat fractured. The Group was of the view that only the elements of the Civic station that relate to its heritage listing should be retained – as the space is relatively tight and the building tends to visually fill it, reducing the potential for visible through-site links.

The proposed open space is potentially a major new asset, but the indicative plan shows it being enclosed by the ends of a disparate array of buildings to the east and west, and open to the constant traffic in Hunter Street. This space requires a detailed urban design study to demonstrate how it can be contained and developed into a vital new place. ‘Parcel 4’ and the adjoining two parcels in public ownership should not be disposed of until there are clear controls in place to ensure that the outcome will achieve excellence.

In terms of the amenity of this space, there is concern that the proposed FSR (3:1) and height-limits (30m) for Parcel 3 (immediately to the west of the Civic link area) will create overshadowing and amenity problems during the year and lead to a scale-disjunction at the western edge of the public space. A lower height limit (24m) for this parcel, combined with a street wall control (say four storeys, then set back to any higher elements) should limit such problems.
COMMENT

The DCP diagram now includes a 16m ‘street wall height’ for the rail corridor land and Hunter Street sites on the western and eastern sides of the new public space. The LEP height control for the sites is 24 m. for sites to the west and 18m. for sites to the east; however the height for the site to the immediate north on the opposite side of Wright Lane remains at 30m. This continues to pose issues in relation to overshadowing and consistency of building forms. These may be solvable depending upon the extent of the setbacks and detailed design of development on those sites.

Re A2 Building Setbacks A2.01 “Acceptable Solutions (e) A 9m separation should be provided between habitable and non-habitable development on either side of Civic Lane.”

Given that it is proposed to widen the roadway to 7m, and to have at least minimal footpaths or pedestrian refuge areas in this shared roadway, this minimal separation would appear to be both insufficient and of little benefit. Furthermore, if residential accommodation (existing or proposed) forms part of the development under reference, the separations should reflect the minimum separation distances outlined in the Apartment Design Guide, as required by SEPP65.

There are a variety of unrelated sites bordering what has the potential to be an outstanding new major public space. The draft DCP controls relate only to certain basic constraints, and do not constitute urban design. The potential of the ‘Civic Link’ site will only be realised if there is a very clear design concept and strategy for implementation. This must include basic building forms, pedestrian movement, landscape paving and planting, and elements such as sculpture, water features etc’

It is recommended that:-
- The draft DCP controls be adopted for interim guidance
- ADG recommendations must take precedence over DCP controls.
- Before any development bordering the site proceeds, detailed urban design recommendations for the site be developed. The site is so significant that it could well justify the holding of a design competition.

- 02 Darby Plaza  (‘Key Precinct 5’ in draft DCP)
  Whilst it is unlikely that a direct view to the harbour from Darby Street will be obtained through this link, negotiations with the landholder at the eastern end of Centenary Road should aim at opening this space to expose a view from Darby Street of the heritage listed “Argyle House”. The UrbanGrowth (August 17 presentation) response to the UDCG acknowledges that this may be desirable.

COMMENT

The DCP diagram proposes a 22m street-wall height for development on the western Hunter-Argyle Streets corner, where the draft LEP height control is 24m. (Category S), with the opposite site to the east being 14m. (Category N). The open space is proposed to be in part ‘Private Open Space’ and in part ‘Shared Zone’. An “Important View Corridor” is identified, and a minimum 4m. setback on the western site is proposed. These constraints collectively appear reasonable, although the 2m. difference between the LEP and DCP street-wall height is queried, and it is also critical as recommended in the
previous report for development on the adjacent Centenary Road site to be integrated. If this can be achieved it appears feasible that a perhaps an unusual but quirky and attractive outcome could result.

It is recommended that:-

. The draft DCP controls be accepted for interim guidance
. Before any development on the sites fronting the proposed new ‘Darby Plaza’ is considered in detail an integrated design for the building forms addressing the ‘Plaza’ be prepared in consultation with all affected landholders.

• 03 Hunter Street Revitalisation (opposite the northern ends of Crown and Brown Streets) (‘Key Precinct 6 – Hunter Street Live-Work Units’ in draft DCP)

The aim of continuing a strong landscaped theme from the open green spaces to the east, westwards into and along Hunter Street was strongly supported by the Group. This element was considered crucial to achieving a cohesive urban outcome.

The narrowness of the strip of land east of Darby Street (Parcel 11) that will be available from the railway closure, was such that any residential use above small ground-floor retail spaces was likely to offer very poor amenity because of lack of aspect or solar access. The site(s) also offer difficult access for residential/retail uses. The existing apartment building and office blocks to the north of the corridor that are accessed from Wharf Road, look directly onto the rail corridor site at minimal setback.

The sketch sections and plans provided by Urban Growth (August 17 presentation) to test the feasibility of shop-top housing on Parcel 11 confirm that such an approach may be viable (in the form of ground floor commercial with two storey walk-up apartments above), but the amenity of these apartments is likely to be compromised by multiple site factors. Furthermore, this location is not ideal for housing of any type, although a hotel may be more appropriate. The UDCG also raised the possibility that Parcel 11 might be able to accommodate a narrow carpark, but sketch plans provided by Urban Growth suggest that there is insufficient site width for a double-loaded carpark, potentially undermining its feasibility.

Given the problems inherent in using Parcel 11, it may be better to investigate an alternative, landscape and pedestrian focused urban space, to visually continue the open green spaces along this length of corridor, towards the east.

COMMENT
The August 2016 comments remain relevant, and this site remains very challenging. On balance the Panel remains of the view that it is not attractive for any residential uses, and that a landscaped/pedestrian space would be preferable. A development of this option for consideration is to also utilize and partly activate the space with facilities such as ball courts/practice nets which require only limited width, screening these from the road with planting. Street tree planting will be particularly critical along this unappealing strip of
Hunter Street. The option of at least some parking on the site should not be dismissed, but the scheme would also allow some parallel parking or angle parking off Hunter Street – as current parking will be lost when the light rail is installed.

