Councillors,

In accordance with section 367 of the Local Government Act, 1993 notice is hereby given that an Ordinary Council Meeting will be held on:

DATE: Tuesday 22 May 2018
TIME: 5.30pm
VENUE: Council Chambers
2nd Floor
City Hall
290 King Street
Newcastle NSW 2300

J Bath
Chief Executive Officer
City Administration Centre
282 King Street
NEWCASTLE NSW 2300

15 May 2018

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ITEM-49 CCL 22/05/18 - WICKHAM AMENDMENTS - ENDORSEMENT OF AMENDMENT TO NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012

ITEM-50 CCL 22/05/18 - ENDORSEMENT OF EXHIBITION OF AMENDMENT TO ALCOHOL FREE ZONE IN MAYFIELD

ITEM-51 CCL 22/05/18 - AA COMPANY HOUSE - ENDORSEMENT OF AMENDMENT TO NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012

NOTICES OF MOTION

ITEM-9 NOM 22/05/18 - PENSIONER REBATES

REPORT ON NOTICE OF MOTION - PENSIONER REBATES - 22 MAY 2018

ITEM-10 NOM 22/05/18 - SOLAR UPTAKE

ITEM-11 NOM 22/05/18 - RV DISPOSAL POINTS

ITEM-12 NOM 22/5/18 - NEWCASTLE AS A WELCOMING CITY AND REFUGEE WEEK

ITEM-13 NOM 22/5/18 - TIGHES HILL COMMUNITY GARDEN

CONFIDENTIAL REPORTS

ITEM-7 CON 22/05/18 - CONTRACT 2018/320T - CONSTRUCTION OF SMALL VEHICLE RECEIVAL CENTRE AT SUMMERHILL WASTE MANAGEMENT CENTRE

ITEM-8 CON 22/05/18 - UNDERTAKING OF URGENT POLLUTION CONTROL WORKS AT SUMMERHILL WASTE MANAGEMENT CENTRE

FOR DOCUMENTS MARKED 'DISTRIBUTED UNDER SEPARATE COVER' REFER TO COUNCIL’S WEBSITE AT www.newcastle.nsw.gov.au

NOTE: ITEMS MAY NOT NECESSARILY BE DEALT WITH IN NUMERICAL ORDER
CONFIRMATION OF PREVIOUS MINUTES

MINUTES - ORDINARY COUNCIL MEETING 1 MAY 2018

RECOMMENDATION

The draft minutes as circulated be taken as read and confirmed.

ATTACHMENTS

Attachment A: 180501 Ordinary Council Meeting Minutes

Note: The attached minutes are a record of the decisions made by Council at the meeting and are draft until adopted by Council. They may be viewed at www.newcastle.nsw.gov.au
PRESENT
The Lord Mayor (Councillor N Nelmes), Councillors J Church, D Clausen, C Duncan, J Dunn (arrived 5.38pm), B Luke, J Mackenzie, A Robinson, E White and P Winney-Baartz.

IN ATTENDANCE
J Bath (Chief Executive Officer), A Jones (Interim Director Corporate Services), J Rigby (Acting Director Infrastructure), J Gaynor (Interim Director Planning and Regulatory), S Moore (Manager Business Partnering), K Arnott (Corporate Strategist), M Cherry (Manager Rates and Debt Management), E Kolatchew (Interim Legal and Governance Manager), M Murray (Policy Officer), C Field (Executive Assistant to the Lord Mayor), B Johnson and N Keene (Communications), A Leach (Council Services/Minutes) and K Sullivan (Council Services/Webcasting).

MESSAGE OF ACKNOWLEDGEMENT
The Lord Mayor read the message of acknowledgement to the Awabakal and Worimi peoples.

PRAYER
The Lord Mayor read a prayer and a period of silence was observed in memory of those who served and died so that Council might meet in peace.

APOLOGIES

MOTION
Moved by Cr Clausen, seconded by Cr Duncan

The apologies submitted on behalf of Councillors Byrne and Rufo be received and leave of absence granted.

Carried

MOTION
Moved by Cr Luke, seconded by Cr Church

The apologies submitted on behalf of Councillor Elliot be received and leave of absence granted.

Defeated
DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor B Luke
Councillor Luke declared a non-pecuniary less than significant conflict of interest in Item 33 - Executive Monthly Performance Report as it included the re-investment Surplus Funds Report which mentions multiple financial institutions that he had dealings with in his business. The declaration is less than significant as he noted he was not involved in determining where funds are invested and was just receiving a report.

WELCOME
The Lord Mayor acknowledged the presence of former Deputy Lord Mayor, Alderman and Newcastle City Councillor Frank Rigby and welcomed him to the Chamber.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - PUBLIC VOICE COMMITTEE 20 MARCH 2018
MINUTES - BRIEFING COMMITTEE 20 MARCH 2018
MINUTES - ORDINARY COUNCIL MEETING 27 MARCH 2018

MOTION
Moved by Cr Mackenzie, seconded by Cr Clausen

The draft minutes as circulated be taken as read and confirmed.  

Carried

LORD MAYORAL MINUTE

ITEM-5  LMM 01/05/18 - CONDOLENCE MOTION: MR PETER WALMSLEY

MOTION
Moved by Lord Mayor, Cr Nelmes,

That Council:

1 Notes with sadness the passing of Mr Peter 'Walmo' Walmsley, former long term manager of Newcastle Ocean Baths from 1976 to 2000; and

2 Acknowledges and commends Mr Walmsley for his service to the City of Newcastle, noting his 43 years as an officer of Newcastle City Council.

Carried unanimously
ITEM-6  LMM 01/05/18 - INTERNATIONAL WORKERS' DAY 2018

MOTION
Moved by Lord Mayor, Cr Nelmes

That Newcastle City Council:

1. Notes that 1 May 2018 marks the occasion of International Workers' Day 2018, otherwise known as Labour Day, or May Day;
2. Recognises that International Workers’ Day is an important occasion to recognise the role of workers and the organised Labour movement in achieving significant workplace rights such as an eight hour working day, annual leave, sick and carers leave, long service leave, maternity leave, superannuation, penalty rates, health and safety and workers’ compensation, meal and rest breaks, collective bargaining and equal pay for women; leading to the quality of life that Novocastrians enjoy today;
3. Acknowledges that 28 April 2018 marked International Day of Mourning, remembering those who lost their life through a workplace incident or occupational disease.
4. Reaffirms our commitment to doing all that we can to ensure that every Novocastrian worker is safe and protected, and able to return home safely to their families after each day at work.

For the Motion: Lord Mayor, Cr Nelmes and Councillors Clausen, Duncan, Dunn, McKenzie, White and Winney-Baartz

Against the Motion: Councillors Church and Luke.

Carried

Councillor Robinson left the Chamber at 5.51pm and returned at 5.59pm and was absent from the Chamber for the vote on this item.

ITEM-7  LMM 01/05/18 - LOW COST INFRASTRUCTURE LOAN INITIATIVE

MOTION
Moved by Lord Mayor, Cr Nelmes

That Council:

1. Notes that the NSW Government has announced the creation of the Low Cost Loan Initiative, aimed at assisting councils to fund critical infrastructure projects that support new homes;
2. Notes that Local Government NSW President Cr Linda Scott has encouraged all eligible councils to consider applying for funding through the Initiative;
3. Explores opportunities that may exist to apply for Infrastructure loans under the Low Cost Loans Initiative, to fund critical new infrastructure to support new housing within the Newcastle Local Government Area (LGA), noting that applications must be received by 1 July 2018.

Carried unanimously
ITEM-33  CCL 01/05/18 - EXECUTIVE MONTHLY PERFORMANCE REPORT - MARCH 2018

MOTION
Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

The report be received.

ITEM-34  CCL 01/05/18 - EXHIBITION OF DRAFT 2018/19 OUR BUDGET AND DRAFT 2018/19 FEES AND CHARGES REGISTER

MOTION
Moved by Lord Mayor, Cr Nelmes, seconded by Cr Clausen

1 Council places the draft 2018/19 Our Budget (2018-2022 Delivery Program and 2018/19 Operational Plan) and the draft 2018/19 Fees and Charges Register on public exhibition for 28 days prior to final consideration by Council.

2 The following additional wording be added to page 67 of Attachment A - Our 2018/19 Budget - Rating Structure:

'Property owners who pay the City Centre benefit (special rate) may apply for rate assistance of an amount up to 50% of the special rate levied for 2018/19. This assistance is conditional on the property owner committing this reimbursement to their tenant/s whose business is suffering financial hardship due to the light rail construction.

'Property owners and tenants will be required to complete and submit an application form with supporting evidence to Council to be eligible'.

3 The fees and charges for Beresfield Swimming Centre as outlined on pages 26 to 28 of the Draft 2018/19 Fees and Charges Register are to remain the same as the 2017/18 budget with the exception of life guard fees within the document to be exhibited.

Councillor Luke raised the following questions regarding Part 2 of the motion and requested they be taken on notice:

- What was Council's legal basis in order to enact Part 2 of the motion? Could Councillors be provided with the legal documentation supporting this?;
- Who was going to decide which property owners receive the rebate? Was there going to be a body or group that make the decision?;
- How would Council know how property owners have used the rebate?;
- On what legal basis gave Council the power to tell property owners how to use the rebate?;
- How will Council enforce the proposal?; and
Given the requirement for the Minister for Local Government to approve the Special Rate, had the Minister's approval been sought and received in regard to this change?

Councillor Mackenzie requested clarification on the legality of the rate variation.

The Chief Executive Officer (CEO) advised that Council could legally rebate up to 50% of the Special Rate Levy for those businesses that were situated within the Business Improvement Area (BIA) and that would normally be transferred to Newcastle NOW.

The CEO confirmed that Council was not required to seek approval from the Minister for Local Government to rebate a Special Levy and confirmed that the program would be administered by Council's Finance department. The CEO added that Council was currently determining the resources for this program and further details would be forwarded to Councillors by way of a memo.

The CEO advised that the rebate would be processed and paid after confirming the corresponding amount would be forwarded to tenants.

The motion moved by Lord Mayor, Cr Nelmes and seconded by Councillor Clausen was put to the meeting.

*For the Motion:* Lord Mayor, Cr Nelmes and Councillors Clausen, Duncan, Dunn, Mackenzie, White and Winney-Baartz.

*Against the Motion:* Councillors Church, Luke and Robinson.  

Carried

ITEM-35  CCL 01/05/18 - YOUTH COUNCIL REPORT 2016/2017

MOTION

Moved by Cr Clausen, seconded by Cr Duncan


Carried unanimously

ITEM-36  CCL 01/05/18 - CITIES LEADERSHIP INSTITUTE MEMBERSHIP REPORT

MOTION

Moved by Cr Mackenzie, seconded by Cr Clausen

Council approves continued membership of the Cities Leadership Institute for 12 months.
ITEM-37  CCL 01/05/18 - ENDORSEMENT OF DRAFT NEWCASTLE 2030 COMMUNITY STRATEGIC PLAN (REVISED 2018) FOR PUBLIC EXHIBITION

Councillor Luke left the Chamber at 6.42pm and returned at 6.44pm.

MOTION
Moved by Cr Nelmes, seconded by Cr Mackenzie

Place the draft Newcastle 2030 Community Strategic Plan (Revised 2018) (Attachment A) on public exhibition for 28 days.

Carried unanimously

ITEM-38  CCL 01/05/18 - SANCTUARY ESTATE, FLETCHER - ENDORSEMENT OF AMENDMENT TO NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012

MOTION
Moved by Cr Clausen, seconded by Cr Robinson

Council resolves to:

i) Endorse the attached Planning Proposal (Attachment A), prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act), to amend Newcastle Local Environmental Plan 2012 as outlined in the following table:
ii) Forward the Planning Proposal to the Minister for Planning and Environment for Gateway Determination pursuant to Section 3.34 of the *EP&A Act*.

iii) Advise the Secretary for Planning and Environment that Council does not seek to exercise delegations for undertaking Section 3.36 of the *EP&A Act*.

iv) Receive a report back if a written objection is received during consultation with the community as per the requirements of Section 3.34 of the *EP&A Act*, otherwise forward the Planning Proposal to the Secretary, for Planning and Environment requesting the proposed amendment to the NLEP be made.

Councillor Dunn left the Chamber at 6.46pm and returned at 6.47pm.

**PROCEDURAL MOTION**

Moved by Cr Church, seconded by Cr Luke

The item lay on the table pending a Councillor workshop on the item.  

**Defeated**

The motion moved by Councillor Clausen and seconded by Councillor Robinson was put to the meeting.

**For the Motion:** Lord Mayor, Cr Nelmes and Councillors Clausen, Duncan, Dunn, Luke, Mackenzie, White and Winney-Baartz

**Against the Motion:** Councillor Church.  

**Carried**
NOTICES OF MOTION

ITEM-8 NOM 01/05/18 - PROTECTING THE CITY OF NEWCASTLE’S HERITAGE

MOTION
Moved by Cr Duncan, seconded by Cr Winney-Baartz

Council:
1. Establishes a Newcastle Heritage Working Party, to implement and update Council’s Heritage Strategy;
2. Identifies previous Heritage Studies that have been prepared for sites across the City of Newcastle since 2000;
3. Identifies any additional areas which may benefit from inclusion as Heritage Conservation Areas, including areas of industrial heritage significance;

During discussion Councillor Mackenzie expressed concern about who was going to be involved in the Working Party and the reporting process to Council.

The Lord Mayor suggested that Council receive a report on establishing the Working Party.

Councillor Duncan and Winney-Baartz agreed to the suggested change.

For the Motion: Lord Mayor, Cr Nelmes and Councillors Church, Clausen, Duncan, Dunn, Mackenzie, White and Winney-Baartz

Against the Motion: Councillor Luke. Carried

CONFIDENTIAL REPORTS

ITEM-5 CON 01/05/18 - CONFIDENTIAL PROPERTY MATTER - NEWCASTLE AIRPORT EXPANSION LAND ACQUISITION

PROCEDURAL MOTION
Moved by Cr Winney-Baartz, seconded by Cr Mackenzie

Council move into Confidential session for the reasons outlined in the Business Papers. Carried

Councillor Dunn was absent from the Chamber at the opening of the Confidential session. Councillor Dunn returned to the Chamber at 7.06pm.

Council reconvened at 7.18pm and the Chief Executive Officer reported the resolutions of confidential session with regard to Item 5 Confidential Property Matter - Newcastle Airport Expansion Land Acquisition and Item 6 Building Better Cities Committee Affordable Housing Tender Recommendation.
MOTION
Moved by Cr Duncan, seconded by Cr Robinson

1 That Port Stephens Council (PSC) and Newcastle City Council proceed with the purchase of land known as Lot 11 DP 1036501 and Lot 3 DP 1036690 (Land) as tenants in common in equal shares as operational land on the terms set out in the body of this Council Report.

2 That Council approves the implementation of the new structure at Attachment A and the transfer of their interests in the Land on the terms set out in the body of this Council Report.

3 That Council, jointly with PSC, makes an application to the Minister for approval of the new structure at Attachment A in accordance with section 358 of the Local Government Act 1993.

4 That Council authorises the Lord Mayor and Chief Executive Officer to affix the Council Seal to any documents associated with the purchase, transfers and new structure/entity, requiring the Council Seal.

5 That Council delegates to the Chief Executive Officer the authority to finalise the purchase, transfers and new structure/entity including to execute all documentation not requiring the Council Seal.

6 This confidential report relating to the matters specified in section 10A(2)(d) of the Local Government Act 1993 be treated as confidential and remain confidential until Newcastle Airport Pty Limited determines otherwise.

For the Motion: Lord Mayor, Cr Nelmes and Councillors Church, Clausen, Duncan, Dunn, Robinson, White and Winney-Baartz

Against the Motion: Councillors Luke and Mackenzie. Carried

ITEM-6 CON 01/05/18 - BUILDING BETTER CITIES COMMITTEE AFFORDABLE HOUSING TENDER RECOMMENDATION

MOTION
Moved by Cr Mackenzie, seconded by Cr Church

1 Accept the Compass Housing Services Co Ltd tender for the construction and ongoing management of 17 (seventeen) Affordable Housing Units (AHUs) at 43 Station Street Wickham through a Building Better Cities (BBC) funding contribution of $3.01M.

2 The $3.01M contribution from the BBC Housing Program shall be subject to Compass Housing Services entering into a funding agreement with Council.
3 This confidential report relating to the matters specified in s10A(2)(d) of the Local Government Act 1993 be treated as confidential and remain confidential until Council determines otherwise.

Carried unanimously

The meeting concluded at 7.20pm.
MOTION

That Council:

1. Notes that the New South Wales Government will hand down the 2018-19 Budget on Tuesday, 19 June 2018;
2. Calls on the New South Wales Government to deliver a number of key priority projects that would benefit the City of Newcastle; and
3. Writes to the New South Wales Treasurer, the Hon Dominic Perrottet MP, outlining key projects that should be delivered in the 2018-19 New South Wales Budget, prior to 1 June 2018.

Background:

- **Lower Hunter Freight Corridor**

  Transport for NSW are currently undertaking preliminary investigations to assess options for the Lower Hunter Freight Corridor which will enable a future dedicated freight rail line to be constructed between Fassifern and Hexham; bypassing Newcastle while improving regional and interstate links.

  The feasibility study should be expedited to reduce the delivery time of the Lower Hunter Freight Corridor, which is one of the only viable ways to take freight trains off main arterials, including at Adamstown and Hamilton North.