The draft DCP does not include height guidance but the draft LEP proposes a height of 14 m. with a small part of the site at the north end being 21 m.: the related FSR controls are 1.5:1 and 2.5:1 at the northern end. Both LEP controls are presumably on the basis that the site could accommodate ‘live-work’ units having acceptable amenity. This is considered to be questionable.

It is recommended that:-

- The draft DCP controls be supported
- The LEP controls in relation to zoning, height and density be reconsidered. A more detailed and realistic investigation of the viability of these controls be undertaken before any decision is made as to permissible development in this ‘Key Precinct 6’.

- **04 Entertainment Precinct** (‘Key Precinct 7’ in draft DCP)

  An active open-air entertainment precinct was seen as a positive inclusion. It could incorporate active spaces such as half basketball and/or half tennis courts, and ongoing, programmed, activities along the lines that the open spaces around Federation Square (Melbourne) are used for performances and other occasions.

- **05 Newcastle Station** (Also part of ‘key Precinct 7’)

  The Group strongly supported the suggestion that the Station and the land surrounding it should retain some meaningful public access, and if possible, should at least partially serve a civic function. The heritage station building is an important element of the city’s cultural and transport history, and any redevelopment should, as proposed, fully acknowledge its heritage and treat any new insertions in a sensitive manner.

  The scale of the station, and of the Customs House and its tower (opposite) should inform the height of any new development on the site. Ideally, any new development should have a height which is less than that of the heritage tower.

  Parcel 16, which encompasses the heritage station building, has a proposed FSR of 1.5:1 with a height limit of 20 metres to the southern edge of the site and 10 metres to the north. The visual impact assessment diagrams raise some concern about these heights. The UDCG recommends a 10m height limit to allow the heritage towers to remain visible elements in the urban fabric of the city and to limit overshadowing and view losses to the south.

**COMMENT**

The narrower western part of the site is proposed to be ‘open space’ which it is assumed will permit its development to include active sporting facilities as suggested in the August report.

In the Newcastle Station zone, heights to the south have been reduced as recommended, and the draft DCP proposes minimum street wall heights of 10 m. along Wharf and Watt
Streets and 15m. along Scott Street where the existing station building is located. The draft LEP limits the height to 10 m. (Category K) over all the site except for the station building where it is 15m. (Category O). Heights in the 10-15m. range would be appropriate on this important heritage site, although the draft DCP minimal heights need not necessarily continue for the full street frontages, depending upon the detailed design for the full site.

It is recommended that:-
. The draft DCP heights and other controls be adopted in principle
. A strategic master plan for the full site be developed before any specific development proposal is considered.

**Summary Recommendation**

1. The draft DCP controls are generally supported, subject to a number of relevant comments above.
2. Because this is such a unique opportunity for excellent new places to be created, detailed urban design plans should be in place for each of the 4 Key Precincts before any specific development proposals are considered.
ORDINARY COUNCIL MEETING
22 AUGUST 2017

CCL 22/08/17
SUPPLEMENTARY REPORT - EXHIBITION OF AMENDMENT TO SECTION 6.01 NEWCASTLE CITY CENTRE OF NEWCASTLE DEVELOPMENT CONTROL PLAN 2012

Attachment B: Correspondence from the Hon Anthony Roberts MP, Minister for Planning
Cr Nuatali Nelmes
Lord Mayor
The City of Newcastle
PO Box 489
NEWCASTLE NSW 2300

Dear Lord Mayor

PROPOSED AMENDMENT TO NEWCASTLE LEP 2012 – SURPLUS RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET IN THE CITY CENTRE

I am writing to you in relation to Newcastle City Council’s resolution of the meeting of 13 October 2016 regarding the proposed repurposing of the former heavy rail corridor from Worth Place to Scott Street, Newcastle.

Council’s endorsement of “CCL 27/09/16 - ENDORSEMENT OF PROPOSED AMENDMENT TO LOCAL ENVIRONMENTAL PLAN 2012 - RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET NEWCASTLE” on 13 October 2016 included requiring the NSW Government to make several commitments prior to the matter being considered by Councillors, but after the public exhibition of the proposal.

While the proposal is yet to be exhibited, it is considered timely to provide an update on the progress of the commitments required by Part C section 2 of the resolution: “A legislative commitment from the NSW Government that all proceeds from Newcastle Urban Transformation Project will be reinvested into the revitalisation of Newcastle”.

The NSW Government remains committed to reinvesting all former heavy rail corridor land sales revenue back into the Revitalising Newcastle program. Our current estimates of land sales at the following locations:

- West of Civic Link (UoN)
- East of Civic Link (Affordable Housing site)
- Darby Plaza site
- Between Argyle and Brown street alignments

This amounts to approximately $15 million. Given it is not possible to accurately predict the exact amount, we further commit to reconciling the amount received on each sale using the price recorded by the Office of State Revenue. Should further revenue be received justification on how this money was spent will be provided to Council.

I am advised that to ensure the sales revenue is spent on revitalising Newcastle, UrbanGrowth NSW and Hunter Development Corporation have negotiated a minimum amount in the draft planning agreement associated with the proposed rezoning that exceeds $15 million.
The planning agreement also commits to land dedication of almost 1.5 hectares. The value of this land has not been included in the minimum spending agreements.

It is also important to note the value of the land and works will far exceed any value gained from the proceeds of the sale of the non-public domain areas of the former rail corridor, and will augment the $500 million committed by the NSW Government for the revitalisation of the city centre.

I trust this information will help to clarify the position of the commitments outlined in Part C section 2 of the 13 October resolution, and the work that the NSW Government has been undertaking to ensure that these commitments are realised.

Yours sincerely

Anthony Roberts MP
Minister for Planning,
Minister for Housing,
Special Minister of State

cc. Mr Jeremy Bath – Interim CEO, Newcastle City Council
CCL 22/08/17
SUPPLEMENTARY REPORT - EXHIBITION OF AMENDMENT TO
SECTION 6.01 NEWCASTLE CITY CENTRE OF NEWCASTLE
DEVELOPMENT CONTROL PLAN 2012

Attachment C: Status Report from the Revitalising Newcastle Program Director
Dear Mr. Bath,

PROPOSED AMENDMENT TO NEWCASTLE LEP 2012 – SURPLUS RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET IN THE CITY CENTRE

I am writing to you in relation to Newcastle City Council’s resolution of the meeting of 9 May 2017 regarding the proposed repurposing of the former heavy rail corridor from Worth Place to Scott Street, Newcastle.