- **Zoning for the expansion of Newcastle Light Rail**

  Delivery of the 2.7km Newcastle light rail system is the starting point of a broader network connecting the Greater Newcastle region.

  The City of Newcastle believes this should be the first step towards creating an expanded and integrated light rail network linking the city centre with suburban hubs and key infrastructure. Park and ride, and end of trip facilities should be incorporated into each node, to better deliver this integrated transport solution.

  The New South Wales Government should work with Council to ensure that zoning corridors for the expansion of Newcastle Light Rail is undertaken.

  The City of Newcastle wants the expanded corridors to augment the initial Wickham to east end route, by including these Greater Newcastle destinations:

  - Broadmeadow
  - McDonald Jones Stadium
  - Adamstown
We propose leading a working party to deliver on this vision with relevant state agencies including the Hunter Development Corporation, Department of Planning and Environment, UrbanGrowth NSW, Roads and Maritime Services, Transport for NSW, Keolis Downer and the Newcastle and Hunter communities.

**Attachment A: Connecting Newcastle 2017 update: An expanded light rail network**

- **Hunter Sports and Entertainment Precinct**


While renders for potential development are welcome, the government must now ensure the precinct can both be activated daily, include the first stage of light rail extension and adequately plan to attract large scale events like the Commonwealth Games.

This month, Venues NSW CEO Paul Doorn stated that the Hunter Sports and Entertainment Precinct Concept is a detailed plan that turns the precinct into a place for people to visit whether there’s an event on or not; day and night.

Options include a new 10,000 seat multi-purpose entertainment and convention centre, an event plaza and a consolidated sports facility.

It also proposes a 150-room 3.5-star hotel, safe landscaped pedestrian links between the stadium and Broadmeadow train station, multi-purpose fields, family-friendly parks, restaurants and a multi-storey carpark.

With a strong vision in place, and much interest around the delivery of the Hunter Sports and Entertainment Precinct, it’s time for the New South Wales government provide funding towards the implementation of the plan for the precinct.

- **Affordable Housing**

Previously, Premier Gladys Berejiklian has said that housing affordability was “the biggest issue people have across the state”.

The City of Newcastle supports the reform of negative gearing to limit it to new housing, and the introduction of a tax on properties that are vacant for longer than 6 months.

A 25% Affordable Housing Mandate on Government Owned Land should be supported, with Land owned by the Government that is fast-tracked for development having a 25% mandate of Affordable Housing.
Likewise, the City of Newcastle supports the introduction of a 15% Affordable Housing Mandate on privately developed land. 15% of dwellings designated as Affordable Housing will be available for rental or sale to low- to moderate income households.

- **Rate Rebate Concession for Pensioners**

The City of Newcastle has consistently advised the New South Wales government that it is time that the Rate Rebate Concession for Pensioners was increased.

It was set at $250 in 1989 and has not been increased since but the cost of living since that time has increased significantly.

The Rate Rebate Concession for Pensioners should be increased, commensurate to Consumer Price Index.

The government should note that Hunter Council's supported this measure in 2015, when Newcastle City Council resolved to write to the government and Hunter Councils seeking support for this measure.

- **Newcastle Art Gallery re-development**

The Newcastle Art Gallery re-development business case has been prepared and this project is shovel ready.

Valued at close to $100 million, the Newcastle Art Gallery collection is considered one of the finest and most valuable in Australia and deserves not just greater protection, but the opportunity to be showcased to all domestic and international visitors.

The gallery's current building is only capable of displaying some 2% of the collection. This significant collection has the potential to further support tourism and education opportunities for Australia’s 7th largest city.

The City of Newcastle continues to call on the New South Wales government to provide $26 million to re-develop the Newcastle Art Gallery.

While the Art Gallery of NSW received $244 million in last year budget for its extension, and the government announced a $100 million regional cultural fund, the Newcastle project is still getting nothing.

The City of Newcastle believes that with a significant surplus more than likely to be announced, the 2018-19 Budget presents a perfect opportunity to reinforce the government's support for the arts, by fully funding this important project.

- **Funding for local sporting amenity improvement**

Increasingly, Councillors are being approached by local communities and local sporting organisations, to improve the amenity of sporting grounds across the LGA. Newcastle is in a particularly unique position when it comes to accessing funding to improve our local sporting infrastructure.
An emerging issue is the provision of adequate facilities for women, women's football, rugby league, rugby and AFL are increasing in popularity across the City of Newcastle.

Recently, Shadow Minister for the Hunter, Kate Washington MP (Attachment B: Newcastle suburbs split in state government funding eligibility) highlighted the problem faced by the City of Newcastle, with her analysis revealing sports fields in suburbs including Adamstown, Beresfield and Kotara were ineligible for either the $100 million Regional Sports Infrastructure Fund, which is open to 94 councils outside Sydney, Wollongong and Newcastle, or the $100 million recently announced for greater Sydney’s 33 councils.

The Local Sport Grant Program, the Community Building Partnership Program and Liquor and Gaming NSW Infrastructure Grants, are simply not large enough funding streams to fund the work required to bring our local sporting facilities up to scratch.

- **Funding for disability inclusion for local playgrounds**

Another issue that Councillors are increasingly contacted about is funding to ensure that our local playgrounds and parks are as inclusive as possible.

While The City of Newcastle is aware that the New South Wales government is currently preparing universal standards to make playgrounds inclusive, this will require significant funding from the state.

The City of Newcastle calls on the New South Government to provide funding in the 2018-19 Budget to improve disability accessibility at parks and playgrounds across the LGA.

- **Diversification of the Port of Newcastle**

The NSW Future Transport 2056 Strategy and the Draft NSW Freight and Ports Plan identified congestion issues with Port Botany. Substantial government infrastructure projects are proposed to alleviate this congestion. However, both documents ignore the underutilised freight capacity that already exists at the Port of Newcastle.

A container terminal at the Port of Newcastle would provide substantial savings to the NSW taxpayer and businesses. Its inclusion in the NSW Freight and Ports Plan as a complementary option to Port Botany would improve NSW competitiveness compared with other Eastern Australian states.

A Newcastle container terminal would be a complementary option to Port Botany, create genuine competition between the two port operators and allow NSW importers and exporters to choose the most efficient and cost-effective supply chain for their cargo.

Increased competition is beneficial to NSW importers and exporters, consumers and the broader NSW economy.
• Ferry terminal at Newcastle Interchange

The state government's Regional NSW Services and Infrastructure Plan lists new ferry stops in Newcastle as an “initiative for investigation in 10 to 20 years, subject to business case development”.

The City of Newcastle believes that a business case for a Ferry terminal at Wickham should be developed in the 2018-19 financial year, with

This new Ferry terminal will facilitate interchange with other transport services, particularly at the emerging multi-modal Newcastle Interchange.

The New South Wales government recognises that creating new ferry connections will improve the sustainability of our transport system by attracting more customers to using public transport, and should be commended for this.

• Boost to coastal management and flood mitigation funding

New South Wales Government action and funding are needed for a long-term solution to Stockton's worsening erosion issues. There is no quick fix to this longstanding threat, but it's now more urgent than ever.

The council has been calling for action at Stockton for more than a decade. A study done 10 years ago recommended an artificial headland with beach nourishment to solve the suburb's shoreline woes, but our 2009 funding request to the-then premier was met only with instruction to reconsider the proposed works.

With erosion incidents increasing rapidly over recent years the New South Wales government must increase resources and funding to address this problem.

Likewise, substantial funding is required to address flood mitigation in Wallsend. 11 years have passed since the flooding of the Wallsend CBD. While Newcastle City Council is progressing flood upgrades including the replacement of the Nelson, Boscawen and Tyrrell Street bridges, however, finalising these works is beyond the capacity of local government alone.

An increase in the Office of Environment and Heritage's Floodplain management grants is required to adequately address flooding risks in Wallsend.

• Newcastle Airport expansion

Newcastle Airport recently unveiled their 20 year blueprint and 60 year vision for their operations.

As a part of that masterplan, Newcastle Airport revealed that the Australian and NSW governments are seeking to grow the defence and aerospace related industries in and around RAAF Base at Williamtown and that the NSW Government sees Williamtown as the regional hub of Australian industry participation supporting the Joint Strike Fighter fleets in the Asia Pacific region.
With Council's recent joint announcement with Port Stephens Council, and the Newcastle Airport regarding the expansion of Newcastle Airport, and the Airport's Dr Peter Cock advising that construction could begin within five years, the New South Wales government has an opportunity to assist the expansion of the Newcastle Airport with concrete support in the 2018-19 Budget.

ATTACHMENTS

Attachment A: Connecting Newcastle 2017 update: An expanded light rail network
Attachment B: Newcastle Suburbs split in state government funding eligibility
Connecting Newcastle

2017 update: An expanded light rail network
A message from the Lord Mayor

An integrated transport network is the cornerstone of a thriving global city. Newcastle deserves a network where buses, trains, cars and light rail co-exist with pedestrians, cyclists and other modes of self-powered transport.

The vision and Connectivity Newcastle voice for Greater Newcastle, are changing the way we look at our city, and as its elected representative, I will shape urban renewal and measure progress across our region.

As Lord Mayor, I’ve been a strong advocate of ensuring we get the right outcomes for our city. Council’s original Connectivity Newcastle vision incorporated the feedback on the initial delivery of light rail in the city centre, such as, advocating for removal of the胶囊 platforms and overhead wires and ensuring the delivery of light rail didn’t compromise urban renewal of Market Street and transport efficiencies.

The outcomes of Council’s position has been adopted in the NSW Government’s decisions, in maintaining the city’s position as a sustainable and vibrant metropolis.

Delivering a plan to expand the network is the essence of Lord Mayor, as it will create a sustainable and vibrant metropolis, to be the best development in the city and to the west.

Newcastle City Council works to expand corridors along the initial NBN to ease and routes, linking the Greater Newcastle destinations.

- Brodie Wynd
- McDonald Jones Suttor
- Adamstown
- Mayfield
- John Hunter Hospital
- University of Newcastle
- Blacktown
- Belford Way
- Newcastle Airport

We propose leading a working party to deliver on this vision with relevant state agencies, including the Hunter Development Corporation, Department of Planning and Environment, Land and Water Rural and Maritime Services, Transport for NSW, Lismore, Gosford and the Newcastle and Hunter communities.

Pedicabina, cyclists, skateboarders and skaters are also part of a more sustainable transport system. Delivering an expanded light rail network complemented by more options for pedestrians and cyclists is an ambition.

But we can achieve if the agencies charged with delivering hundreds of millions of dollars worth of infrastructure projects come together to create a smart, innovative and sustainable city.

Rustaf Nelles
Lord Mayor of Newcastle
July 2018
Connecting the city - an expanded light rail network

Delivery of the 2.7km Newcastle light rail system is the starting point of a broader network connecting the Greater Newcastle region.

Council believes this should be the first step towards creating an expanded and integrated light rail network linking the city centre with suburban hubs and key infrastructure. Parking and ride and end of trip facilities should be incorporated into each stop, to better deliver this integrated transport solutions.

This will provide a fast, efficient and affordable public transport alternative for commuters to high-demand destinations, including the John Hunter Hospital, the University of Newcastle and McDonald Jones Stadium.

It will also link directly with other modes of transport, including trains, roads, walking routes and cycleways, including the scenic 530m Fernleigh Track.

This will create a truly connected city for all.
A network that works

**BROADMEADOW**
- Straightforward delivery due to existing road infrastructure
- Improved access to sports and exhibition environments
- Direct link to universities and the CBD

**MCDONALD JONES STADIUM**
- Live with fans for major sports and events
- Improved arrival and departure times
- Major event destination
- Home to Newcastle Knights NRL team

**ADAMSTOWN**
- Potential for in-fill development
- Direct access to Bravine Boulevard
- Serves a significant proportion of workers in the CBD

**HAYFIELD**
- Direct access to Tynes Hill TAFE
- Home to 2,000 students and 600 staff
- Supports Hayfield industrial area
- Located near new developments

**JOHN HUNTER HOSPITAL**
- Improved access for hospital staff, students, and visitors
- 75,000 patients and 30,000 staff and visitors annually
- 2,200 staff attending
- Reduced traffic and parking pressure

**UNIVERSITY OF NEWCASTLE CALLAGHAN CAMPUS**
- Connects Callaghan campus with Broadway CBD
- 26,000 students and 1,500 staff
- Provides easy, cost-effective and safe transport for students and staff
- Enhances research and career and CRCs parking
Our goals for a revitalised Newcastle include:

- **POSITIONING NEWCASTLE AS A GLOBAL CITY**
  - Driving a vision for Newcastle to become a global city and central gateway to NSW, encompassing port, defense, university, airport and health hubs.

- **REVITALISING THE CITY CENTRE**
  - Transforming the urban environment to bring people back to the CBD and stimulate jobs growth, improving public spaces such as parks and entertainment precincts.

- **CREATING A SMART CITY**
  - Making the CBD and suburbs open, collaborative and connected, where technology makes things easier and more sustainable for everyone.

- **INTEGRATED PUBLIC TRANSPORT**
  - Establishing a Hunter Transport Authority that connects投标人，light rail, bus, ferries, park and ride, cycle and pedestrian transport into one cohesive network.

- **EXPANDING LIGHT RAIL**
  - Creating an extended light rail network that connects the CBD and other key destinations throughout the GDA and beyond.

**Guiding strategies and plans**

The need for better, more efficient public transport and regional infrastructure and population hubs throughout Newcastle has been a long-term issue outlined by Council and other government agencies. Our renewed strategies, transport strategies and Council’s supporting Newcastle 2030 Community Strategic Plan, highlight the importance of establishing a more connected city less reliant on motorcars.
In 2013, the NSW Government announced that its **Newcastle Urban Renewal Strategy** would include the Newcastle Light Rail Project.

In September 2015, Newcastle City Council called for:
- Any light rail project for Newcastle to connect the inner city with the University of Newcastle, John Hunter Hospital, Hunter Stadium, Newcastle Airport, the Glencoe Transport Interchange and the city’s beaches.
- Light rail to be integrated with car parking, cycleways, footpaths, bus and trains networks.
- Collaboration with Transport for NSW to establish an integrated transport management plan, including forward planning of the next stage of any light rail project, with community consultation on the proposed routes.

In March 2016, Council endorsed the **Connecting Newcastle: Our Urban Renewal Vision** which consolidated previous strategies, reports and plans into a single document. Council also advocated for improved delivery of the network, including separated running, park and ride facilities, connected cycleways, removal of raised platforms and overhead wires.

In June 2017, Council resolved to:
- Update the **Connecting Newcastle** document.
- Lead the formation of a working party to deliver an expanded light rail network with relevant state agencies, Kiellis Downer and the community.
“The most frequent thing I get about the light rail is: ‘Can you expand it? We want to see it go further,’ and that’s certainly what we are looking at.”

NSW Premier Gladys Berejiklian
Newcastle, July 2017

“It's important to preserve future light rail corridors now to avoid increased costs in future.”

NSW Opposition Leader, Luke Foley
Newcastle, July 2017
CONFUSION over whether Newcastle and its suburbs are classified as metropolitan or regional is creating an uneven playing field for sports funding within the region, Shadow Minister for the Hunter Kate Washington claims.

Ms Washington has drawn on sports funding to illustrate the divide that leaves Newcastle council areas at a disadvantage to their neighbours in other electorates when it comes to clarity around funding.

Her analysis reveals sports fields in suburbs including Adamstown, Beresfield and Kotara were ineligible for either the $100 million Regional Sports Infrastructure Fund, which is open to 94 councils outside Sydney, Wollongong and Newcastle, or the $100 million announced on Thursday for greater Sydney’s 33 councils.

Their neighbours in other council areas, including Adamstown Heights, Woodberry and Kotara South, are eligible for funds from the regional sports funding because they fall outside the bounds of Newcastle’s local government area.

The discrepancies between how the electorates are treated Elermore Vale is divided between eligible and ineligible streets, Ms Washington argues.

“Premier Berejiklian is short-changing the entire Hunter region when our regional sporting venues in Newcastle are excluded from state funding,” Ms Washington said.

The funding fracas comes after Newcastle lord mayor Nuatali Nelmes won unanimous support from the council chamber in March to seek greater clarity around the city’s standing.

Newcastle City Council is eligible for only one of six categories under the state’s Regional Growth Fund, Resources for Regions.

“The government continue to ignore the inconsistencies that cut Newcastle off from grant funding which is so vital to building the infrastructure we need to transition into an emerging global city,” Cr Nelmes said.

An Office of Sport spokeswoman said Bureau of Statistics data guided metropolitan and regional grant categories.
“Local sporting clubs in Newcastle are eligible for grants under programs such as the Local Sport Grant Program, the Community Building Partnership Program and Liquor and Gaming NSW Infrastructure Grants,” she said.

Parliamentary Secretary for the Hunter Scot MacDonald said Newcastle was “quite at liberty to apply to upgrade sports assets” through Resources for Regions.

“We remain open to collaboration such as we did resurfacing the athletics track next to the Newcastle High School,” he said. “City wide sports infrastructure remains the jurisdiction of Newcastle City Council.”

Mr MacDonald also pointed to Labor’s stance against the port lease and asset recycling at the 2015 election, the latter of which funded these grants. “If the ALP had won in 2015 there wouldn’t have been any funds for any Hunter infrastructure,” he said.