The resolution identified three items that are required by Council prior to the consideration of the reports recommending the public exhibition of the draft development control plan (DCP) amendment and draft voluntary planning agreement (VPA). These items relate to the transport requirements of the resolution of 13 October 2016, the quantum of affordable housing and the development of a community engagement plan.

Please find attached a report addressing our response to these issues, including a commitment to amend the quantity of affordable housing to 10%. This commitment recognises the recent Greater Sydney Commission’s draft policy target of between 5% and 10% at rezoning stage, subject to a range of factors including financial feasibility. The report also includes the following attachments:

- letter from Clare Gardiner-Barnes, Deputy Secretary, Freight, Strategy and Planning, Transport for NSW relating to the Greater Newcastle Future Transport Plan
- letter from the Hon Anthony Roberts MP, Minister for Planning relating to the hypothecation of funds from the development of the corridor.

I believe we have now satisfied all the requirements from the resolution and trust that the reports relating to the draft DCP and draft VPA will be considered at the next available Council meeting enabling the public exhibition of the planning proposal, draft DCP and draft VPA to commence as soon as possible. I would also like to reiterate the offer to provide Councillors a briefing on the matters contained in the attached response report, or other issues relating to the draft DCP, draft VPA or planning proposal.

Yours sincerely,

Michael Cassel
Program Director, Revitalising Newcastle

cc Councillor Nuatali Nelmes, Lord Mayor
UrbanGrowth NSW Response
to the Newcastle City Council Resolution of 9 May 2017
Background

On 13 October 2016 Newcastle City Council considered a report recommending the progression of a draft planning proposal for the rezoning of part of the former heavy rail corridor, between Worth Place and Scott Street, Newcastle for Gateway determination. The resolution noted several previous resolutions of Council, and media releases, letters etc. relating to the Newcastle Urban Transformation and Transport project, and the provision of light rail in Newcastle CBD.

In addition to progressing the proposal to Gateway, the resolution also committed to consultation with community and relevant government agencies in accordance with the Gateway determination. It also required a report back to Council on several aspects relating to transport planning, after public exhibition and prior to the progression of the proposal to the Minister for Planning for the LEP to be made.

UrbanGrowth NSW and Council have been developing draft development control plan (DCP) amendments and a draft voluntary planning agreement (VPA) to support the planning proposal. The draft DCP provides additional detailed controls to guide the development of the former heavy rail corridor sites while the draft VPA proposes the embellishment and dedication of significant public open space. These aspects form part of the planning package for the site and it is considered preferable for them to be placed on public exhibition together. This has resulted in a delay to the public exhibition of the planning proposal while the draft DCP and draft VPA are developed and considered by Council for progression to public exhibition.

At the meeting on 9 May 2017 Council resolved to lay on the table the consideration of reports recommending the public exhibition of the draft DCP and draft VPA, pending a report back on the status of the transport issues from the 13 October 2016 resolution and negotiations to maximise the provision of affordable housing within the VPA. The purpose of this report is to provide a status update on these items to fulfil the requirement of the 9 May 2017 resolution of Council.
RESOLVED: (Councillors Clausen/Osborne)

That both motions applying to Item 50 - Exhibition of Draft Amendment to Section 6.01 Newcastle City Centre of Newcastle Development Control Plan 2012 and Item 51 - Exhibition of Draft Planning Agreement for Rail Corridor Land Between Worth Place and Watt Street Newcastle, lay on the table until Council:

1. Receives a report on progress of Council’s unanimous motion of 13 October 2016 (Part C).

"PART C:

Require the following commitments prior to a report to back to Council under Part B v) (receive a report back on the Planning Proposal, including draft planning agreement, following the public exhibition as per the requirements of Section 57 of the EP&A Act.) of this motion:

1. The NSW Government develops a comprehensive, evidence based plan for public transport and active transport in the Lower Hunter consistent with achieving Council’s current transport targets including:
   a. An update of the Regional Transport Plan with clear objectives to be achieved for Public Transport in the region and
   b. A revised Traffic Report of traffic impacts in the CBD based on:
      i. Current and forecast land use development proposals for the CBD.
      ii. The Integrated Transport Plan for the CBD.
      iii. The Parking Strategy being prepared by Transport for NSW (TfNSW).
      iv. The Active transport Strategy Plan being prepared by TfNSW and NCC including cycleways and pedestrian access
   c. A comparison between the land use assumptions used in the REF compared with rezoning proposal.
   d. An integrated transport plan setting out the detailed operational arrangements for Busses and Ferries in conjunction with the proposed Light Rail and such plans conclusively establish that the corridor land is not needed for transport purposes.

2. A legislative commitment from the NSW Government that all proceeds from Newcastle Urban Transformation Project will be reinvested into the revitalisation of Newcastle.”

2. Negotiations are undertaken with the State Government (Urban Growth and HDC) to maximise provision of affordable housing through the draft planning agreement.

3. A community engagement plan be developed for the planning proposal outlining how consultation will be undertaken.
Integrated Transport Strategy Update

Status of resolution items

Transport for NSW is committed to long term transport planning and is in the process of updating the NSW Long Term Transport Master Plan (2012), Hunter Regional Transport Plan (2014) and other Regional Transport Plans to create a new Greater Newcastle Future Transport Plan. The new plan will consider the transport network, including public and active transport. The development of the plan will continue to involve consultation with Newcastle City Council and other stakeholders, and it is anticipated that community engagement on the plan will occur in September-October 2017.

Further information on the preparation of the Greater Newcastle Future Transport Plan was included in the letter dated 12 May 2017 from Clare Gardiner-Barnes, Deputy Secretary Freight, Strategy and Planning, Transport for NSW. A copy can be found at Attachment A.

The Traffic Impact Assessment prepared to support the planning proposal has been updated to reflect the changes to the proposed land uses for the corridor sites. It also clarifies that the traffic modelling of the assumed traffic generation for the Light Rail REF has been used to form the basis of the traffic impact assessment. This modelling confirms that the traffic generated by the proposed rezoning can be accommodated within the future road network.

The Newcastle City Centre Parking Strategy was released in April 2017, and the active transport strategy is currently being finalised. Both strategies have been developed in response to the resolution and involved significant stakeholder input. These strategies outline principles and opportunities relating to parking operations and the development of a comprehensive active transport network for the city centre.

The appointment of the integrated public transport services provider in late 2016 has enabled work to commence on developing detailed operational arrangements for buses, ferries and light rail. Plans are being advanced for the development of the bus and coach interchange at Wickham to provide a fully integrated transport hub, connecting heavy rail, buses and the future light rail.

UrbanGrowth NSW and Hunter Development Corporation have negotiated a draft planning agreement with Council associated with the proposed rezoning. This planning agreement commits to land dedication of almost 1.5 hectares, with remediation, landscaping and heritage works of over $16 million in value. The value of the land and works will far exceed any value gained from the proceeds of the sale of the non-public domain areas of the former rail corridor, and will augment the $500 million committed by the NSW Government for the revitalisation of the city centre.
### Status summary

<table>
<thead>
<tr>
<th>Item</th>
<th>On Track?</th>
<th>Comment</th>
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<tbody>
<tr>
<td><strong>1. Comprehensive, evidence based plan for public transport and active transport in the Lower Hunter</strong> (see letter at Attachment A)</td>
<td></td>
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<tr>
<td>1. a. Update of the Regional Transport Plan</td>
<td>✓</td>
<td>Included within new <em>Infrastructure and Services Plan</em> - draft due for community engagement October 2017</td>
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<tr>
<td>1. b. Revised Traffic Report of traffic impacts in the CBD</td>
<td>✓</td>
<td>Included in updated Traffic Impact Assessment to support planning proposal - complete</td>
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<tr>
<td>1.b.i. Current and forecast land use development proposals</td>
<td>✓</td>
<td>Included in updated Traffic Impact Assessment to support planning proposal - complete</td>
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<tr>
<td>1.b.ii. Integrated Transport Plan -</td>
<td>✓</td>
<td>Included within new <em>Infrastructure and Services Plan</em> - draft due for community engagement October 2017</td>
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<tr>
<td>1.b.iii. Parking Strategy</td>
<td>✓</td>
<td>Complete – released April 2017</td>
</tr>
<tr>
<td>1.c. Comparison between land use assumptions</td>
<td>✓</td>
<td>Included in updated Traffic Impact Assessment to support planning proposal - complete</td>
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<tr>
<td>1.d. Integrated transport plan setting out operational arrangements for busses and ferries</td>
<td>✓</td>
<td>Being developed with integrated public transport services provider</td>
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<tr>
<td><strong>2. Legislative commitment that all proceeds will be reinvested into the revitalisation of Newcastle</strong></td>
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<tr>
<td>Draft VPA committing over 1.5ha of land, and works valued at over $16m</td>
<td>✓</td>
<td>The draft VPA has been submitted to Council for endorsement for public exhibition</td>
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<tr>
<td><strong>Letter from Minister for Planning</strong></td>
<td>✓</td>
<td>Sent May 2017 – see Attachment B</td>
</tr>
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</table>
Affordable Rental Housing Commitment

UrbanGrowth NSW is currently reviewing its policy on affordable housing in consultation with a number of other NSW Government agencies including the Greater Sydney Commission, Department of Planning and Environment, and Family and Community Services, as well as community and industry stakeholders. To create consistency with the Greater Sydney Commission, the draft policy currently proposes to adopt an affordable rental housing target of 5-10% of new residential floorspace. In line with the Commission's District Plans, this commitment will be applied at the rezoning stage across the planning proposal area, subject to development feasibility, and in accordance with any relevant guidance developed by the Department of Planning and Environment.

During the negotiations for the draft VPA, UrbanGrowth NSW proposed the dedication of a site on the former heavy rail corridor at Merewether Street, and the co-ordination of a project to develop affordable housing on the site, along with funding from Hunter Development Corporation and Building Better Cities federal funding held by Council.

The proposal, for approximately 30 units, was based on the developable area of the site which is constrained by the maintenance of appropriate setbacks from the Newcastle Museum site to the north, and properties to the south. The number of units is also guided by the proposed planning controls for the site outlined in the planning proposal and proposed DCP amendment, which include height, floorspace and building setback controls, in addition to compliance with the State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development.

With the allocation of over 75 per cent of the land on the former heavy rail corridor for public open space, university and tourism uses, there is limited opportunity for mixed use development (see Attachment C – Proposed uses of the former corridor). The total number of units for the developable sites of the corridor is estimated to be 110 - 130 units, based on proposed planning controls. Therefore, the approximately 30 units proposed for the Merewether Street site would constitute around 25 per cent of the total number of units.

Alternative development sites at Darby Plaza and Hunter Street are constrained by greater construction and maintenance costs associated with, for example, the provision of laneway access to the Hunter Street sites and significant open space required to provide the building setback for the Darby Plaza site. This makes these sites less suitable for affordable rental housing development. However, the provision of affordable housing on these sites may be required as part of future development, in line with any adopted Council policy at the time of seeking development approval, and outside of the process of this current planning agreement.

UrbanGrowth NSW is committed to maximising the provision of affordable rental housing on the former heavy rail corridor at Merewether Street. In order to fulfil the requirements of the Council resolution of 9 May 2017 to maximise the provision of affordable housing through the draft planning agreement, it is proposed to increase the commitment to approximately 10% of new residential floorspace as affordable rental housing, subject to development feasibility. An amendment to the draft planning agreement will be made in this regard.
Community Engagement Plan

UrbanGrowth NSW is committed to providing the community with the opportunity to comment on the planning proposal at the earliest opportunity and will endeavour to support Council in the preparation and implementation of any community engagement processes relating to the public exhibition of the planning proposal, draft DCP amendment and draft VPA. It is a statutory requirement that the public exhibition of the draft documents is designed and delivered by Council and we understand that the communications plan and engagement strategy has been developed.