Hunter Business Chamber chief executive Bob Hawes has argued for the city to be classified as regional, arguing it was “not quite there” to be branded metropolitan.
REPORTS BY COUNCIL OFFICERS

ITEM-39 CCL 22/05/18 - EXECUTIVE MONTHLY PERFORMANCE REPORT - APRIL 2018

REPORT BY: CORPORATE SERVICES
CONTACT: INTERIM DIRECTOR CORPORATE SERVICES / INTERIM MANAGER FINANCE

PURPOSE

To report on Council’s monthly performance. This includes:

a) Monthly financial position and year to date (YTD) performance against the 2017/18 Operational Plan as at the end of April 2018.

b) Investment of temporary surplus funds under section 625 of the Local Government Act 1993 (Act), submission of report in accordance with the Act and clause 212 of the Local Government (General) Regulation 2005 (Regulation).

RECOMMENDATION

1 The report be received.

KEY ISSUES

2 At the end of April 2018 the consolidated YTD actual operating position is a deficit of $0.7m which represents a positive variance of $7.2m against the budgeted YTD deficit of $7.9m. This budget variance is due to a combination of income and expenditure variances which are detailed in Attachment A. The full year revised budget for 2017/18 is a balanced operating position.

3 The April YTD position includes $8.8m of revenue items which are either one-off or cannot be applied to meet operational expenditure ($4.8m 2012 Special Rate Variation revenue, $1.7m consolidation of Newcastle Airport result, $1.6m stormwater management service charge, and $0.7m local road grants which fund capital works).

4 The net funds generated as at the end of April 2018 is a surplus of $2.9m (after capital revenues, expenditure and loan principal repayments). This is a positive variance to the YTD budgeted deficit of $5.5m. This is primarily due to a timing variance in the delivery of Council’s works program with a higher amount of project expenditure (both capital and operational expenditures) expected to be incurred during the final quarter of the financial year.
FINANCIAL IMPACT

5 The variance between YTD budget and YTD actual results at the end of April 2018 is provided in the Executive Monthly Performance Report (Attachment A). Key elements are:

Full Year Revised Budget $'000

<table>
<thead>
<tr>
<th>Financial Impact</th>
<th>Full Year Revised Budget $'000</th>
<th>YTD Revised Budget $'000</th>
<th>YTD Actual Result $'000</th>
<th>Variance $'000</th>
<th>Variance %</th>
<th>+ve / -ve</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Revenue</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>156,106 Rates &amp; charges</td>
<td>129,823</td>
<td>129,823</td>
<td>0%</td>
<td>+</td>
<td></td>
<td></td>
</tr>
<tr>
<td>81,934 User charges &amp; fees</td>
<td>68,918</td>
<td>69,634</td>
<td>716</td>
<td>1%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>9,242 Interest</td>
<td>7,502</td>
<td>7,629</td>
<td>127</td>
<td>2%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>10,417 Other operating revenues</td>
<td>9,343</td>
<td>9,803</td>
<td>460</td>
<td>5%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>16,090 Grants &amp; contributions - Operating</td>
<td>8,952</td>
<td>8,941</td>
<td>(11)</td>
<td>0%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>273,789 Total Operating Revenue</td>
<td>224,538</td>
<td>225,830</td>
<td>1,292</td>
<td>1%</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>96,893 Employee costs</td>
<td>80,703</td>
<td>79,438</td>
<td>(1,265)</td>
<td>-2%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>3,742 Borrowing costs</td>
<td>3,084</td>
<td>3,085</td>
<td>1</td>
<td>0%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>75,951 Materials &amp; contracts</td>
<td>65,251</td>
<td>59,743</td>
<td>(5,508)</td>
<td>-8%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>41,422 Depreciation &amp; amortisation</td>
<td>34,287</td>
<td>34,292</td>
<td>5</td>
<td>0%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>49,741 Other operating expenses</td>
<td>44,061</td>
<td>44,949</td>
<td>888</td>
<td>2%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>6,029 Net Loss from disposal of asset</td>
<td>5,024</td>
<td>5,024</td>
<td>0%</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>273,778 Total Operating Expenses</td>
<td>232,410</td>
<td>226,531</td>
<td>(5,879)</td>
<td>-3%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>Total Operating Revenue Less Operating Expenditure</td>
<td>(7,872)</td>
<td>(701)</td>
<td>7,171</td>
<td>-91%</td>
<td>+</td>
<td></td>
</tr>
</tbody>
</table>

Note 1 - Actual and Budget results include an estimate for the Newcastle Airport.
6 Factors favourably impacting Financial Position
   i. **User charges and fees – increase of $0.7m**
      Council has generated higher than budgeted revenue through Council's cultural venues such as the Museum and Civic Theatre.
   
   ii. **Other operating revenues – increase of $0.5m**
      Council has generated higher revenue through fines and regulations than anticipated.
   
   iii. **Materials & Contracts – decrease of $5.5m**
      Expenditure generated by the 2017/18 works program is below the YTD budget at the end of April.

7 Factors unfavourably impacting Financial Position
   i. **Other operating expenses – increase of $0.9m**
      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.

---

**Full Year Revised** | **YTD Revised** | **YTD Actual** | **Variance $'000** | **Variance %** | **Financial Impact %**
--- | --- | --- | --- | --- | ---

**Capital Revenues**

18,838 Grants & contributions - Capital | 15,698 | 15,844 | 146 | 1% | +
2,548 Proceeds from the sale of Assets | 2,123 | 2,295 | 172 | 8% | +

21,386 Total Capital Raising revenue | 17,822 | 18,139 | 318 | 2% | +

**Net Surplus/(deficit) after capital revenue**

21,397 | 9,950 | 17,438 | 7,489 | 75% | +

**Adjustments for Non Cash Items**

41,422 Add back Depreciation | 34,287 | 34,292 | 5 | 0% | 
6,029 Add back loss on Disposal | 5,024 | 5,024 | 0 | 0% | 
(4,600) Less land & infrastructure donations | (3,833) | (3,833) | 0 | 0% | 

**Funding available for capital**

64,248 expenditure | 45,427 | 52,921 | 7,494 | 16% | +

**Capital Expenses**

22,641 Asset renewals | 22,172 | 23,934 | 1,762 | 8% | -
14,134 2012 SRV Priority Projects | 12,101 | 13,259 | 1,158 | 10% | -
7,493 New / upgrade | 8,217 | 4,243 | (3,974) | -48% | +
10,677 Non-Infrastructure Projects | 5,997 | 6,210 | 213 | 4% | -

54,945 Total capital spend | 48,487 | 47,646 | (841) | -2% | +
2,882 Loan Principal Repayment | 2,402 | 2,402 | 0 | 0% | 

6,421 Net Funds Generated / (Used) | (5,461) | 2,873 | 8,335 | -153% | +

Note 1 - Actual and Budget results include an estimate for the Newcastle Airport.
8 At the end of April Council has received $0.1m more capital grants and contributions than budgeted. This demonstrates that Council is on track to meet the full year budget for capital revenues.

9 Council’s total capital spend at the end of April is $47.6m. This result is in-line with the YTD budget of $48.5m. The total project spend inclusive of operational and capital expenditure is $73.8m at the end of April compared with a budget of $81.4m.

10 Council’s temporary surplus funds are invested consistent with Council’s Investment Policy, Investment Strategy, the Act and Regulations. Details of all Council funds invested under s. 625 of the Act are provided in the Investment Policy and Strategy Compliance Report (section 4 of Attachment A).

COMMUNITY STRATEGIC PLAN ALIGNMENT

11 This report aligns to the Community Strategic Plan under the strategic direction of ‘Open and collaborative leadership’ action 7.4b ‘ensure the management of Council’s budget allocations and funding alternatives are compliant with Council policy and relevant legislation to ensure the long term financial sustainability of the organisation.’

IMPLEMENTATION PLAN/IMPLICATIONS

12 The distribution of the report and the information contained therein is consistent with:

i) Council’s resolution to receive monthly financial position and performance result on a monthly basis,

ii) Council’s Investment Policy and Strategy, and

iii) Clause 212 of the Regulation and s. 625 of the Act.

RISK ASSESSMENT AND MITIGATION

13 No additional risk mitigation has been identified this month.

RELATED PREVIOUS DECISIONS

14 Council resolved to receive a report containing Council’s financial performance on a monthly basis.

15 At the Ordinary Council Meeting held on 26 April 2016 Council resolved the following:

The report be received with the addition of a compliance report on Council’s adopted clauses on ethical and social responsibility set out in Council’s Investment Policy to be included under the section “Investment Policy Compliance Report”.

16 The Investment Policy Compliance Report included in the Executive Monthly Performance Report has been amended to include a specific confirmation in regard to compliance with part E of the Investment Policy.

CONSULTATION

17 A monthly workshop is conducted with the Councillors to provide detailed information and a forum to ask questions. In circumstances where a workshop cannot be scheduled the information is distributed under separate cover.

OPTIONS

Option 1

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

Option 2

19 Council resolves to vary the recommendation in receiving the report. This is not the recommended option.

BACKGROUND

20 Previous resolutions of Council and the Audit Committee identified the need for careful monitoring of Council’s financial strategy and operational budget result. The presentation of a monthly Executive Performance Report to Council and a workshop addresses this need and exceeds the requirements of the Act.

REFERENCES

ATTACHMENTS

Attachment A: Executive Monthly Performance Report - April 2018
Distributed under separate cover
ITEM-40  CCL 22/05/18 - QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2018

REPORT BY:  CORPORATE SERVICES
CONTACT:  INTERIM DIRECTOR CORPORATE SERVICES / INTERIM MANAGER FINANCE

PURPOSE

To provide Council with the Quarterly Budget Review Statement as at 31 March 2018, in accordance with clause 203 of the Local Government (General) Regulation 2005.

RECOMMENDATION

1 Council receives the March Quarterly Budget Review Statement (Attachment A) and adopts the revised budget as detailed therein.

KEY ISSUES

2 The March Quarterly Budget Review Statement includes adjustments to the adopted budget to reflect trends identified in the actual operating performance to date for the 2017/18 financial year. Positive operational budget variations totalling $0.4m have been identified within the March Quarterly Budget Review Statement. These changes will result in Council’s budgeted annual operating position improving to a surplus of $0.4m from the balanced position projected in the December review.

3 The net funds budgeted to be generated in the 2017/18 financial year have also remained consistent with the result projected at December. This results in Council being in a position to return $6m to restricted reserves to fund current liabilities that will fall due in future years.

<table>
<thead>
<tr>
<th></th>
<th>2017/18 Adopted Budget</th>
<th>Revised September 2017</th>
<th>Revised December 2017</th>
<th>Recommended March 2018</th>
<th>Projected year end result</th>
<th>Actual YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Operating Revenue</td>
<td>260,210</td>
<td>7,986</td>
<td>5,593</td>
<td>713</td>
<td>274,502</td>
<td>203,339</td>
</tr>
<tr>
<td>Total Operating Expenses</td>
<td>255,405</td>
<td>7,893</td>
<td>10,480</td>
<td>292</td>
<td>274,070</td>
<td>204,360</td>
</tr>
<tr>
<td>Total Operating Revenue Less Operating Expenditure</td>
<td>4,805</td>
<td>93</td>
<td>(4,887)</td>
<td>421</td>
<td>432</td>
<td>(1,021)</td>
</tr>
<tr>
<td>Total Capital Raising revenue</td>
<td>14,403</td>
<td>4,224</td>
<td>2,737</td>
<td>4,555</td>
<td>25,919</td>
<td>17,051</td>
</tr>
<tr>
<td>Add Back Non Cash Items</td>
<td>41,136</td>
<td>52</td>
<td>1,663</td>
<td>9</td>
<td>42,860</td>
<td>31,435</td>
</tr>
<tr>
<td><strong>Funding available for capital expenditure</strong></td>
<td><strong>60,344</strong></td>
<td><strong>4,369</strong></td>
<td><strong>(487)</strong></td>
<td><strong>4,985</strong></td>
<td><strong>69,211</strong></td>
<td><strong>47,465</strong></td>
</tr>
<tr>
<td>Total capital spend</td>
<td>68,671</td>
<td>(2,527)</td>
<td>(11,196)</td>
<td>5,383</td>
<td>60,329</td>
<td>41,594</td>
</tr>
<tr>
<td>Loan Principal Repayment</td>
<td>2,882</td>
<td>2,882</td>
<td>2,162</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Net Funds Generated / (Used)</strong></td>
<td><strong>(11,209)</strong></td>
<td><strong>6,896</strong></td>
<td><strong>10,711</strong></td>
<td><strong>(398)</strong></td>
<td><strong>6,000</strong></td>
<td><strong>3,710</strong></td>
</tr>
</tbody>
</table>
FINANCIAL IMPACT

4 The analysis below will focus exclusively on the financial impact of budget changes recommended in the March Quarterly Budget Review Statement in regard to operational revenue and expenditure. Key elements of the forecast include:

<table>
<thead>
<tr>
<th>2017/18 Adopted Budget</th>
<th>Revised September 2017</th>
<th>Revised December 2017</th>
<th>Recommended March 2018</th>
<th>Projected year end result</th>
<th>Actual YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Revenue</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rates &amp; charges</td>
<td>155,366</td>
<td>740</td>
<td>156,106</td>
<td>116,489</td>
<td></td>
</tr>
<tr>
<td>User charges &amp; fees</td>
<td>71,297</td>
<td>7,736</td>
<td>2,901</td>
<td>499</td>
<td>82,433</td>
</tr>
<tr>
<td>Interest</td>
<td>8,973</td>
<td>69</td>
<td>200</td>
<td>(99)</td>
<td>9,143</td>
</tr>
<tr>
<td>Other operating revenues</td>
<td>8,638</td>
<td>(44)</td>
<td>1,823</td>
<td>498</td>
<td>10,915</td>
</tr>
<tr>
<td>Grants &amp; contributions -</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating</td>
<td>15,936</td>
<td>225</td>
<td>(71)</td>
<td>(185)</td>
<td>15,905</td>
</tr>
<tr>
<td>Total Operating Revenue</td>
<td>260,210</td>
<td>7,986</td>
<td>5,593</td>
<td>713</td>
<td>274,502</td>
</tr>
</tbody>
</table>

Operating Expenses

| Employee costs          | 99,802                 | 561                   | (3,470)                | (1)                       | 96,892     |
| Borrowing costs         | 3,764                  | (22)                  |                        |                           | 3,742      |
| Materials & contracts   | 57,769                 | 3,260                 | 14,922                 | 211                       | 76,162     |
| Depreciation & amortisation | 41,435               | (13)                  | 9                      |                           | 41,431     |
| Other operating expenses| 48,334                 | 4,042                 | (2,635)                | 73                        | 49,814     |
| Net Loss from disposal of assets | 4,301             | 65                    | 1,663                  | 602                       | 4,522      |
| Total Operating Expenses| 255,405                | 7,893                 | 10,480                 | 292                       | 274,070    |

Total Operating Revenue

| Less Operating Expenditure | 4,805 | 93 | (4,887) | 421 | 432 | (1,021) |
Factors impacting the capital program

i **Grants & contributions – increase of $4.6m**

It is forecast that Council will receive additional grants relating to our Smart City program as well as more developer contributions than budgeted.

ii **Total capital expenditure – increase of $5.4m**

The Works Program (both capital and operational expenditure) has been reviewed to align with revised program scheduling that took place during the quarter. These adjustments have resulted in some changes between program categories and the mix of operational (opex) to capital (capex). The total works program has remained at $95.5m.

8 A breakdown of the budget adjustments to the works program is provided in **Attachment A** and a summary of key movements in the 2017/18 program is provided below.
COMMUNITY STRATEGIC PLAN ALIGNMENT

9 This March Quarterly Budget Review Statement aligns to the Community Strategic Plan under the strategic direction of ‘Open and collaborative leadership’ action 7.4b ‘ensure the management of Council's budget allocations and funding alternatives are compliant with Council policy and relevant legislation to ensure the long term financial sustainability of the organisation’.

IMPLEMENTATION PLAN/IMPLICATIONS

10 The adoption of the recommendation will enable ongoing implementation of Council’s adopted 2013-2018 Delivery Program and 2017/18 Operational Plan in a cost effective and efficient manner. If the recommended budget adjustments are not approved it will significantly impact on Council's ability to undertake the projects outlined in the 2017/18 project program (as adjusted in the March Quarterly Budget Review Statement) and will ultimately impact on the organisation's ability to meet the current and future years' operational plans. In order to ensure that Council remains financially fit for the future and continues on its path to financial sustainability it is essential that it continues to meet its annual operational plans.

RISK ASSESSMENT AND MITIGATION

11 Adoption by 22 May 2018 will meet legislative obligations to submit a Quarterly Budget Review Statement to Council within two months of the end of each quarter.

RELATED PREVIOUS DECISIONS

12 Adoption of the updated 2013-2018 Delivery Program and 2017/18 Operational Plan on 27 June 2017. The September and December Quarterly Budget Review Statements were adopted on 28 November 2017 and 27 February 2018 respectively.
CONSULTATION

13 A workshop was held with Council on the 15 May 2018 to provide detailed information to Councillors for review and a forum for Councillors to ask questions.

OPTIONS

Option 1

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

Option 2

15 Council resolves to vary the recommendations in the adoption of the report. This will impact on the ability of Council to meet the targets outlined in the 2017/18 Operational Plan and may impact on its future financial sustainability. This is not the recommended option.

BACKGROUND

16 The Integrated Planning and Reporting framework requires councils to prepare a Quarterly Budget Review Statement. The Quarterly Budget Review Statement should provide a revised estimate of the income and expenditure of the council for the financial year and recommend any budget amendments required to achieve the revised estimate of the income and expenditure for the year.

17 The Quarterly Budget Review Statement now incorporates a property and land use section. The Local Government Act 1993 requires that all leases with a term of five years or more, approved under delegated authority, are reported to Council quarterly.

REFERENCES

ATTACHMENTS

Attachment A Quarterly Budget Review Statement – March 2018 Distributed under separate cover
ITEM-41  CCL 22/05/18 - TABLING PECUNIARY INTEREST RETURNS - PERIOD BETWEEN 1 FEBRUARY 2018 AND 30 APRIL 2018

REPORT BY: CORPORATE SERVICES
CONTACT: INTERIM DIRECTOR CORPORATE SERVICES / INTERIM MANAGER LEGAL AND GOVERNANCE

PURPOSE

For the Chief Executive Officer (CEO) to table the pecuniary interest returns received from designated persons between 1 February 2018 and 30 April 2018.

RECOMMENDATION

1 Council to note the pecuniary interest returns as tabled by the Chief Executive Officer received from designated persons between 1 February 2018 and 30 April 2018.

KEY ISSUES

2 Section 449(1) of the Local Government Act 1993 (NSW) (Act) requires councillors and designated persons to lodge a pecuniary interest return in the form prescribed by the Local Government (General) Regulation 2005 (NSW) within three months after becoming a councillor or a designated person.

3 Section 441 of the Act provides that designated persons are:

(a) the general manager;

(b) other senior staff of the council;

(c) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council’s functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member’s duty as a member of the committee and the member’s private interest; and

(d) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person’s duty as a member of staff or delegate and the person’s private interest.
Section 450A of the Act requires the CEO to keep a register of pecuniary interest returns (Register of Returns) lodged and to table it at a meeting of Council.

In accordance with section 739 of the Act, Council has amended the Register of Returns to omit information that discloses a designated person’s place of living where:

(a) the designated person requested such information be deleted on the grounds that it would place their personal safety or their family’s safety at risk; and

(b) the CEO was satisfied that disclosing the information would place the designated person’s safety or their family’s safety at risk.

FINANCIAL IMPACT

Not applicable.

COMMUNITY STRATEGIC PLAN ALIGNMENT

Open and collaborative leadership.

IMPLEMENTATION PLAN/IMPLICATIONS

On the day following the meeting, the Register of Returns may be accessed by members of the public (at Council’s Administrative Centre) during business hours without an appointment.

At all other times, the Register of Returns is available for inspection in accordance with the Government Information (Public Access) Act 2009 (NSW). Council requires a person to make an appointment to view the Register of Returns during business hours.

RISK ASSESSMENT AND MITIGATION

Completing and tabling pecuniary interest returns is required by legislation and it is a crucial component of Council’s open and collaborative leadership strategic direction.

RELATED PREVIOUS DECISIONS

Pecuniary interest returns were last tabled at Council’s meeting on 27 February 2018 for the period between 1 November 2017 and 31 January 2018.

CONSULTATION

Not applicable.
OPTIONS

Option 1

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

Option 2

14 Council does not adopt the recommendation. This is not recommended because failure to table the Register of Returns at a Council meeting would constitute a breach of section 450A of the Act.

BACKGROUND

15 Not Applicable.

REFERENCES

ATTACHMENTS

16 Tabled.
ITEM-42 CCL 22/05/18 - PUBLIC EXHIBITION OF DRAFT DOGS IN OPEN SPACES STRATEGY

REPORT BY: INFRASTRUCTURE
CONTACT: DIRECTOR INFRASTRUCTURE / MANAGER FACILITIES AND RECREATION

PURPOSE

To place the draft Newcastle City Council Dogs in Open Spaces Strategy (Strategy) on public exhibition for 28 days.

RECOMMENDATION

1 Place the draft Newcastle City Council Dogs in Open Spaces Strategy as outlined at Attachment A on public exhibition for a period of 28 days.

2 Receive a report following the public exhibition period.

KEY ISSUES

3 Council currently provides 17 dog off-leash locations throughout the Local Government Area (LGA). These locations were established over 16 years ago and have not been reviewed during this period. To meet the current expectations of dog owners there is a need to upgrade existing off leash areas, and identify opportunities to provide new facilities within the community. Purpose built dog parks provide the opportunity for spaces to be formalised for this activity.

4 Development of the Strategy considered access to sportsgrounds for off-leash activity. This was not supported by the vast majority of sporting user groups due to issues associated with faecal matter, dog behaviour and child safety.

5 Community engagement identified a greater need for education and enforcement in relation to dogs in open space and dogs in general; particularly faecal matter, off leash activity and behaviour.

6 Feedback received from dog owners during the onsite consultation indicated a preference for greater access to beaches, particularly during the cooler months and outside key usage times.

7 The Strategy will establish a framework to improve existing off leash locations and develop additional off leash opportunities including fenced sites. This will ensure an equitable distribution of quality facilities situated in the optimal locations for use by the community.
FINANCIAL IMPACT

8 Exhibition of the draft Strategy does not commit Council to any expenditure and will have no financial impact. Sites identified in the strategy will be prioritised and funded in future years Capital Works programs. Required staff resources will be absorbed within current programs.

COMMUNITY STRATEGIC PLAN ALIGNMENT

9 Development of the draft Strategy is aligned with the strategic objectives of "Vibrant and Activated Public Places" and "Open and Collaborative Leadership".

IMPLEMENTATION PLAN/IMPLICATIONS

10 The Strategy provides a body of work for Council to develop additional off-leash facilities including fenced dog parks. Funding to implement the Strategy will be requested through the appropriate budget processes and include seeking partnership and grant funding where relevant.

RISK ASSESSMENT AND MITIGATION

11 There is no foreseen risk in placing the Strategy on public exhibition.

RELATED PREVIOUS DECISIONS

12 At the Ordinary Council Meeting on 24 May 2016, it was noted that Officers were undertaking a review of the Sportsland Plan of Management and related plans. Council requested that the public consultation consider the implementation of a time restricted off-leash area at Novocastrian Park, New Lambton.

13 At the Adjourned Ordinary Council Meeting on 20 December 2016 it was resolved to review the number of leash free areas across the City to meet growing demand. Consideration was to be given to the use of specific sportsgrounds and ovals, as time-restricted leash free areas, including Connelly Park, Novocastrian Park and Waratah Park.

14 At the Ordinary Council meeting on 26 April 2017, in relation to the draft Community Lands Plan of Management exhibition, it was resolved to amend the plan to allow off lease areas to be permitted on park and general community use categories of community land, and time restricted off leash areas on sportgrounds, subject to the appropriate approval process.

15 At the Ordinary Council meeting on 22 August 2017 it was noted that Council is to investigate the development of a fenced dog park in Lambton Park and that a petition was accepted with more than 107 signatories calling for a fully fenced dog off leash area for play, exercise, socialisation and training in Lambton Park. An additional petition with a further 124 signatories was also received.
At the Ordinary Council meeting on 24 October 2017, Council endorsed processes being undertaken to review dog off-leash provision and the establishment of four fenced dog parks within the LGA. Council acknowledged the importance to the community of a dog off-leash area in Lambton Park, and that the review additionally consider off-leash opportunities at, Novocastrian Park, Waratah Park, Connelly Park, and Stevenson Park.

CONSULTATION

Extensive consultation occurred with both the community and key stakeholders. The following meetings took place in December 2017 with external stakeholders:

i) Sports Clubs and Associations;

ii) Dog welfare groups;

iii) Pet industry sectors;

iv) RSPCA; and

v) Park Committees.

On site interviews were conducted at a number of existing dog off leash sites including:

i) Islington Park, Saturday 2 December 2017 - 64 interviews;

ii) Ballast Ground, Saturday 2 December 2017 - 19 interviews;

iii) Dixon Park, Sunday 3 December 2017 - 57 interviews;

iv) Upper Reserve, Sunday 3 December 2017 - 5 interviews; and

v) Pups in the Park Lambton Park, Saturday 16 December - 118 interviews.

An online community survey, conducted between 18 January and 9 February 2018 elicited 1,076 responses.

A survey of sports user groups was conducted in January 2018.

43 written responses were received during development of the Strategy.

Key internal stakeholders were engaged at strategic stages of the project and outcome of their engagement has been incorporated into the Strategy.
23 Due to the extensive community engagement sessions held during development of the Strategy there are no additional community meetings proposed. Throughout the exhibition period, the Strategy will be promoted on Council's website and social media sites. In addition, posters will be located at key existing and proposed off-leash areas.

OPTIONS

Option 1

24 The recommendation as at Paragraph 1 and 2. This is the recommended option.

Option 2

25 The draft Newcastle City Council Dogs in Open Spaces Strategy not be placed on public exhibition. This is not the recommended option.

BACKGROUND

26 Council manages 17 dog off-leash areas throughout the LGA. A number of these locations are timed sunrise to 9am and 5pm to sunset, including:

   i) Braye Park, Waratah;
   ii) West End Park, Adamstown;
   iii) Elermore Vale Park, Elermore Vale; and
   iv) Dixon Park Reserve, Merewether.

27 Council's Parkland and Recreation Strategy notes that community surveys undertaken in 2011 identified the high frequency of use and value of dog exercise areas, increased demand for additional leash free opportunities, strong demand for improvement to current facilities, and demand for education campaigns to raise awareness of responsible pet ownership.

28 In April 2016 Council received a petition from residents seeking establishment of a fenced dog park at Lambton Park on land between the bowling club and the Swimming Centre.

29 At the Ordinary Council Meeting on 22 November 2016, Council received a petition with 96 signatories calling for a dedicated off-leash area for Waratah Park.

REFERENCES

ATTACHMENTS

Distributed under separate cover

Attachment A: Draft Newcastle City Council Dogs in Open Spaces Strategy
ITEM-43  CCL 22/05/18 - ADOPTION OF WALLSEND PUBLIC DOMAIN AND TRAFFIC PLANS

REPORT BY:  INFRASTRUCTURE
CONTACT:  DIRECTOR INFRASTRUCTURE / INTERIM MANAGER INFRASTRUCTURE PLANNING

PURPOSE

To approve the Wallsend Public Domain Plan (PDP) and associated Traffic Management Plan (traffic plan). The PDP will guide future infrastructure renewal in the Wallsend Local Centre. The traffic plan is anticipated to mitigate traffic congestion and motor vehicle crashes, and to provide improved pedestrian and cyclist accessibility, amenity and safety.

RECOMMENDATION

1  Adopt the Wallsend Public Domain Plan and associated Traffic Management Plan as set out in Attachment A.

KEY ISSUES

2  At Council's meeting on 24 November 2015 it resolved to proceed with the preparation of a Wallsend Local Centre Public Domain Plan as part of a broader Wallsend Town Centre Masterplan.

3  The Wallsend Local Centre PDP has also been prepared as part of Council's Local Centres Public Domain Renewal Program.

4  The process for preparing the PDP and traffic plan is shown in Attachment B.

5  Council undertook traffic and pedestrian surveys to ascertain the need and justification for various traffic facilities within the PDP and traffic plan. The survey results and crash collision diagram are shown in Attachment C.

6  A summary of the proposals within the PDP and traffic plan can be found in Attachment D. Due to the complexity of the plan, the issues and proposals are broken down and summarised by area.

FINANCIAL IMPACT

7  The overall PDP, including the proposed traffic plan, will be delivered through Council's Operational budget funding over the next decade. Council will seek external funding through various Federal and State government grants to part-fund the cost of the proposed 40 km/h HPA area and traffic calming devices.
COMMUNITY STRATEGIC PLAN ALIGNMENT

8 The strategic directions, as outlined in Newcastle 2030 Community Strategic Plan that are most relevant to the PDP and traffic plan are:

i) Connected City;

ii) Vibrant and Activated Public Places;

iii) Protected and Enhanced Environment; and

iv) Liveable and Distinctive Built Environment.

IMPLEMENTATION PLAN/IMPLICATIONS

9 Stage 1 of the project is scheduled to commence detailed design in the 2018/2019 financial year, and construction in the 2019/2020 financial year, subject to Council approval. The project will be completed in stages over the next decade subject to funding.

RISK ASSESSMENT AND MITIGATION

10 The traffic plan is anticipated to mitigate crashes and provide improved pedestrian and cyclist accessibility, amenity and safety. The proposed works will be undertaken in accordance with the relevant Austroads and RMS guidelines.

RELATED PREVIOUS DECISIONS

11 At the Ordinary Council Meeting on 26 May 2015, it was resolved that a report be prepared for presentation to Council to reallocate the 3% budgeted for Councillor allowances to develop a Wallsend Town Centre Masterplan. Including but not limited to:

i) Pedestrian and footpath upgrades;

ii) Facade improvement scheme; and

iii) Road and bridge works.

12 The report was then prepared and considered at the Ordinary Council meeting on 24 November 2015 where Council resolved to proceed with the preparation of a Wallsend Local Centre Public Domain Plan as part of a broader Wallsend Town Centre Masterplan.
CONSULTATION

13 An exhibition leaflet consisting of the PDP and traffic plan, as shown in Attachment E, was tabled to the Newcastle City Traffic Committee (NCTC) on 10 April 2017 seeking comments and in-principle support. The Hunter Valley Buses (HVB) representative did not support the proposed raised thresholds on bus routes in accordance with Transport for NSW guidelines and preferred speed cushions on these roads. The NCTC provided in-principle support for the traffic plan and HVB comments were noted. 

Result: Considering the objection raised by HVB, Council is not progressing with raised thresholds and will install speed cushions.

14 The PDP and traffic plan were exhibited from 3 May to 31 May 2017. The consultation leaflets were distributed to approximately 500 properties. In addition, posters within the local centre directed people to an exhibition display in Wallsend Library and online survey. The public exhibition questionnaire was designed so the community could provide separate yes/no responses on the key proposals in addition to providing general comments. Council received a total of 100 responses with the majority in favour of the proposed changes.

15 The key issues raised by the respondents in relation to the exhibition of the PDP and traffic plan, including Council’s respective responses can be found in Attachment F.

16 Following the exhibition of the PDP and traffic plan, Council undertook the following actions:

i) Made a comparative analysis of route options for the proposed shared path in October 2017.

Result: Cowper Street was still the preferred route.

ii) Conducted a number plate survey of Cowper Street and Kemp Street on-street parking and the Kemp Street Council car park on 2 August 2017.

Result: Spare parking capacity identified in these parking areas during various surveyed hours of the day as per table below:

<table>
<thead>
<tr>
<th>Location</th>
<th>Parking Occupancy Survey (spaces) - 2 August 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>9am</td>
</tr>
<tr>
<td></td>
<td>O</td>
</tr>
<tr>
<td>Kemp St (On-street)</td>
<td>13</td>
</tr>
<tr>
<td>Kemp St (Car park)</td>
<td>38</td>
</tr>
<tr>
<td>Cowper St (On-street)</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>51</td>
</tr>
</tbody>
</table>

Note: 'O' - Occupied Spaces, 'V' - Vacant Spaces, 'C' - Total Capacity
iii) Engaged consultants to report on crime risk and crime prevention through environmental design (CPTED) for Wallsend Local Centre.  
Result: A number of safety recommendations were made for incorporation into the final plan.

iv) Contacted Wallsend Heritage Group.  
Result: Heritage coal hopper to remain on original tramway alignment.

v) Negotiated with bus operators regarding the proposed relocation of the Bunn Street bus stop.  In response, Council undertook additional design for Bunn Street to relocate the northbound bus stop away from the childcare centre to the front of Wallsend library south of the pedestrian crossing.

vi) Negotiated with bus operators regarding the locations of bus stops on Murnin Street and Cowper Street.  
Result: Bus stops to remain in current locations, and to be reviewed within the next five years.

vii) Met with representatives of Wallsend Baptist Church on 23 January 2018 to discuss their issues raised during the exhibition. A number of requests related to parking provision, traffic safety and pedestrian access were made.  In response, Council undertook additional design for Cowper Street between Murnin Street and Newcastle Road to accommodate:

a) The proposed 3m wide shared path on the northern side of Cowper Street;

b) A concrete median to prevent eastbound traffic turning right into businesses on the southern side of the road;

c) A mid-block pedestrian refuge in the proposed concrete median;

d) Three on-street 2P parking spaces; and

e) Ten 2P spaces in the Kemp Street car park.

17 In response to major issues raised by Wallsend Baptist Church and the Childcare Centre on Bunn Street, exhibition leaflets for Bunn Street and Cowper Street proposals, as shown in Attachment G, were tabled to the NCTC on 19 March 2018 seeking comments and in-principle support for the proposed traffic plan.  The NCTC provided in-principle support and recommended commencing consultation.

18 Council exhibited Bunn Street and Cowper Street proposals to the affected businesses and property owners from 12 March 2018 to 11 April 2018.  The summary of key issues and consultation responses is shown at Attachment H.  
Response: Bunn Street received a total of two responses, with both in favour of the proposed changes.

Response: Cowper Street received a total of seven responses, with two in favour and three against proposed changes.  The remaining two respondents did not clearly identify their support or objection for the proposal.
19 Following the public exhibition the Bunn Street and Cowper Street traffic plans were tabled to the NCTC on 16 April 2018. The NCTC supported both proposals and recommended referring them to Council as part of the proposed overall traffic plan for final determination.