Previous engagement

Between 10 August and 18 September 2015, UrbanGrowth NSW in partnership with Newcastle City Council ran the Revitalising Newcastle community engagement program. The program was outlined in a community engagement plan prepared jointly by UrbanGrowth NSW and NCC and endorsed by the elected Council in July 2015. This provided the opportunity for community and other stakeholders to have input into deciding the program objectives and opportunities for the development of the former heavy rail corridor, and ultimately guide the land uses and development standards which form the basis of the planning proposal.

Public exhibition of the planning proposal

The planning proposal, adopted by Council through the resolution of 13 October 2016 for progression to Gateway determination, included a commitment for community consultation. This provided:

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Planning Proposal – Rail corridor land between Worth Place & Watt Street Newcastle (page 47)
Part 5 – Community Consultation
In accordance with the Department of Planning and Environment's guidelines, ‘A guide to preparing local environmental plans’ the Planning Proposal should be exhibited for a minimum 28 day period. This would also ensure consistency with the exhibition of the accompanying draft DCP guidelines and planning agreements which are required to be exhibited for a minimum of 28 days.
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This is consistent with the Environmental Planning and Assessment Regulation 2000, and also with the Newcastle Development Control Plan 2012, Part 8 Public Participation.

The planning timeline outlined in the planning proposal proposed that public exhibition would occur in March 2017, with consideration of submissions and a report back to Council in June 2017. As the anticipated timeframe for public exhibition has been deferred, it would be disappointing if the revised timeframe, for public exhibition in May/June 2017, was further delayed. We understand the communications plan and engagement strategy has been prepared meaning there should not be any further delay to implementation of the consultation process.
The public exhibition of the planning proposal forms a statutory part of the plan making process, and reinforces the previous rounds of community consultation which have guided the program and subsequent planning proposal. *A Guide to preparing local environmental plans* (Department of Planning and Environment 2016) provides the notice requirements for public exhibition and the specifications for materials that must be publicly available along with the planning proposal. It is anticipated that any community engagement plan would reiterate these requirements.
Attachment A – Transport for NSW letter re Greater Newcastle Future Transport Plan
12 May 2017

Councillor Nuatali Nelmes
Lord Mayor
Newcastle City Council
Level 2, City Hall
PO Box 489
NEWCASTLE NSW 2300

Dear Lord Mayor

I write to you in relation to the Council resolution of the meeting on 9 May 2017 on the Exhibition of Draft Planning Agreement for Rail Corridor Land between Worth Place and Watt Street Newcastle.

In 2012 the NSW Government committed to a five year review of the *NSW Long Term Transport Master Plan*. To meet that commitment, Future Transport has been developed to provide a high level visionary and integrated direction for transport infrastructure and services in NSW over the next 40 years.

The Greater Newcastle Future Transport Plan is currently being developed as part of Future Transport. The Greater Newcastle Future Transport Plan will provide an integrated transport strategy for Greater Newcastle for all modes to 2056.

In parallel with this work, Transport for NSW is preparing a Newcastle Transit Network Plan. This Plan will investigate transit corridors for buses, ferries and light rail. Outputs from the Plan will be included in the Greater Newcastle Future Transport Plan. Other key inputs to this planning work will include the Parking Strategy prepared by Transport for NSW and the Active Transport Strategy Plan being prepared jointly by Transport for NSW and Newcastle City Council which is almost complete.

Transport for NSW is working alongside the Department of Planning and Environment, Urban Growth and Hunter Development Corporation in the preparation of the Greater Newcastle Future Transport Plan and the Newcastle Transit Network Plan to ensure alignment of the Plans.
I would like to extend an offer to provide a briefing to you and your fellow Councillors on the status of this planning work at your earliest convenience. My office will be in contact with you to arrange a suitable time.

Yours sincerely

Clare Gardiner-Barnes
Deputy Secretary
Freight, Strategy and Planning
Transport for NSW
Attachment B – Minister for Planning letter re hypothecation of funds
Cr Nuatali Nelmes
Lord Mayor
The City of Newcastle
PO Box 489
NEWCASTLE NSW 2300

Dear Lord Mayor

PROPOSED AMENDMENT TO NEWCASTLE LEP 2012 – SURPLUS RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET IN THE CITY CENTRE

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Council’s endorsement of “CCL 27/09/16 - ENDORSEMENT OF PROPOSED AMENDMENT TO LOCAL ENVIRONMENTAL PLAN 2012 - RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET NEWCASTLE” on 13 October 2016 included requiring the NSW Government to make several commitments prior to the matter being considered by Councillors, but after the public exhibition of the proposal.

While the proposal is yet to be exhibited, it is considered timely to provide an update on the progress of the commitments required by Part C section 2 of the resolution: “A legislative commitment from the NSW Government that all proceeds from Newcastle Urban Transformation Project will be reinvested into the revitalisation of Newcastle”.

The NSW Government remains committed to reinvesting all former heavy rail corridor land sales revenue back into the Revitalising Newcastle program. Our current estimates of land sales at the following locations:

- West of Civic Link (UoN)
- East of Civic Link (Affordable Housing site)
- Darby Plaza site
- Between Argyle and Brown street alignments

This amounts to approximately $15 million. Given it is not possible to accurately predict the exact amount, we further commit to reconciling the amount received on each sale using the price recorded by the Office of State Revenue. Should further revenue be received justification on how this money was spent will be provided to Council.

I am advised that to ensure the sales revenue is spent on revitalising Newcastle, UrbanGrowth NSW and Hunter Development Corporation have negotiated a minimum amount in the draft planning agreement associated with the proposed rezoning that exceeds $15 million.
The planning agreement also commits to land dedication of almost 1.5 hectares. The value of this land has not been included in the minimum spending agreements.

It is also important to note the value of the land and works will far exceed any value gained from the proceeds of the sale of the non-public domain areas of the former rail corridor, and will augment the $500 million committed by the NSW Government for the revitalisation of the city centre.

I trust this information will help to clarify the position of the commitments outlined in Part C section 2 of the 13 October resolution, and the work that the NSW Government has been undertaking to ensure that these commitments are realised.

Yours sincerely

[Signature]

Anthony Roberts MP
Minister for Planning,
Minister for Housing,
Special Minister of State

cc. Mr Jeremy Bath – Interim CEO, Newcastle City Council.
Attachment C – Proposed uses of the former corridor
How the former corridor land is proposed to be used

Approximate area (m²)
- **Community benefit**: 34,000m²
- **Transport**: 25,500m²
- **Homes, retail and commercial**: 7,600m²

### ZONE PROPOSED LAND USE

<table>
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<tr>
<th>ZONE</th>
<th>PROPOSED LAND USE</th>
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<tr>
<td>A</td>
<td>Transport - light rail</td>
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<tr>
<td>B</td>
<td>Community benefit - education (University)</td>
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<tr>
<td>C</td>
<td>Community benefit - public recreation (Civic)</td>
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<td>D</td>
<td>Community benefit - Affordable Housing</td>
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<td>E</td>
<td>Transport - road</td>
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<tr>
<td>F</td>
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<tr>
<td>G</td>
<td>Homes, retail and commercial</td>
</tr>
<tr>
<td>H</td>
<td>Community benefit - public recreation (Darby Plaza)</td>
</tr>
<tr>
<td>I</td>
<td>Transport - light rail (electrical)</td>
</tr>
<tr>
<td>J</td>
<td>Homes, retail and commercial</td>
</tr>
<tr>
<td>K</td>
<td>Community benefit - tourism</td>
</tr>
<tr>
<td>L</td>
<td>Community benefit - public recreation (Market Street Lawn)</td>
</tr>
<tr>
<td>M</td>
<td>Community benefit - tourism</td>
</tr>
<tr>
<td>N</td>
<td>Community benefit - tourism</td>
</tr>
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</table>
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SUPPLEMENTARY REPORT - EXHIBITION OF AMENDMENT TO
SECTION 6.01 NEWCASTLE CITY CENTRE OF NEWCASTLE
DEVELOPMENT CONTROL PLAN 2012

Attachment D: Council's Draft Engagement Plan.
Rail Rezoning - Public Exhibition Period

Engagement and Communications Plan

August 2017
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Introduction

Hunter Development Corporation (formerly Urban Growth NSW) lodged a request to amend the Newcastle LEP 2012 on 6 July 2016 to rezone surplus rail corridor land between Worth Place and Watt Street in the Newcastle city centre.

On 13 October 2016 Council resolved to endorse a planning proposal to commence the amendment to Newcastle LEP 2012.

The Planning Proposal was forwarded to the NSW Department of Planning and Environment (DPE) for a ‘gateway determination’. The DPE issued the gateway determination on 13 December 2016, outlining that the proposal could proceed to public exhibition for a minimum of 28 days.

An associated draft Planning Agreement and Development Control Plan (DCP) to complement the Planning Proposal for the rail corridor rezoning has also been prepared. The Planning Agreement principally relates to the dedication and embellishment of public recreation areas and the provision of affordable housing within the Planning Proposal and the DCP proposes development guidelines that will apply to future development should the rail corridor rezoning be supported.

It is important that Council explain the three different documents that are on public exhibition; the Planning proposal, the draft Planning Agreement and DCP and the process that applies to each of the documents. Council has already provided advice and assistance in establishing a project specific webpage to inform the community of the LEP process and status of the rezoning process.


The elected Council has expressed a desire to ensure youth are included in any consultation activities. The Newcastle Youth Council (NYC) recommended social media as the best method to promote the message.

City Engagement Framework

Newcastle City Council is committed to being a leader in local government in Australia. These are our guiding principles to help us achieve this, improve our service delivery and respond to our community’s needs. Our City Engagement Charter is to:

Be accessible and inclusive by:
• Actively listening to our diverse community’s needs and expectations so that they may be understood and considered by the elected Council.

**Actively seek input into our decision-making by:**
• Encouraging the community to provide meaningful input and feedback
• Enabling genuine community participation and collaboration by using best practice consultation tools and techniques
• Using emerging innovative communication technologies to engage, plan and encourage information sharing with our community.

**Be open and transparent by:**
• Being clear and concise in all our communications
• Sharing information about Council services, activities and decisions
• Regularly promoting and celebrating the achievements of Council and the local community.

**Participation in decision making**
Community participation refers to the level or degree to which the community is involved in planning and decision making.

Newcastle City Council recognises and abides by best practice principles developed by the International Association for Public Participation (IAP2). This Community Engagement Strategy will include opportunities for stakeholders to be informed, consulted, involved and collaborated with, as defined by the IAP2 spectrum shown in the figure below.

![Increasing the level of public impact](image)

- **Inform**
  - To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.

- **Consult**
  - To obtain public feedback on analysis, alternatives and/or decisions

- **Involve**
  - To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

- **Collaborate**
  - To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.

- **Empower**
  - To place final decision-making and/or devolved budgets in the hands of the public.

**Promise**
- We will keep you informed.
- We will keep you informed, listen to acknowledge concerns and provide feedback on how public input influenced the decision.
- We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.
- We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.
- We will implement what you decide.
Requirements for community consultation

The Department of Planning & Environment have prepared ‘A guide to preparing LEPs’. It uses plain English to spell out the requirements in the Environmental Planning and Assessment Act 1979 (EP&A Act). In terms of community consultation for planning proposals (including the rail corridor) the minimum requirements are:

- Notification in a newspaper that circulates in the area affected by the planning proposal
- Notification on the website of the relevant planning authority
- Notification in writing to affected adjoining landowners, unless the planning authority is of the opinion that the number of landowners makes it impractical to notify them.

There are similar public notice requirements for Planning Agreements and DCPs.