20 In response to community submissions and the results of additional investigations, a number of changes were made to the PDP and traffic plan. The finalised Wallsend Public Domain Plan and traffic plan is attached for Council's consideration to adopt inclusive of the following key changes:

   i) Inclusion of Bunn Street Traffic Plan;
   
   ii) Inclusion of Cowper Street Traffic Plan;
   
   iii) Inclusion of a pedestrian link along Ironbark Creek connecting Wallsend Park with Federal Park;
   
   iv) Inclusion of a shared path connecting Irving Street with the proposed R5 shared path;
   
   v) Inclusion of a shared path connecting Federal Park with the proposed R5 shared path;
   
   vi) Removal of the footbridge and footpath connection between Stockland Mall and Dan Rees Street for safety reasons including CPTED. Pedestrians to use proposed 3m wide R5 shared path on Cowper Street instead;
   
   vii) Removal of the footbridge and footpath connection between Kemp Street and Newcastle Road for safety reasons including CPTED. Pedestrians to use proposed 3m wide R5 shared path on Cowper Street instead; and
   
   viii) Retention of heritage coal hopper on the alignment of the heritage tramway.

21 The consultation process undertaken for developing the PDP and traffic plan is shown in Attachment B. The Wallsend Public Domain Plan Consultation Workshop Outcomes Report November 2016 is shown in Attachment I.

OPTIONS

Option 1

22 The recommendation as at Paragraph 1. This is the recommended option.
Option 2

23 Council does not adopt the Wallsend Public Domain Plan and Traffic Plan. No action be taken. This is not the recommended option.

BACKGROUND

24 The PDP has been prepared as part of Council's Local Centres Public Domain Renewal Program. The aim of this program is to:

   i) Ensure a strategic city wide approach to the prioritisation of asset renewal works in local and neighbourhood centres;
   
   ii) Ensure renewal works are undertaken in a coordinated and consistent manner; and
   
   iii) Achieve sustainable outcomes and assist in the revitalisation of the centres.

REFERENCES

ATTACHMENTS

Attachment A: Wallsend Public Domain Plan and Traffic Plan
Attachment B: Wallsend Public Domain Planning Process Flow Chart
Attachment C: Traffic survey results
Attachment D: Wallsend Public Domain Plan Summary of Proposals
Attachment E: Wallsend Public Domain Plan and Traffic Plan exhibition leaflet
Attachment F: Summary of Wallsend Public Domain Plan and Traffic Plan exhibition responses
Attachment G: Bunn Street Traffic Plan and Cowper Street Traffic Plan exhibition leaflets
Attachment H: Summary of Bunn Street Traffic Plan and Cowper Street Traffic Plan exhibition responses
Attachment I: Wallsend Public Domain Plan Consultation Workshop Outcomes November 2016

Attachments distributed under separate cover.
ITEM-44  CCL 22/05/18 - HARRIET STREET, WARATAH - PROPOSED PEDESTRIAN CROSSING NORTH OF HIGH STREET

REPORT BY:  INFRASTRUCTURE
CONTACT:  DIRECTOR INFRASTRUCTURE / INTERIM MANAGER INFRASTRUCTURE PLANNING

PURPOSE

To approve the proposed pedestrian crossing on Harriet Street north of High Street, Waratah.

RECOMMENDATION

1  Approve the proposed pedestrian crossing on Harriet Street, Waratah as shown in Attachment A.

KEY ISSUES

2  Harriet Street is an approximately 7 metre wide, two lane, two-way local road between High Street and Station Street with a posted speed limit of 50 km/h.

3  The proposed pedestrian crossing location is approximately 70 metres south of the existing children's crossing on Harriet Street and caters for a distinct east-west pedestrian desire line within High Street serving two schools, St Philip's Christian College and Waratah Public School. There is an existing raised threshold pedestrian crossing with kerb extensions on the western approach of High Street at the intersection serving the north-south pedestrian desire line, as shown in Attachment C.

4  Council conducted a manual traffic and pedestrian survey in September 2016 to ascertain the feasibility of installing a pedestrian crossing. The survey indicated that 61 pedestrians and 64 pedestrians crossed Harriet Street in the AM peak hour (8.00-9.00am) and PM peak hour (2.30-3.30pm) respectively. Two-way traffic volumes on Harriet Street during the AM and PM peak hours were 275 vehicles and 174 vehicles respectively.

5  The location was considered for the reduced Roads and Maritime Services (RMS) pedestrian and traffic volume warrants for installation of a pedestrian crossing as it is predominately used by school children.

6  The site was inspected by RMS and NSW Police representatives who provided in-principle support for the proposal. Council submitted the nomination for a construction funding grant in the NSW Government's 2017-2018 Active Transport Program. Council was unsuccessful in securing the grant.

7  The proposal involves constructing a 75mm high raised threshold pedestrian crossing with street lighting and drainage improvements.
8 The proposal will require extension of the existing No Stopping restrictions on both sides of Harriet Street in accordance with RMS guidelines. The extended full-time No Stopping restriction will result in the loss of one unrestricted parking space on the western side of Harriet Street. The existing No Stopping (8.00am-9.30am / 2.30pm-4.00pm School Days) restriction spanning two parking spaces on the eastern side of Harriet Street will be converted to a full-time No Stopping restriction.

FINANCIAL IMPACT

9 The proposed works will be funded from Council's 2018/2019 Pedestrian Access and Mobility Plan (PAMP) program. The project will cost approximately $80,000.

COMMUNITY STRATEGIC PLAN ALIGNMENT

10 The proposed work is aligned with the strategic direction of the Connected City whereby "transport networks and services will be well connected and convenient. Walking, cycling and public transport will be viable options for the majority of our trips". The proposal will increase safety for pedestrians and cyclists on Harriet Street.

IMPLEMENTATION PLAN/IMPLICATIONS

11 Approval of the pedestrian crossing is not delegated to Council officers and must be referred to Council for final determination. Approval of the pedestrian crossing does not have any implications on existing or future planning policies. The proposal will support Council's mission to enhance the quality of life by improving the safety for all road users.

RISK ASSESSMENT AND MITIGATION

12 The proposed pedestrian crossing is intended to reduce risk and increase safety for pedestrians and cyclists. The proposal will provide improved pedestrian and cyclist accessibility, amenity and safety. The work will be undertaken in accordance with the relevant Austroads and RMS guidelines.

RELATED PREVIOUS DECISIONS

13 Nil.

CONSULTATION

14 Consultation has been conducted with leaflets distributed to affected residents, non-resident owners and St Philip's Christian College from 26 February to 2 April 2018. An advertisement was published in the Newcastle Herald on 3 March 2018 seeking comments from the wider community by 2 April 2018. Leaflets were also posted to various stakeholders such as bus operators, police, fire brigade, ambulance services and utility providers. The consultation leaflet is shown at Attachment B.
15 Council received a response from St Philip's Christian College confirming support for the proposal. Council received no other responses.

16 The signposting and linemarking plan, following community consultation, was tabled at the Newcastle City Traffic Committee (NCTC) meeting on 16 April 2018 (Item 62). The NCTC supported the proposal and recommended referral to Council for final determination.

OPTIONS

Option 1

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

Option 2

18 Do not approve the proposed pedestrian crossing. This is not the recommended option.

BACKGROUND

19 The NCTC provided in-principle support for the concept proposal on 19 February 2018 following which community consultation commenced.

REFERENCES

ATTACHMENTS

Attachment A: Signposting and linemarking plan
Attachment B: Consultation leaflet
Attachment C: Location Plan - Harriet Street, Waratah
Community Consultation

To The Owner / Occupier

HARRIET STREET, WARATAH
Proposed Pedestrian Crossing North of High Street

26 February 2018

Council proposes to construct a new pedestrian crossing with raised threshold on Harriet Street, north of High Street, to improve pedestrian and cyclist safety. The proposed work includes constructing a 75mm high raised threshold pedestrian crossing along with undertaking associated street lighting, footpath and drainage upgrades.

The new pedestrian crossing will require extension of the existing No Stopping restrictions on both sides of Harriet Street in accordance with Roads and Maritime Services (RMS) guidelines. The extended full-time No Stopping restriction will result in the loss of one unrestricted parking space on the western side of Harriet Street. The existing No Stopping (8.00am - 9.30am / 2.30pm - 4.00pm School Days) restriction spanning two parking spaces on the eastern side of Harriet Street will be converted to a full-time No Stopping restriction.

A concept plan of the proposal is shown overleaf. The proposed plan and consultation responses will be tabled to the next available Newcastle City Traffic Committee for consideration. Council welcomes your comments on this proposal and your feedback will shape the final decision. Council will assume that any resident / business choosing not to reply to this letter has no objection to the proposal.

Are you in favour of the proposal (please tick)?

YES ☐ NO ☐

Please forward written comments by 2 April 2018 to The Chief Executive Officer, Newcastle City Council, Attention: Transport & Traffic, PO Box 489, NEWCASTLE NSW 2300 or email: mail@ncc.nsw.gov.au, Phone: 4974 2000, Fax: 4974 2222. For further information on the proposal please contact Dipen Nathwani, Traffic Engineer, on 4974 2663.

Name: ___________________________ Address (Mandatory): ___________________________

Comments: ___________________________

______________________________

______________________________

______________________________

______________________________

Protecting your privacy: Newcastle City Council is committed to protecting your privacy. We take reasonable steps to comply with relevant legislation and Council policy. Purpose of collecting personal details: Council is collecting this information to determine the local community's views and opinions on the proposal outlined. Intended recipients: Information provided as part of the consultation will be used as part of the investigation into the proposal, and may be included in future reports on the issue. Storage and security: Information provided will be stored on Council’s database and will be subject to Council’s information and privacy policies. Access: Individuals can access data to check accuracy by contacting Council.

PLEASE NOTE: When making written comments or submissions to Council, the following information should be considered – Should an objector consider that the disclosure of their name and address would result in detriment to them the words “OBJECTED IN CONFIDENCE” must be stated prominently at the top of the submission. Council may, however, be obliged to release full details of the submission including the name and address under the relevant access to information legislation, even if these words are in the submission.
Attachment C

Location Map of Proposed Pedestrian Crossing – Harriet Street, Waratah
ITEM-45  CCL 22/05/18 - PUBLIC EXHIBITION OF DRAFT OUTDOOR EXERCISE FACILITY STRATEGY

REPORT BY: INFRASTRUCTURE
CONTACT: DIRECTOR INFRASTRUCTURE / MANAGER FACILITIES AND RECREATION

PURPOSE

To place the draft Newcastle City Council Outdoor Exercise Facility Strategy (Strategy) on public exhibition for a period of 28 days.

RECOMMENDATION

1. Place the draft Newcastle City Council Outdoor Exercise Facility Strategy on public exhibition for a period of 28 days.

2. Receive a report following the public exhibition period.

KEY ISSUES

3. Currently, Council has no guidelines or benchmarks in place to guide the provision and management of outdoor exercise stations. The Strategy will establish benchmarks for determining the number of locations provided as well as criteria to guide the future equipment design and site selection. This will ensure an equitable distribution of quality facilities situated in the optimal locations for use by the community.

4. Action 1.16 of The City of Newcastle Parkland and Recreation Strategy recommends providing pathways, bicycle lanes, courts and fitness equipment to encourage informal and unstructured recreation participation.

FINANCIAL IMPACT

5. Exhibition of the draft Strategy will have no financial impact. Required staff resources will be absorbed within current programs.

COMMUNITY STRATEGIC PLAN ALIGNMENT

6. Development of the draft Strategy is aligned with the strategic objectives of "Vibrant and Activated Public Places" and "Open and Collaborative Leadership".

IMPLEMENTATION PLAN/IMPLICATIONS

7. The Strategy provides a body of work for Council to develop outdoor exercise facilities for the benefit of the community. Funding to implement the Strategy will be requested through the appropriate budget processes and include seeking partnership and grant funding where relevant.
RISK ASSESSMENT AND MITIGATION

8 There is no foreseen risk in placing the Strategy on public exhibition.

RELATED PREVIOUS DECISIONS

9 At the Ordinary Council Meeting on 12 December 2017, Council resolved to develop an outdoor fitness equipment strategy and build upon the outdoor fitness options available to people in Newcastle, by providing fitness trails and gym equipment at parks and public recreation areas within the four Wards of the Local Government Area.

CONSULTATION

10 Consultation has occurred with key internal stakeholders including Facilities and Recreation, Infrastructure Planning, and Community Engagement.

11 External consultation has occurred with the Collaborative Research Agreement partners, the University of Newcastle, and Lake Macquarie Council.

12 It is proposed to invite comment from fitness providers and personal trainers during the public exhibition period.

13 The Strategy will be promoted on Council's website and social media sites to encourage broader community feedback. Additionally posters promoting the Strategy's exhibition will be placed at both current and planned exercise equipment locations.

OPTIONS

Option 1

14 The recommendation as at Paragraph 1 and 2. This is the recommended option.

Option 2

15 The draft Newcastle City Council Outdoor Exercise Facility Strategy not be placed on public exhibition. This is not the recommended option.

BACKGROUND

16 Newcastle City Council, Lake Macquarie City Council and the University of University successfully partnered to seek funding from the federal Government's 'National Health and Medical Research Council (NHMRC) Partnership Projects 2016'. Under a collaborative research agreement Council committed to fund the development of five outdoor facility locations, commencing in 2017/18 at Lambton Park. Additional facilities are planned at the Fernleigh Track, Nesca Park, Stockton Cycleway and National Park.
17 Council has previously established exercise equipment at Braye Park, Islington Park and Warabrook Wetlands.

REFERENCES

ATTACHMENTS

Distributed under separate cover

Attachment A: Draft Newcastle City Council Outdoor Exercise Facility Strategy
ITEM-46 CCL 22/05/18 - DELEGATION TO PUBLICLY EXHIBIT THE NEWCASTLE COASTAL ZONE MANAGEMENT PLAN - STOCKTON

REPORT BY: INFRASTRUCTURE
CONTACT: DIRECTOR INFRASTRUCTURE / INTERIM MANAGER INFRASTRUCTURE PLANNING

PURPOSE

To seek approval for the delegation of authority to the Lord Mayor and the Chief Executive Officer to publicly exhibit the draft Newcastle Coastal Zone Management Plan - Stockton.

RECOMMENDATION

1 Council delegate authority to the Lord Mayor and Chief Executive Officer to publicly exhibit the draft Newcastle Coastal Zone Management Plan - Stockton.

KEY ISSUES

2 In December 2016 Council submitted the Newcastle Coastal Zone Management Plan (NCZMP) to the Office of Environment and Heritage (OEH) for review and Minister's certification under the Coastal Protection Act 1979 (CP Act).

3 In August 2017 Council received notification from OEH advising Council that the NZCMP could not be certified as it did not meet the legislative requirements to enable certification under the CP Act. They advised that the actions for the Southern Beaches component of the NCZMP were acceptable, however, concerns were raised regarding the Stockton precinct.

4 Council has excised the Stockton component from the NCZMP and will be resubmitting the draft Newcastle Coastal Zone Management Plan - Southern Beaches to Council at the 26 June 2018 meeting for adoption, and to seek endorsement to submit this plan to the Minister for Environment for certification.

5 Council is currently reviewing the Stockton coastal management actions and developing the draft Newcastle Coastal Zone Management Plan - Stockton (Plan) for public exhibition.

6 The Coastal Management Act 2016 (CM Act) commenced 3 April 2018. Under the CM Act there is a transition arrangement that allows Councils to have Coastal Zone Management Plans certified under the CP Act. The deadline for certification of these Plans under the transition arrangement is 3 October 2018.

7 In order to have sufficient time to finalise the Plan, place on public exhibition (21 days), and collate submissions, Council will need to commence public exhibition at the beginning of June 2018.
FINANCIAL IMPACT

8 The public exhibition of the Plan has minimal financial impact and costs associated with the exhibition are funded in the 2017/18 Operational budget. The certification of the Plan will enable Council to seek funding for the coastal management actions that are included in the Plan including detailed investigations to assess potential long term measures aimed to address coastal hazards and erosion along the eastern edge of Stockton.

COMMUNITY STRATEGIC PLAN ALIGNMENT

9 This Plan is consistent with the Community Strategic Plan Strategies: Protected and Enhanced Environment; Vibrant and Activated Public Places; and Liveable and Distinctive Built Environment.

IMPLEMENTATION PLAN/IMPLICATIONS

10 Coastal management actions requiring funding will be identified in Council’s Delivery Program and annual Operational Plans, allowing Council to undertake the actions as funding / resources allow.

RISK ASSESSMENT AND MITIGATION

11 Public exhibition of the Plan will be critical to its certification and implementation of the coastal management actions within the Plan.

RELATED PREVIOUS DECISIONS

12 On 22 November 2016, Council adopted the Newcastle Coastal Zone Management Plan and endorsed the Newcastle Coastal Zone Hazard Study and the Newcastle Coastal Zone Management Study.

CONSULTATION

13 Council held a community meeting at Stockton on 7 March 2018 to inform the community of the changes to coastal legislation, the inability of the NCZMP to be certified, and the development of the two separate Newcastle Coastal Zone Management Plans; Southern beaches and Stockton.

14 Council has initiated the Stockton Community Liaison Group. Membership includes representatives from the community, Worimi Land Council and Council Officers. Ward 1 Councillors, the Lord Mayor and key government agencies are also invited to attend the meetings.

15 Council has initiated the Stockton Coastal Interagency Advisory Committee. This Committee comprises of representatives from Department Premier and Cabinet, Hunter Water Corporation, Office of Environment and Heritage, Department of Industry - Lands, Environmental Protection Agency and Council.
OPTIONS

Option 1

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

Option 2

17 Do not provide delegation to the Lord Mayor and Chief Executive Officer to publicly exhibit the draft Plan. This is not the recommended option.

BACKGROUND

18 The Stockton coastal zone has been the subject of a number of studies to assess coastal processes and to inform the Plan.

These include:

i) The Stockton Beach Coastal Engineering Advice – Public Works Department (1985);

ii) Stockton Beach Coastal Engineering Advice Addendum – Public Works Department (1987);

iii) Stockton Beach Coastline Hazard Study – Department of Land and Water Conversation (1995);

iv) Newcastle Coastline Hazard Definition Study – WBM Oceanics Australia (1998);

v) Shifting Sand at Stockton Beach – Umwelt Pty Ltd and SMEC Australia Pty Ltd (2002); and


19 In 2016, the NSW Government announced that councils would no longer have access to funding under the Coastal Grants Program unless the Council has a Coastal Zone Management Plan that has been certified by the Minister for Planning.

REFERENCES

ATTACHMENTS

Nil.
ITEM-47  CCL 22/05/18 - CALL FOR NOMINATIONS FOR THE COMMUNITY PLACE MAKING PROJECT GRANT PANEL

REPORT BY:  PLANNING AND REGULATORY
CONTACT:  ACTING DIRECTOR PLANNING AND REGULATORY / ACTING MANAGER STRATEGIC PLANNING

PURPOSE

To appoint four Councillor representatives, one Councillor from each Ward, to the Community Place Making Grant Panel.

RECOMMENDATION

1  That Council appoints representatives as follows:

<table>
<thead>
<tr>
<th>Councillors appointed</th>
<th>Panel</th>
<th>Term of membership</th>
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</thead>
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<tr>
<td>Ward 1 [Insert name of Councillor]</td>
<td>Community Place Making Grant Panel</td>
<td>22 May 2018 to 11 September 2020</td>
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<tr>
<td>Ward 2 [Insert name of Councillor]</td>
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<td>Ward 3 [Insert name of Councillor]</td>
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<tr>
<td>Ward 4 [Insert name of Councillor]</td>
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2  Panel Facilitator will contact nominated Councillors and advise of the inaugural meeting date.

KEY ISSUES

ROLE OF THE PANEL

3  The role of the Community Place Making Grant Panel (CPMGP) is to:

i) Assess and approve proposals submitted for a Community Place Making Grant (CPMG).

ii) Authorise the payment of CPMG to successful applicants.

iii) Assist in the implementation of the Policy.

COMPOSITION OF THE PANEL

4  The CPMGP will comprise: the Lord Mayor, one Councillor from each Ward, Director Planning and Regulatory which will become Director Strategy and Engagement (or nominee) and Manager Strategic Planning which will become Manager Corporate and Community Planning.
MEETINGS

5 The CPMGP will meet a maximum of twice annually. The first meeting for 2018 is scheduled to be held in early June.

FINANCIAL IMPACT

6 There is no financial impact associated with Councillor representation on the CPMGP.

COMMUNITY STRATEGIC PLAN ALIGNMENT

7 Aligned with *Newcastle 2030 Community Strategic Plan* key Strategic Directions:

i) Open and Collaborative Leadership:
   a) Considered decision-making based on collaborative, transparent and accountable leadership.
   b) Active citizen engagement in local planning and decision-making processes and a shared responsibility for achieving our goals.

ii) Vibrant and Activated Public Places, and

iii) Caring and Inclusive Community

IMPLEMENTATION PLAN / IMPLICATIONS

8 Councillor membership on the CPMGP is defined by the CPMG Policy.

9 Representation on the CPMGP from each Ward fosters collaborative decision-making for community place making activities across the Newcastle LGA.

RISK ASSESSMENT AND MITIGATION

10 Councillor membership is subject to the terms of the CPMG Policy. All CPMGP members must ensure they meet their obligations under the Code of Conduct at all times as well as obligations under other relevant legislation.

RELATED PREVIOUS DECISIONS

11 At the Ordinary Council Meeting held on 22 February 2018 a revised Community Place Making Grant Policy was adopted. This new policy has combined the former Place Making Policy and the former Community Assistance Policy.

12 At the Ordinary Council Meeting held on 4 December 2012 nominations for the Place Making Working Party were received from Councillors Doyle, Compton, Osborne and Rufo.
CONSULTATION

13 N/A.

OPTIONS

Option 1

14 The recommendations as at paragraphs 1 and 2. This is the recommended option.

Option 2

15 Councillors resolve to not continue Councillor representation on the Community Place Making Grant Panel. This is not the recommended option as this would contravene the adopted Community Place Making Grant Policy.

BACKGROUND

16 Place Making means the active participation of community stakeholders in the planning and management of public places across the city to achieve safe, vibrant and welcoming places and long term community benefit.

17 The CPMG's are small grants of $4,000 designed to encourage, foster and support active community participation of those who live, work and recreate in a place to create safe, vibrant and activated public places.

REFERENCES

ATTACHMENTS

Nil
ITEM-48 CCL 22/05/18 - ADOPTION OF NEWCASTLE AFFORDABLE LIVING PLAN

REPORT BY: PLANNING AND REGULATORY
CONTACT: ACTING DIRECTOR PLANNING AND REGULATORY / ACTING MANAGER STRATEGIC PLANNING

PURPOSE

This report provides Council with the outcomes of the public exhibition of the draft Newcastle Affordable Living Plan and recommends Council adopt the final plan.

RECOMMENDATION

1 Council resolves to adopt the Newcastle Affordable Living Plan (Plan) as provided in Attachment A.

KEY ISSUES

2 Council resolved at the Ordinary Council Meeting held on 25 July 2017, to place the Plan on exhibition and host an affordable living round table at the end of the exhibition period. The Plan was publicly exhibited for 60 days from 7 August 2017 to 9 October 2017. Seven submissions were received and issues raised are summarised in Attachment B.

3 On 22 February 2018, Council hosted an Affordable Living Round Table to discuss affordable living issues in Newcastle. An Affordable Living Focus Group formed out of the round table to collaborate and share affordable living actions across a range of government and non-government agencies.

4 The Plan incorporates suggestions raised through the exhibition and consultation process. In particular, the actions are now framed to acknowledge delivery of the Plan requires input and cooperation from all sectors and levels of Government. The Plan also identifies opportunities where Council can take the lead role and where Council can support other organisations (eg. supporting Compass Housing with the "Everybody's Home" campaign).

5 The Plan identifies four action focus areas - housing, transport; recreation and services; education, collaboration and advocacy. To assist with work programming and budgeting, the actions are prioritised into, short, medium, long term, and / or ongoing.

6 A priority identified by stakeholders through the Affordable Living Focus Group is the need for a central 'hub' to support education, collaboration and information exchange between people and organisations interested in facilitating affordable living in Newcastle. A short term action has been proposed for Council to:
"Investigate the feasibility of hosting and / or collaborating with other organisations to host a webpage, develop an app or other tools to support education, collaboration and information exchange between people and organisations interested in affordable living. This may include organisations such as Hunter Councils, University of Newcastle, Hunter Development Corporation".

7 Additional actions identified through consultation and from the Focus Group include:

i) Housing

a) Housing Strategy - review the Local Planning Strategy to ensure that it identifies and plans for housing needs across the housing supply continuum consistent with the Hunter Regional Plan 2036 and draft Greater Newcastle Metropolitan Plan.

b) Local Environmental Plan (LEP) and Development Control Plan (DCP) provisions - review LEP and DCP controls to support co-housing, cooperatives, intergenerational housing and temporary housing. It also proposes that costs and savings of new controls are considered in the development of new controls.

c) Incentives - investigate incentives to encourage deliberative housing, such as housing cooperatives.

d) Monitoring - identify key indicators and tools to measure the implementation and effectiveness of the Plan.

ii) Recreation and services - a major element identified by the Affordable Living Focus group was the links between affordable living and the sharing economy. The sharing economy has potential to reduce living and housing costs, improve access to facilities and services and improve social interactions. Some cities have developed action plans to consider and manage the costs and benefits of new sharing economy ventures. A new action has been included to investigate the development of a Policy statement to consider the sharing economy in Newcastle.

iii) Education, collaboration and advocacy

a) Education - Develop a community engagement program to explain the meaning of affordable housing and the benefits that such housing brings to the community.

b) Advocacy - Advocate for changes to State Government Policy so that surplus land can be sold below market rate for affordable rental housing and / or deliberative housing development and support the 'Everybody's Home' campaign.

c) Collaboration - Continue to facilitate the Affordable Living Focus Group of key stakeholders to share knowledge and support affordable living opportunities across the Newcastle area.
FINANCIAL IMPACT

8 For some actions identified in the Plan a budget allocation will need to be sought through the usual budget process.

9 Actions involving amendments to planning controls can be resourced through the existing Urban Planning budget.

COMMUNITY STRATEGIC PLAN ALIGNMENT

10 The Plan aligns with the Liveable and Distinctive Built Environment and Caring and Inclusive Community strategic directions of the Newcastle 2030 Community Strategic Plan.

IMPLEMENTATION PLAN/IMPLICATIONS

11 The preparation of new planning controls and policies can be undertaken by Council staff or consultants within the Urban Planning budget. This work will need to be scheduled into the work program and budget.

12 Additional actions will be scheduled into the work program as budget is allocated.

RISK ASSESSMENT AND MITIGATION

13 There are no risks associated with the adoption of the Plan. Subsequent actions will be subject to further Council decisions and community involvement.

RELATED PREVIOUS DECISIONS

14 At the Ordinary Council Meeting held on 26 April 2017, Council considered a Lord Mayoral Minute in relation to affordable housing in Newcastle. At the meeting it was resolved that Council:

"Develops an affordable housing strategy consistent with our 2030 Vision to create a smart, liveable and sustainable City that is inclusive to guide and improve the provision and inclusion of affordable housing throughout the city."

15 A Councillor workshop was held with Council staff on 18 July 2017 and at the Ordinary Council Meeting held on 25 July 2017, Council resolved to place the Plan on public exhibition. In addition, Council resolved that an affordable living round table be held at the end of the public exhibition period.

CONSULTATION

16 The Plan was publicly exhibited for 60 days from 7 August 2017 to 9 October 2017. Seven submissions were received and issues raised are summarised in Attachment B.
On 22 February 2018, Council also hosted an Affordable Living Round Table to discuss affordable living issues in Newcastle. The Round Table was attended by 24 stakeholders including academics, affordable housing providers, tenant advocacy services, co-housing facilitators, planning consultants, Awabakal Local Aboriginal Land Council, Property Council of Australia, Housing Industry Association, State Members, the Lord Mayor and Councillors.

An outcome of the Round Table was the formation of an Affordable Living Focus Group. The aim of this focus group is to support the implementation of the Plan through sharing of information, assisting with project planning and monitoring; and supporting opportunities for education collaboration and advocacy of affordable living at other levels of government, within other industry sectors and the community. The Affordable Living Focus Group has provided input into the Plan.

OPTIONS

Option 1

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

Option 2

Council not adopt the Newcastle Affordable Living Plan. This is not the recommended option.

BACKGROUND

The term 'affordable living' encompasses affordable housing, but also looks at other factors that affect affordability, and ensures that the hidden costs of inappropriately located or designed housing are not overlooked. Housing affordability is influenced by many factors such as the overall supply and demand for housing, the type of housing, construction costs, climate, land and infrastructure costs and approval processes. In turn, housing influences other non-shelter outcomes such as access to transport, jobs, education and services, family stability and health. Affordable living is a holistic approach to achieving housing affordability and livability and aligns with the Newcastle 2030 community vision to create a smart, livable, sustainable city.

REFERENCES

ATTACHMENTS

Attachment A: Newcastle Affordable Living Plan
Attachment B: Summary of submissions

To be distributed under separate cover
ITEM-49 CCL 22/05/18 - WICKHAM AMENDMENTS - ENDORSEMENT OF AMENDMENT TO NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012

REPORT BY: PLANNING AND REGULATORY
CONTACT: ACTING DIRECTOR PLANNING AND REGULATORY / ACTING MANAGER STRATEGIC PLANNING

PURPOSE

This report seeks Council's endorsement to commence the statutory process for amending the Newcastle Local Environmental Plan 2012 (LEP) consistent with the Wickham Master Plan adopted at Council's Ordinary Meeting held on 28 November 2017.

RECOMMENDATION

1 Council resolves to:
   i) Endorse the attached Planning Proposal (Attachment A), prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979.
   ii) Forward the Planning Proposal to the Minister for Planning and Environment for Gateway Determination pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.
   iii) Receive a report back on the Planning Proposal following the public exhibition.

KEY ISSUES

2 The proposed amendments to Newcastle LEP 2012, as identified within the attached planning proposal (Attachment A), were identified during the preparation and exhibition of the Wickham Master Plan as necessary for enabling the vision for the area to be realised.

3 The proposed amendments seek to achieve the following:
   i) Include 'Technological industries' as a permissible use within the B4 Mixed Use Zone. This change will apply to all land zoned B4 Mixed Use, which includes the Newcastle City Centre and the Urban Renewal Corridors.
ii) ‘Technological industries’ are considered to be compatible with the mix of uses permitted within the B4 Mixed Use zone. This use was not included within B4 Mixed Use Zone during the preparation of Newcastle LEP 2012, given uses were simply transferred from the former Zone 3 (d) Mixed Use Zone of Newcastle LEP 2003 and ‘Technological Industries’ was not previously defined.

iii) This amendment is also consistent with Council's strategic focus on transforming into a smart city and supporting a clean smart economy.

iv) Nominate land to be acquired for local roads and public domain improvements. This amendment was nominated within the Wickham Master Plan.

v) Land acquisitions are usually triggered when land is being sold or redeveloped and funded through developer contributions, or provided in lieu of a monetary contribution under individual planning agreements. It is noted that the proposed amendments do not propose to provide developer incentives or relaxation of controls in exchange for transferring land to Council.

vi) Furthermore it is envisaged that the identified land acquisition reservation along the former Bullock Island Corridor will be transferred to Council under agreement by the State Government. Further consultation will occur with the relevant agencies to secure this land during the LEP amendment process.

vii) Rezone land adjoining Wickham Park to reflect its current and envisaged future use and private land ownership.

viii) The current zoning is a legacy of the land previously being leased from the Crown and used as an indoor sports centre (basketball) from the early 1960s until the late 1980s. The land became freehold in 2005 when the current owners acquired it from the Crown. The land is no longer used for recreational purposes hence the current RE1 Public Recreation Zone is no longer applicable. A B4 Mixed Use zone on the land is consistent with the adjoining land and the vision for the land within the Wickham Master Plan.

ix) Enable sufficient gross floor area for the feasible redevelopment of land.

x) Preparation of the Wickham Master Plan included economic and market analysis by AEC group to ensure the vision for Wickham may be realised through the redevelopment of existing former industrial uses. The study included feasibility testing of various scenarios across the study area. From this it was concluded that land consisting a FSR of 1:1 was not feasible for redevelopment and that a FSR of 1.5:1 should be applied as a minimum.
xi) The proposed amendment seeks to correct the FSR for some larger parcels fronting Lindus Street which currently have a FSR of 1. There is no available documented rationale as to why a lower FSR was chosen on the land, especially as the height of building (HOB) exceeds the surrounding area by three metres (one storey) to a total of 14m, which would result in an inefficient built form on the land.

xii) Ensure built form outcomes are reflective of the envisaged character areas within Wickham. In order to achieve the envisaged built form and scale within the Village Hub precinct (outlined within the Wickham Master Plan) and avoid the need to apply Clause 4.6 'Exceptions to development standards', it is proposed that wherever applicable the HOB be increased from 10m to 11m.

xiii) Protecting the local heritage significance of the former Wickham to Bullock Island Rail Corridor.

xiv) The Bullock Island railway corridor remains a prominent element in the existing urban structure within Wickham which provides strong ties to the area's past land uses and connection to adjoining areas. Remnants of the railway tracks remain within the corridor and its significance is maintained at present, due to the absence of any building over the corridors alignment.

xv) Whilst this corridor is identified in the Wickham Master Plan and reflected in the draft development controls for the area, adequate protection is required to ensure continuity of the corridor is maintained and not compromised by redevelopment where located on private land.

4 Further amendments may be necessary in the future to implement the Wickham Master Plan's proposed development incentives based on the provision of community benefits. However, such an initiative requires further work and stakeholder engagement in order to refine Council's proposed approach.

5 The current round of amendments to Newcastle LEP 2012 while not proposing major variations to the current development standards will ensure a feasible baseline is established from which future amendments may be based upon.

FINANCIAL IMPACT

6 Work will be undertaken by Council’s Strategic Urban Planning staff within their current allocated work program and budget.
COMMUNITY STRATEGIC PLAN ALIGNMENT

7 The Planning Proposal (Attachment A) is consistent with the strategic directions of the Newcastle 2030 Community Strategic Plan (CSP), including:

- Vibrant and Activated Spaces
- Caring and Inclusive Community
- Liveable and Distinct Built Environment
- Open and Collaborative Leadership.

8 A detailed discussion of the Planning Proposal and its relationship with the CSP is provided in the Planning Proposal at Attachment A.

IMPLEMENTATION PLAN/IMPLICATIONS

9 The implementation of the recommendation of this report will ensure that Newcastle LEP 2012 reflects the strategies and actions within the adopted Wickham Master Plan.