Objectives

The project objectives are:

- Promote community awareness that the Planning Proposal and associated draft Planning Agreement and DCP are on public exhibition for comment
- Ensure that providing feedback is easy

To help the community understand the documents that are on public exhibition and the timeframes for the documents to be finalised and put in place.

To inform the community about:

- Hunter Development Corporation’s (formerly UrbanGrowth) request to amend the LEP
- The process involved with amending the LEP
- Changes to planning controls including - zoning, floor space and building heights
- The draft Planning Agreement
- The draft DCP for the rail corridor.

Community feedback:

- To gain feedback from the community for the reuse of surplus rail corridor land
- To gain community feedback to assist the decision making process on Council’s Planning Proposal to amend the LEP, associated draft Planning Agreement and draft DCP guidelines.

Stakeholders

The internal stakeholders for this project are:
- Elected Council - decision making e.g.
  - LEP endorsement for sending to Minister to 'make' the plan
  - adoption of DCP and Planning Agreement
- Council's Urban Planning Team - processing Planning Proposal to amend LEP, preparing DCP and Planning Agreement
- Urban Design Consultative Group - advisory role to the Urban Planning Team
- Development and Building - advisory role to the Urban Planning Team

The external stakeholders for this project are:
- All Newcastle residents / land owners
- Business operators
- Community groups
- Government agencies

**Engagement Outcomes**

The outcomes for the engagement and communications work are:
- Stakeholders better understand the LEP amendment process;
- Stakeholder are aware of when submissions can be made
- Stakeholders understand the purpose of Council's Planning Proposal (to amend the LEP) and associated draft Planning Agreement and draft DCP guidelines
- The above documents are easily accessible, enabling informed written submissions

The information gained from stakeholders during exhibition of Council's planning proposal, draft Planning Agreement and DCP will help inform the final documents presented to Council for consideration.

**Timelines**

One of the objectives of this strategy is to increase awareness and understanding of where the rezoning proposal sits in the extensive wider engagement program that has already been undertaken regarding the removal of the heavy rail line.

A timeline will be created that will be displayed on the rail rezoning public exhibition Engagement HQ site. As an example, a screen shot of the timeline associated with the South Stockton Active Hub is provided below.
Project Timeline

- **2016** - Students from St. Peters primary School Stockton call on Council to build a new playground.
- **2017** - Concept planning commences. Concept plans shown to consultative committees.

**Public Exhibition**
This consultation is open for contributions.

**Review**
Revision of Concept plans based on community feedback.

**Feedback**
The outcomes of the public exhibition period made publicly available.

**September 2017** - Detailed Design and relevant planning approvals

**Mid 2018** - Construction of South Stockton Active Hub
Engagement Activities

Development of a designated rail rezoning project engagement site on Council’s main website page

A specific former rail corridor rezoning project engagement site will be set up on Council’s website. Resident’s/visitors to the site will be able to use the geomapping tool Social Pinpoint and undertake an embedded survey. The site will also have relevant documents available for download, including the draft Planning Agreement and DCP, FAQs, a timeline (described above) and the ability to make a formal submission on any or all of the documents on exhibition.

Geomapping tool map and survey

A Social Pinpoint map will be developed and included on the rail rezoning public exhibition project site. Each ‘planning parcel’ associated with each component of the rail corridor under the LEP will be included on the map and will have a description of what is proposed (zone, building height, FSR, potential dwelling yield, proposed non-residential area) and have a brief survey embedded for people to provide comment. This serves the purpose of informing the public about the different aspects of the Planning Proposal and also provides the opportunity for the community to provide feedback additional to any formal submissions.

A report on the survey responses will be published.

An example of a Social Pinpoint map is provided below.
Community information sessions
Two community information sessions will be held with residents to describe the purpose of Council's Planning Proposal (to amend the LEP) and associated draft Planning Agreement and draft DCP guidelines and answer any questions residents may have. Collateral will be provided so residents can be walked through the various components of the proposal.

Ipads will be available and staff will assist residents to use the social pinpoint map and survey, as well as describe the ways they can lodge formal submissions.

Submissions
Formal submissions will be able to be provided via the rail Planning Proposal public exhibition project site and via traditional methods (posted written submissions).

When calling or advertising for public submissions, council will note that all submissions will be made public unless there is a specific request for a submission to remain confidential. All submissions made during the public exhibition period will be published on the relevant part of the council's website, unless non-publication or anonymity has been requested by the person or body making the submission.

Council officers will produce a summary of all issues raised in submissions and provide a response to each of these issues.

Public Voice Session
Community representatives will also have the opportunity to present their comments about the Hunter Development Corporation (formerly UrbanGrowth NSW) Planning Proposal during the consultation and exhibition period at a Council Public Voice Session, as resolved at the Ordinary Council meeting held on 26 April 2017.
## Communication plan

<table>
<thead>
<tr>
<th>Target audience</th>
<th>Communication tools</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councillors</td>
<td>Councillor Memos</td>
</tr>
<tr>
<td></td>
<td>Community information sessions, with invitations via the corporate diary</td>
</tr>
<tr>
<td></td>
<td>Media releases</td>
</tr>
<tr>
<td>Community</td>
<td><strong>Media</strong></td>
</tr>
<tr>
<td></td>
<td>Media release about the public exhibition and promotion of drop-in sessions</td>
</tr>
<tr>
<td></td>
<td>Editorial/article about public exhibition, encouraging community to have their say</td>
</tr>
<tr>
<td>Community</td>
<td><strong>Advertising</strong></td>
</tr>
<tr>
<td></td>
<td>Print advertisements in Newcastle Herald to promote public exhibition</td>
</tr>
<tr>
<td>Community</td>
<td><strong>Digital</strong></td>
</tr>
<tr>
<td></td>
<td>Promotion of public exhibition on Council's main website, with link to engagement site</td>
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<tr>
<td></td>
<td>Online advertising, with links to Council’s website and engagement page</td>
</tr>
<tr>
<td>Community</td>
<td><strong>Newsletters</strong></td>
</tr>
<tr>
<td></td>
<td>Article in Council eNews (a fortnightly e-newsletter).</td>
</tr>
<tr>
<td></td>
<td>Reminders of drop-in sessions</td>
</tr>
<tr>
<td>Community</td>
<td><strong>Social media</strong></td>
</tr>
<tr>
<td></td>
<td>Posts on council main social media channels, with link to Council’s engagement site.</td>
</tr>
<tr>
<td></td>
<td>Posts to promote drop-in sessions</td>
</tr>
<tr>
<td>Community</td>
<td><strong>Letter to all landowners</strong></td>
</tr>
<tr>
<td>Non digitally connected</td>
<td>Print advertising</td>
</tr>
<tr>
<td>Community</td>
<td><strong>Staff</strong></td>
</tr>
<tr>
<td></td>
<td>Regular updates via NovoNews and Council’s intranet with details of drop in sessions.</td>
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</tbody>
</table>
CCL 22/08/17
SUPPLEMENTARY REPORT - EXHIBITION OF AMENDMENT TO
SECTION 6.01 NEWCASTLE CITY CENTRE OF NEWCASTLE
DEVELOPMENT CONTROL PLAN 2012