RISK ASSESSMENT AND MITIGATION

10 The process of amending an LEP is prescribed by Part 3 of the Environmental Planning and Assessment Act 1979. Adherence to the legislative framework reduces the risk by ensuring that a Planning Proposal is considered with regard to relevant strategic planning documents and is determined in an appropriate timeframe.

11 Following Gateway determination, Council will consult with relevant State agencies to identify any further risk associated with redevelopment on the land.

RELATED PREVIOUS DECISIONS

12 At the Ordinary Council Meeting held on 28 November 2017 Council adopted the Wickham Master Plan, which endorsed a number of actions for implementation including the proposed LEP amendments.

CONSULTATION

13 Extensive consultation and stakeholder engagement was carried out during the preparation of the Wickham Master Plan. Further consultation with stakeholders (including the relevant agencies and the community) will occur in accordance with the Minister’s requirements following Gateway determination.

14 Council will receive a report outlining the consultation outcomes prior to the plan being made.
OPTIONS

Option 1

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

Option 2

16 Council resolves not to proceed with the Planning Proposal. This option would not provide the opportunity for the community to provide feedback on the proposal. This is not the recommended option.

BACKGROUND

17 The land applying to the proposed amendments is consistent with the Wickham Master Plan area and consists of Wickham Park zoned RE1 Public Recreation, some B3 Commercial Core zoned land north of the Newcastle Transport Interchange, and the remaining land being zoned B4 Mixed Use.

18 The land continues to evolve from a once semi-industrial area at the outer fringe of the Newcastle City Centre into a mixed use urban neighbourhood supporting the emerging commercial core within the Newcastle City Centre.

19 The area has experienced increased investor interest and new developments, due to its proximity to the new Newcastle transport interchange, the emerging commercial core within Newcastle West, proximity to Newcastle Harbour, the availability of large sites zoned for a mix of use including residential apartments.

REFERENCES

ATTACHMENTS

Attachment A: Planning Proposal - Wickham - Proposed Amendments to Newcastle Local Environmental Plan 2012
Planning Proposal - Wickham

Proposed Amendments to Newcastle Local Environmental Plan 2012
Instrument | Schedule | Mapping

Version 1 | Council endorsement
April 2018
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Summary of proposal

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<td>– Land Reservation Acquisition (LRA) map</td>
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Overview

Council has prepared this planning proposal in order to facilitate the implementation of the strategies and actions outlined within the Wickham Master Plan (WMP) November 2017. The planning proposal outlines amendments to Newcastle LEP 2012 which seek to implement the community's vision for Wickham (depicted in Figure 1) and correct discrepancies identified during the preparation and exhibition of the WMP.

This planning proposal does not include any amendments relating to the proposed community benefit scheme identified in the WMP for achieving bonus density and scale of development. Council will undertake further investigation and consultation to determine the best mechanism/s for introducing these and to provide sufficient level of justification for these.

The planning proposal was prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (NSW) and is consistent with the Department of Planning and Environment's guidelines, 'A guide to preparing planning proposals'.

Planning proposals are not a static document hence this planning proposal will be updated at various stages of the amendment process.

Figure 1  Wickham Master Plan underpins this planning proposal
Context
The land applying to the proposed amendments is consistent with the WMP project area and consists of Wickham Park zoned RE1 Public Recreation, some B3 Commercial Core zoned land north of the Newcastle Transport Interchange, and the remaining land being zoned B4 Mixed Use. The land forms part of the Newcastle City Centre, as shown in Figure 2 – Context of Wickham Master Plan area within Newcastle City Centre.

The area has experienced increased investor interest and new developments, due to its proximity to the new Newcastle transport interchange, the emerging commercial core within Newcastle West, proximity to Newcastle Harbour, the availability of large sites zoned for a mix of use including residential apartments.

Hence, the area character continues to evolve from a once semi-industrial area at the outer fringe of the Newcastle City Centre into a mixed use urban neighbourhood supporting the emerging commercial core within Newcastle West.

![Map of Wickham Master Plan area](image)

**Figure 2** Context of Wickham Master Plan area within Newcastle City Centre.

Part 1 - Objectives or intended outcomes
To amend Newcastle Local Environmental Plan 2012 to enable:

a. ‘Technological industries’ within the B4 Mixed Use Zone
b. acquisition of land required for local roads
c. rezoning of land to reflect current and envisaged future use and private ownership
d. delivery of sufficient gross floor area for the feasible redevelopment of land
e. improved built form outcomes on land reflective of the character envisaged within Council’s adopted Wickham Master Plan
f. protecting the local heritage significance of the former Bullock Island Rail Corridor.
Part 2 - Explanation of provisions

The intended outcome will be achieved by the following amendments to Newcastle LEP 2012:

a. Include the term 'Technological Industries' as a land use 'permitted with consent' in the B4 Mixed Use Zone under Clause 2.3 Zone objectives and Land Use Table.

b. Amend the Land Reservation Acquisition (LRA) map, as shown in Figure 3, to include the following land, which Council seeks to acquire for the purpose of local road reservation:

- Part of 10 Dangar Street, Wickham - Lot 1 DP1197377
- Part of 18 Grey Street, Wickham - Lot 1 DP198579
- Part of 24 Lindus Street, Wickham - Lot 1 DP735462
- Part of 46 Union Street, Wickham - Lot 1 DP815254
- Part of 34 Throsby Street, Wickham - Lot 1314 DP 621178
- Part of 37 Throsby Street, Wickham - Lot 1 DP DP799952
- Part of 82, 64, 66, 68, 72, 74, 76 and 80 Bishopsgate Street Wickham - Lots 1 and 2 DP1085561, Lots 1 and 2 DP348072, Lot 1 DP124963, Lot 1 DP191305, Lot 1 DP880471, Lot 1 DP128310, Lot 1 DP904361, Lot 1 DP904638
- Part of 29 Bishopsgate Street, Wickham - Lot 1 DP801618
- Part of 55 Throsby Street, Wickham - Lot 1 DP982092
- Part of 71 Throsby Street, Wickham - SP0074472
- Part of 20 Greenway Street, Wickham - SP0031620
- Part of 8-10 Albert Street, Wickham - Lot 100 DP1185607
- Part of 12 Albert Street, Wickham - Lot 165 DP669083
- Part of 30 Railway Street, Wickham - Lot 165 DP669084, Lot 1A DP755247, Lots 1, 3 and 4 DP949529, Lot 2 DP949528
- Part of 2-10 Holland Street, Wickham - Lot 137 DP789378
- Part of 73 and 79 Railway Lane, Wickham - Lot 11 DP1106378 and Lot 110 DP1018454
- Part of 50 Railway Street, Wickham - Lot 100 DP1073974
d Amend the Floor Space Ratio (FSR) map on land listed below to reflect an increase in the minimum FSR from N (1) to S (1.5):

- 29 Bishopsgate Street, Wickham, described as Lot 1 DP 801618
- 33 Bishopsgate Street, Wickham, described as SP0073020
- 37 Bishopsgate Street, Wickham, described as Lot 13 DP 131687
- 5 and 7 Lindus Street, Wickham, described as Lots 8 and 7 DP 1766
- 24 Lindus Street, Wickham, described as Lot 1 DP 735482
- 34 Throsby Street, Wickham, described as Lot 1 314 DP 821178
- 48 and 52 Throsby Street, Wickham, described as Lots 201 and 202 DP795303
- 46 Union Street, Wickham, described as Lot 1 DP 815254
- and adjoining roads.
c. Rezone land at 18 Albert Street, Wickham described as Lot 3212 DP 726530 from RE1 Public Recreation to B4 Mixed Use, by amending the maps listed below consistent with the development standards applied to adjoining land within the B4 Mixed Use Zone:

- Land zoning (LNZ), shown in Figure 5
- Floor space ratio (FSR), shown in Figure 7
- Height of building (HOB), shown in Figure 9
- Lot size map (LSZ), shown in Figure 11.
Figure 5  Proposed Land Zoning
e. Amend the Height of Building (HOB) map on any land within Wickham to which the Newcastle City Centre map of Newcastle LEP 2012 applies that has a current HOB of 10m by increasing the minimum HOB to 11m.

Figure 8 Existing Height of Building
Figure 9  Proposed Height of Building
Figure 11 Proposed Minimum Lot Size
f. Listing part of the Former Bullock Island Railway Corridor within Part 1 Heritage Items within Schedule 5 Environmental Heritage. This listing is proposed to appear as follows:

<table>
<thead>
<tr>
<th>Suburb</th>
<th>Item name</th>
<th>Address</th>
<th>Property description</th>
<th>Significance Item no</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wickham</td>
<td>Former Wickham and Bullock Island Railway Corridor</td>
<td>50 Railway Street, 8A and 8-10 Albert Street, 161 Railway Street, and part of Railway and Greenway Streets</td>
<td>Lot 100, DP1073974</td>
<td>local</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lot 100, DP1185607</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lot 51, DP830679</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lot 53, DP830679</td>
<td></td>
</tr>
</tbody>
</table>

Figure 12  Existing Heritage
Figure 13  Proposed Heritage
Part 3 - Justification

Section A - Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

Yes, the planning proposal is the result of Council adopting the Wickham Master Plan (WMP) on 28 November 2017. The Wickham Master Plan sets the vision of how the area will redevelop within the coming 25 years and beyond. Furthermore the WMP identified various strategies and actions for achieving the vision, including the need to amend Newcastle LEP 2012 as outlined in this planning proposal.

The WMP is underpinned by review of studies and strategies previously already carried out by Council, an economic and market analysis by the AEC Group, Traffic and Transport Assessment by Bitziros Consulting, and comprehensive stakeholder consultation and collaboration.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, amending the Newcastle LEP 2012 is considered the best means of achieving the objectives of the planning proposal.

a. Permit (with consent) 'Technological industries' within the B4 Mixed Use Zone.

'Technological industries' are currently prohibited by default within the B4 Mixed Use zone, given the use is not listed under subclause 2 (Permitted without consent) or subclause 3 (Permitted with consent) of the 'Land Use Table' of Newcastle LEP 2012.

The uses included within B4 Mixed Use Zone during the preparation of Newcastle LEP 2012 were nominated as they best reflected the uses within Zone 3 (d) Mixed Use Zone of the former Newcastle LEP 2003. Technological industries was not previously defined given this sector has only recently emerged as a recognised land use in its own right.

The WMP vision identifies the area continuing to evolve as a diverse and dynamic mixed-use neighbourhood which supports economic and employment generating uses that compliment and support the emerging commercial core within Newcastle West.

The area was identified as an opportune location for supporting growth in emerging smart clean technological industry, research and development, due to access to technological infrastructure and the piloting of ‘smart city’ initiatives within the city centre area.

Consideration was given to including the use ‘Technological industries’ as an additional use only within land zoned B4 Mixed Use within Wickham. However, this would result in this use continuing to be prohibited elsewhere within the city where the B4 Mixed Use zone applies. This is not a desirable approach given that 'Technological industries' are considered to be a compatible use within other parts of the city where the B4 Mixed Use zone applies. This includes much of the Newcastle City Centre area, and parts of the Newcastle urban renewal corridors where land fronts major transport corridors (i.e. Tudor Street, Lambton Road, Brunkier Road, and Maitland Road).

Hence an amendment is required to include this use under subclause 3 (Permitted with consent).

b. Include land within the Land Reservation Acquisition (LRA) map for local roads

The WMP identified strategies and actions for improving traffic management based on a Traffic and Transport Assessment by Bitziros Consulting. This included the upgrading of various intersections and the widening of select streets/lane ways when warranted. The WMP also identified areas that enable opportunities for public domain improvements. These areas were identified as ‘urban activation areas within the WMP.'
The purpose of introducing 'urban activation' areas into Wickham is to provide small public spaces that will have a defined public use, such as a small playground, a community garden, or a green area for the community to gather or meet. These spaces are not proposed in lieu of embellishing greater areas of open space within Wickham Park and foreshore but are envisaged to be complementary in their function of activating the otherwise narrow streetscapes within Wickham. These spaces are envisaged to hold greater importance to the community as the urban area densifies. It is necessary for these parcels to be maintained under public ownership to ensure social inclusion for all potential users and not just occupants or clients of the adjoining land uses.

Council has a limited opportunity to acquire the required land before the land is redeveloped; hence it is imperative that this planning proposal includes all land Council requires to implement the actions of the WMP. Whilst the details of acquisition may be negotiated at the time of the land being redeveloped or sold, the location of the nominated reservations were included in the WMP as exhibited to the community and current landowners.

Council did consider the alternative option of relying on the DCP to identify land to be dedicated to Council. However, this approach was attempted in the previous Wickham DCP and the Newcastle City Centre LEP 2006, without success. The DCP is only a guide it does not offer the same level of certainty that the desired outcomes will be achieved, hence the land reservation acquisitions are proposed to be included in the LRA map of Newcastle LEP 2012.

c. Rezone land, known as the Good Life Church from zone RE1 Public Recreation to zone B4 Mixed Use

The current zoning is a legacy of the land previously being leased from the Crown and used as an indoor sports centre (basketball) from the early 1960s until the late 1980s.

The land became freehold in 2005 when the current owners acquired it from the Crown. The land operates under a consent granted in 1989 for a community centre (the actual use being covered by a component of the definition at the time that included ‘any other like facility or service of a non-profit nature’). However, under the current LEP, places of public worship are not listed as permissible within zone RE 1 Public Recreation and the church relies on its existing use rights to operate.

A RE2 Private Recreation zone was considered but also does not permit the current use of the land, nor enable the potential of the land as envisaged within the WMP to be realised. Hence this planning proposal nominates the land zoning, HOB and FSR to be consistent with the adjoining land.

d. Amend the FSR on land within the planning proposal area where 1 to a minimum of 1.5.

The FSR for the majority of the land zoned B4 in Wickham, north of Bishopsgate Street, is 1.5 with the exception of some larger parcels fronting Lindus Street which have an FSR of 1. This anomaly appears to have carried over from Newcastle City Centre LEP 2008 but there is no available documented rationale as to why a lower FSR was chosen, especially as the HOB exceeds the surrounding area by three metres (one storey) to a total of 14m. This combination of controls would result in a built form that is taller but smaller footprint, which is inconsistent with the surrounding built form and less feasible to develop.

Preparation of the WMP included economic and market analysis by AEC group to ensure the vision for Wickham may be realised through the redevelopment of existing former industrial uses. The study included feasibility testing of various scenarios across the study area. From this it was concluded that land consisting an FSR of 1:1 was not feasible for redevelopment and that a FSR of 1.5:1 should be applied as a minimum.
An alternate approach may involve reliance of Clause 4.6 Exceptions to development standards. This approach would put the onus back on individual applicants to demonstrate why the standard should be altered. However this approach is not strategic and is unlikely to result in a consistent density reflecting the WMP, as each applicant is likely to argue for the highest possible yield on their site.

e. Amend the Height of Building (HOB) map on land within the planning proposal area where 10m to 11m.

The WMP identified several character precincts, including the ‘Village Hub’, which includes much of the existing housing stock interspersed with remnant smaller scale industrial sites.

The WMP envisages a scale of three storeys of medium density residential infill where redevelopment occurs in this precinct. A mix of business uses are envisaged along the main pedestrian routes including Railway and Union Streets, as well as development fronting Hannell Street.

In order to elevate floor levels (where needed for flooding) and achieve a desirable ceiling height (4m for ground level retail/business premises and 3m for residential levels) 11m is considered a suitable minimum HOB.

As noted above, an alternate approach may involve reliance of Clause 4.6 Exceptions to development standards. This approach would put the onus back on individual applicants to demonstrate why the standard should be altered. However this approach is not strategic and is unlikely to result in a consistent density reflecting the WMP, as each applicant is likely to argue for greater height in order to achieve additional floors.

Preparation of the WMP included consultation with Mines Advisory NSW regarding potential risks with increasing the scale and density of buildings located on a mines subsidence district. Mines Advisory NSW identified that whilst they had no objection to an increase in HOB per se resultant development applications will require referral to Mines Advisory NSW to ensure suitable investigation and remediation works are carried out prior to commencement of construction. Council intends on consulting further with Mines Advisory NSW post gateway determination.

f. Protecting the local heritage significance of the former Bullock Island Rail Corridor

The Bullock Island railway corridor remains a prominent element in the existing urban structure within Wickham which provides strong ties to the area’s past land uses and connection to adjoining areas. The railway corridor operated between 1883 -1905 by Wickham & Bullock Island Coal Company which operated the Bullock Island Colliery in Carrington. The railway also contributed to the expansion and concentration of shipping wharves to Carrington reducing the reliance on Honesuckle for the loading of coal ships.

The railway corridor also enabled industry to develop within Wickham, including manufacture of trains at R A Ritchie & Sons and Hudson Bros Engineering, which is a listed archaeological site under Part 3 of Schedule 5 Environmental Heritage within Newcastle LEP 2012.

Remnants of the railway tracks remain within the corridor and its significance is maintained at present due to the absence of any building over the corridors alignment.

Whilst this corridor is identified in the WMP and reflected in the draft development controls for the area, adequate protection is required to ensure continuity of the corridor is maintained and not compromised by redevelopment where located on private land.

Hence listing the former Wickham & Bullock Island Railway Corridor as a heritage item under Part 1 of Schedule 5 Environmental Heritage within Newcastle LEP 2012 will ensure its significance is considered and protected through any future redevelopment within the vicinity.