Attachment E: Gateway Determination from the Department of Planning and Environment.
Mr Peter Chrystal  
Interim Chief Executive Officer  
Newcastle City Council  
PO Box 489  
Newcastle NSW 2300

Dear Mr Chrystal

Planning proposal to amend Newcastle Local Environmental Plan 2012 – Rail Corridor and Adjacent Lands

I am writing in response to Council’s request for a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 (EP&A Act) in respect of the planning proposal for the now surplus portion of the rail corridor, Newcastle Rail Station and certain adjacent land.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

In making this determination, I have carefully considered the proposed rezoning of Parcel 12. I understand the challenges that this site has posed for Council when determining planning controls, particularly considering the uncertainty regarding the longer term future of the adjacent land. As such I have determined not to support Parcel 12 proceeding as part of the broader planning proposal. I am of the opinion that Parcel 12 should proceed separately as a consolidated proposal for both the site and the adjacent council owned land.

I also have not supported the identification of Parcel 12 and Parcel 8 (and adjacent land) as key sites and therefore requiring an architectural design competition. I consider that the existing provisions, including the requirement to consider design excellence provide adequate support for quality design and that a mandatory architectural design competition for future development on these sites represents an unnecessary additional step.

As delegate of the Secretary, I have agreed that the planning proposal’s inconsistencies with S117 Directions 4.1 Acid Sulfate Soils and 4.3 Flood Prone Land are of minor significance. No further approval is required in relation to these Directions. I have also agreed with the inconsistency with Direction 6.1 Approval and Referral Requirements and 6.3 Site Specific Provisions in relation to the identification of the Newcastle Railway Station as a key site.

Council will still need to obtain the agreement of the Secretary to comply with the requirements of S117 Direction 6.2 Reserving Land for Public Purposes. Council should ensure this occurs prior to the plan being made.
The Department supports Council's approach to exhibit the planning proposal with the draft development control guidelines and planning agreement to inform the community about the detail of what is proposed. However if the legal drafting for the planning agreement delays the exhibition, it is considered appropriate that an updated letter of offer is adequate for the purposes of public exhibition of the planning proposal so as not to unreasonably delay exhibition of the planning proposal.

The Department is currently consulting on an improved policy framework for voluntary planning agreements. Council is encouraged to consider the draft material in respect to their negotiations with Urban Growth NSW.

I note that Council's resolution includes a number of matters relating to transport planning within the Newcastle City Centre that are beyond the scope of the LEP amendment process. These are matters for Council to progress with Transport for NSW and Urban Growth NSW directly.

Consistent with Council's proposal, the amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Katrine O'Flaherty from the Hunter office to assist you. Ms O'Flaherty can be contacted on (02) 4904 2710.

Yours sincerely

[Signature]

Marcus Ray
Deputy Secretary
Planning Services

13/12/2016
Gateway Determination

Planning proposal (Department Ref: PP_2016_NEWCA_007_00): rezone the surplus portion of the rail corridor between Worth Place and Watt Street Newcastle, the Newcastle Train Station and certain adjacent land

I, the Deputy Secretary Planning Services, at Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act 1979 that an amendment to the Newcastle Local Environmental Plan (LEP) 2012 to rezone the surplus portion of the rail corridor between Worth Place and Watt Street Newcastle, the Newcastle Rail Station and certain adjacent land, should proceed subject to the following conditions:

1. Amend the planning proposal and draft maps prior to community consultation to:
   a. remove Parcel 12, and remove the key site from Parcel 12 and Parcel 8;
   b. clearly describe the proposed changes on individual parcels, including land outside of the corridor, for the purposes of community consultation;
   c. clearly identify the additional land, outside of the rail corridor, that is subject to amendment including within the proposal's title, summary and justification.
   d. address the consistency of the proposal with the Hunter Regional Plan 2036;
   e. provide additional information regarding the strategic justification for decisions regarding the proposed pedestrian connection and Darby plaza concepts;
   f. note changes to the level of retail, transport and social impact of the proposal (as otherwise stated in the studies submitted by the proponent) following the reduction in proposed B4 zone by Council and removal of Parcel 12; and
   g. correction of minor anomaly related to Parcel 3 (Council report, Attachment E) and inclusion of an amendment to map labelling for Parcel 10 to identify the parcel as SP2 Infrastructure (Electricity Generating Works Facility).

2. Community consultation is required under section 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 as follows:
   a. the Planning Proposal be made publicly available for 28 days; and
   b. the relevant authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be publicly available along with planning proposals as identified in section 4.5 of A guide to preparing Local Environmental Plans, Department of Planning and Environment 2016.
3. Consultation is not required with any public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act 1979. Previous consultation with the Mine Subsidence Board for the purposes of s117 direction 4.2 is considered adequate.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Environmental Planning and Assessment Act 1979. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.

5. The timeframe for completing the LEP is 12 months from the date of the Gateway Determination.

Dated 13th day of December 2016.

Marcus Ray  
Deputy Secretary  
Planning Services  
Department of Planning and Environment  
Delegate of the Minister for Planning