No other suitable alternative mechanism is available.
Section B - Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

Hunter Regional Plan 2036

The Hunter Regional Plan 2036 is the NSW Government’s plan to guide land use planning and infrastructure priorities and decisions over the next 20 years. The plan identifies regionally important natural resources, transport networks and social infrastructure and provides a framework to guide more detailed land use plans, development proposals and infrastructure funding decisions. The plan includes overarching directions, goals and actions as well as specific priorities for each local government area in the Hunter region.

The planning proposal is consistent with the Directions of this plan, in particularly Direction 3 - Revitalise Newcastle City Centre; this direction applies to the planning proposal area which is identified as part of the Newcastle City Centre area.

Greater Newcastle Metropolitan Plan 2036

The Hunter Regional Plan 2036 set the vision for the Hunter to be the leading regional economy in Australia with a vibrant new metropolitan city at its heart. Furthermore the plan sets out four outcomes to be achieved and identifies catalyst area, including Newcastle City Centre.

The Plan provides specific directions for the ‘Wickham Precinct’, which aligns with the planning proposal area and sets out the following.

“Newcastle City Council will align local plans to:
- facilitate the long-term expansion of the City Centre towards Wickham
- increase opportunities for transit oriented development around Newcastle Interchange
- respond to development constraints including mine subsidence and flooding
- provide floor space for emerging new economy industries and businesses.”

The planning proposal is consistent with this plan in that it:
- seeks to facilitate redevelopment to support and compliment the emerging city centre
- focuses mixed use development around the Newcastle interchange
- addresses flooding through recognition of floor height controls affecting HOB,
- acknowledging mine subsidence risk through consultation with Mines Advisory NSW in developing the WMP,
- ensuring sufficient FSR to ensure feasibility of mixed use development,
- enabling technological industries to support the emerging new economy industries and businesses.
4. Is the planning proposal consistent with a council’s local strategy or other local strategic plan?

Newcastle 2030 Community Strategic Plan

The Newcastle Community Strategic Plan (CSP) was adopted by Council in February 2011 and updated in 2013. The plan identifies the community’s vision for the City, outlines actions and strategies for Council to achieve, as well as indicators for monitoring implementation.

Compliance with the LEP amendment process, in particular Section 57 – Community Consultation of the EP&A Act 1979 ensures consistency with the strategic direction ‘Open and Collaborative Leadership’ and the strategic objective to ‘Consider decision-making based on collaborative, transparent and accountable leadership’.

Furthermore the planning proposal is consistent with the remaining strategic directions and objectives, or at a minimum does not result in any inconsistencies with the following:

- Connected city.
- Vibrant and activated public places.
- Protected and enhanced environments.
- Caring and inclusive community.
- Liveable and distinctive built environment.
- Smart and innovative city.

Local Planning Strategy

The Local Planning Strategy was adopted by Council in 2015, and was prepared in accordance with the Community Strategic Plan.

The Strategy was not endorsed by the Secretary of the Department of Planning and Environment but provides a comprehensive guide for the future growth and development of Newcastle to 2030 and beyond.

The planning proposal is generally consistent with the principles of the strategy however the strategy focuses its detailed neighbourhood visions and/or objectives for areas outside of the Newcastle City Centre given the layers of planning otherwise undertaken.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The table below provides an assessment of the proposed amendment against each State Environmental Planning Policy (SEPP) applying at the time of preparing this planning proposal.

The assessment undertaken firstly identified which SEPP applies to the proposal, determined by the SEPP applying to both:

a. the land; and

b. the preparation of environmental planning Instruments.

Where applicable, the table identifies how the planning proposal addresses the requirements of the SEPP.
### Table 1 - Relevant State Environmental Planning Policies

<table>
<thead>
<tr>
<th>State Environmental Planning Policies</th>
<th>Applicable</th>
<th>Consistency and Implications</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPP No 1—Development Standards</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No 14—Coastal Wetlands</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No 19—Bushland in Urban Areas</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No 21—Caravan Parks</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No 26—Littoral Rainforests</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No 30—Intensive Agriculture</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No 33—Hazardous and Offensive Development</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No 36—Manufactured Home Estates</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>SEPP No 44—Koala Habitat Protection</td>
<td>Yes</td>
<td>Whilst this policy applies to the land, there is potential koala habitat within the vicinity of the planning proposal area hence the requirements of this SEPP are not applicable.</td>
</tr>
<tr>
<td>SEPP No 47—Moore Park Showground</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No 50—Canal Estate Development</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No 55—Remediation of Land</td>
<td>Yes</td>
<td>Clause 6 requires Council to consider potential land contamination when preparing an Environmental Planning Instrument (e.g. LEP amendment). Subclause (2), requires Council to obtain and consider a report on the findings of a preliminary investigation of the land (carried out in accordance with the contaminated land planning guidelines) where the amendment will permit certain land uses, as specified in subclause (4)(c), to be permitted. This planning proposal includes the rezoning of land from RE1 Public Recreation to B4 Mixed Use, which permits the uses specified by subclause (4)(c). However, the requirements of subclause (2) will not apply in this case given Council is satisfied that the land is not contaminated nor was previously used for purpose referred to in Table 1 to the contaminated land planning guidelines. The land being rezoned was previously Crown land which has historically been used for recreation and community uses since the land was first subdivided in the early 1900’s.</td>
</tr>
<tr>
<td>SEPP No 62—Sustainable Aquaculture</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No 64—Advertising and Signage</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No 65—Design Quality of Residential Apartment Development</td>
<td>Yes</td>
<td>The amendment of land zoning from RE1 Public Open Space to B4 Mixed Use will permit the land to be developed for uses to which this policy applies (residential apartment development). However, the proposed amendments do not include any development standards that are inconsistent with this policy. Council has a design review panel under this SEPP. Despite clause 27 (c) Council has not sought the advice of this panel in relation to this planning proposal given no</td>
</tr>
<tr>
<td>State Environmental Planning Policies</td>
<td>Applicable</td>
<td>Consistency and Implications</td>
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<td>-------------------------------------------------------------------</td>
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</tr>
<tr>
<td>SEPP No 70—Affordable Housing (Revised Schemes)</td>
<td>No</td>
<td>Specific standards relating to residential apartment development are proposed.</td>
</tr>
<tr>
<td>SEPP No 71—Coastal Protection</td>
<td>Yes</td>
<td>The Planning proposal area is located wholly within the Coastal Zone. Hence in accordance with Clause 7(a) Council is required to take into account matters for consideration within Clause 8. The proposed LEP amendments are considered consistent with the aims of this policy as set out in Clause 2 and do not raise any conflicts with respect to the matters listed under clause 8.</td>
</tr>
<tr>
<td>SEPP (Affordable Rental Housing) 2009</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Building Sustainability Index; BASIX) 2004</td>
<td>No</td>
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<tr>
<td>SEPP (Educational Establishments and Child Care Facilities) 2017</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Exempt and Complying Development Codes) 2008</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Housing for Seniors or People with a Disability) 2004</td>
<td>No</td>
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<tr>
<td>SEPP (Infrastructure) 2007</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Integration and Repeals) 2016</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Kosciuszko National Park—Alpine Resorts) 2007</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Kurnell Peninsula) 1989</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Mining, Petroleum Production and Extractive Industries) 2007</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Miscellaneous Consent Provisions) 2007</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Penrith Lakes Scheme) 1989</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Rural Lands) 2008</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (State and Regional Development) 2011</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (State Significant Precincts) 2005</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>SEPP (Sydney Drinking Water Catchment) 2011</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Sydney Region Growth Centres) 2006</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Three Ports) 2013</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>SEPP (Urban Renewal) 2010</td>
<td>Yes</td>
<td>The area subject to this planning proposal is wholly within land to which Newcastle Potential Precinct Map applies. The requirements of Clause 9 “Proposals for potential precincts were satisfied by the preparation of the Newcastle Urban Renewal Strategy (NURS). The NURS identified the need for further planning to be undertaken in relation to the renewal of the Wickham area hence the WMP was prepared and adopted by Council. This planning proposal is consistent with the WMP.</td>
</tr>
<tr>
<td>SEPP (Vegetation in Non-Rural Areas) 2017</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Western Sydney Employment Area) 2009</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>SEPP (Western Sydney Parklands) 2009</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>
6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The table below documents Council’s assessment of the planning proposal against the relevant Ministerial Directions made under Section 9.1 of the EP&A Act 1979 (formerly known as Section 117 Directions).

<table>
<thead>
<tr>
<th>Relevant Section 9.1 Directions</th>
<th>Applicable</th>
<th>Consistency and implications</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Employment and Resources</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1 Business and Industrial Zones</td>
<td>Yes</td>
<td>The Planning proposal not only retains the existing opportunities for business uses but seeks to expand this by:&lt;br&gt;1. Introducing Technological Industries as a use (permitted with consent) within the B4 Mixed Use Zone.&lt;br&gt;2. Increasing the area of land zoned B4 by rezoning a land parcel currently zoned RE1 Public Recreation.</td>
</tr>
<tr>
<td>1.2 Rural Zones</td>
<td>No</td>
<td></td>
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<tr>
<td>1.3 Mining, Petroleum Production and Extractive Industries</td>
<td>No</td>
<td></td>
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<tr>
<td>1.4 Oyster Aquaculture</td>
<td>No</td>
<td></td>
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<tr>
<td>1.5 Rural Lands</td>
<td>No</td>
<td></td>
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<tr>
<td>2. Environment and Heritage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1 Environment Protection Zones</td>
<td>Yes</td>
<td>Whilst the Direction applies, the planning proposal will have no effect on, or be affected by areas of environmental sensitivity. Hence the proposal is of minor significance.</td>
</tr>
<tr>
<td>2.2 Coastal Protection</td>
<td>Yes</td>
<td>The planning proposal area is within the coastal zone however, the proposed amendments are considered to be of minor significance with respect to their potential impact or consequence on the NSW coast line.</td>
</tr>
<tr>
<td>2.3 Heritage Conservation</td>
<td>Yes</td>
<td>The Planning proposal will consist of provisions to facilitate conservation of an identified place of environmental heritage significance in relation to the historical and social heritage of the area. This is to be achieved through inclusion of the former Wickham and Bullock Island Railway Corridor as a heritage item in Schedule 5 of Newcastle LEP 2012.</td>
</tr>
<tr>
<td>2.4 Recreation Vehicle Areas</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs</td>
<td>No</td>
<td></td>
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<tr>
<td>3. Housing, Infrastructure and Urban Development</td>
<td></td>
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</tr>
<tr>
<td>3.1 Residential Zones</td>
<td>Yes</td>
<td>This direction applies to the planning proposal as the B4 Mixed Use zone permits significant residential development. The planning proposal will not reduce the permissibility of residential uses but rather increase their feasibility due to an increase in FSR and HOB within parts of the land.</td>
</tr>
<tr>
<td>Relevant Section 9.1 Directions</td>
<td>Applicable</td>
<td>Consistency and implications</td>
</tr>
<tr>
<td>----------------------------------</td>
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<td>-----------------------------</td>
</tr>
<tr>
<td>3.2 Caravan Parks and Manufactured Home Estates</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>3.3 Home Occupations</td>
<td>Yes</td>
<td>The B4 zone within Newcastle LEP 2012 already permits Home Occupation as a use permitted without consent, hence is consistent with this direction.</td>
</tr>
</tbody>
</table>
| 3.4 Integrating Land Use and Transport | Yes | The planning proposal includes provision of additional land zoned for business and residential through the rezoning of land to B4 Mixed Use. The land subject to rezoning is within the Newcastle City Centre Area boundary and hence is consistent with the aims, objectives and principles of:  
(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and  
(b) The Right Place for Business and Services – Planning Policy (DUAP 2001). |
| 3.5 Development Near Licensed Aerodromes | No |  |
| 4. Hazard and Risk |  |  |
| 4.1 Acid Sulfate Soils | Yes | The land is located within Categories 3 and 4 of the ASS map of the LEP. However, the planning proposal does not include provisions or amendments that will increase the risk or hazard from the current potential, hence it is considered to be of minor significance and does not require any further study. |
| 4.2 Mine Subsidence and Unstable Land | Yes | Part of the planning proposal area is within a proclaimed Mine Subsidence District. Mine Advisory NSW were consulted in the preparation and exhibition of the WMP to consider if the area could support a greater level of development than is currently permitted. Mines Advisory NSW did not raise any objection in principle to an increase in the scale of built form but confirmed that any future development would trigger the need for further investigation which is likely to result in the need for remediation/stabilisation works. Council proposes to consult further with Mines Advisory NSW on this planning proposal following gateway determination. |
| 4.3 Flood Prone Land | Yes | The planning proposal is inconsistent with direction 4.3(5) as it includes the rezoning of land within a flood planning area from a Recreation zone to a B4 Mixed Use zone (which permits both business and residential uses). However, according to the Newcastle City-wide Floodplain Risk Management Study and Plan 2012 maps the land does not consist of a floodway but is in the flood fringe. Hence future development may require an elevated floor height at ground level but is otherwise considered to be of minor significance. |
| 4.4 Planning for Bushfire Protection | No |  |
| 5. Regional Planning |  |  |
| 5.1 Implementation of Regional Strategies | No |  |
### Relevant Section 9.1 Directions

<table>
<thead>
<tr>
<th>Section</th>
<th>Applicable</th>
<th>Consistency and Implications</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.2 Sydney Drinking Water Catchments</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>5.3 Farmland of State and Regional Significance on the NSW Far North Coast</td>
<td>No</td>
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<tr>
<td>5.4 Commercial and Retail Development along the Pacific Highway, North Coast</td>
<td>No</td>
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<tr>
<td>5.5 Development in the vicinity of Ettalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)</td>
<td>No</td>
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<td>5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)</td>
<td>No</td>
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<td>5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)</td>
<td>No</td>
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<td>5.8 Second Sydney Airport: Badgerys Creek</td>
<td>No</td>
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<tr>
<td>5.9 North West Rail Link Corridor Strategy</td>
<td>No</td>
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<tr>
<td>5.10 Implementation of Regional Plans</td>
<td>Yes</td>
<td>The planning proposal applies to land within the Hunter Regional Plan. The planning proposal is consistent with the regional plan, as outlined in Section B 3 above.</td>
</tr>
</tbody>
</table>

### Local Plan Making

<table>
<thead>
<tr>
<th>Section</th>
<th>Applicable</th>
<th>Consistency and Implications</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.1 Approval and Referral Requirements</td>
<td>Yes</td>
<td>The planning proposal does not include any provisions that will require development application to seek approval or referral from any other public authority. Council will consult with public authorities prior to public exhibition in accordance with any conditions imposed on the planning proposal during Gateway determination.</td>
</tr>
<tr>
<td>6.2 Reserving Land for Public Purposes</td>
<td>Yes</td>
<td>The planning proposal does include the rezoning of land currently zoned RE1 Public recreation, however, this land is privately owned and not part of a crown reserve or land owned by Council. The rezoning is intended to address a historical anomaly and hence will not result in any inconsistency with this direction.</td>
</tr>
<tr>
<td>6.3 Site Specific Provisions</td>
<td>Yes</td>
<td>The planning proposal includes provisions to enable the use Technological industries to be carried out on land zoned B4 Mixed Use. The planning proposal meets the requirements of this direction by applying this use to all land zoned B4 within Newcastle LEP 2012 and not just that in Wickham.</td>
</tr>
</tbody>
</table>

### Metropolitan Planning

<table>
<thead>
<tr>
<th>Section</th>
<th>Applicable</th>
<th>Consistency and Implications</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.1 Implementation of A Plan for Growing Sydney</td>
<td>No</td>
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</tbody>
</table>
Section C - Environmental, social and economic impact

7. **Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

   The land subject to the proposal does not contain critical habitat or threatened species, populations or ecological community, or their habitats.

8. **Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

   The planning proposal will not result in any other environmental effects not already considered above.

9. **Has the planning proposal adequately addressed any social and economic effects?**

   The planning proposal will have positive social effects through inclusion of the former Wickham and Bullock Island Rail Corridor as a heritage item and this will facilitate its protection for the community to have a connection to the area’s past as well as enabling its reuse for passive recreational uses. The addition of land within certain road reserves (through amendment to the LRA map) will enable improvements to the public domain areas for community purposes.

   Furthermore the planning proposal will provide positive economic impacts through the addition of Technological industries, increase in FSR on land to ensure feasibility of redevelopment and a minor adjustment to the HOB map to allow a better built outcome.

Section D - State and Commonwealth interests

10. **Is there adequate public infrastructure for the planning proposal?**

    Existing infrastructure within the City Centre is adequate to meet the needs of development potentially resulting from the proposal planning.

11. **What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

    The following State and Commonwealth public authorities should be consulted with prior to public exhibition:
    1. Mines Advisory NSW regarding the 1m increase to the HOB on land within a proclaimed mine subsidence district.
    2. Office of Environment and Heritage regarding the proposed listing of a heritage item.
    3. City Rail with respect to the partial acquisition and heritage listing of land under their ownership/ control.
Part 4 - Mapping

The planning proposal seeks to amend the following map within Newcastle LEP 2012:

- Land Zoning Map
- Height of Buildings Map
- Floor Space Ratio Map
- Minimum Lot Size Map
- Land Reservation Acquisition Map
- Heritage Map

The Matrix below indicates which map sheets (of Newcastle LEP 2012) are to be amended as a result of this planning proposal (eg. FSR_001C)

<table>
<thead>
<tr>
<th></th>
<th>FSR</th>
<th>LAP</th>
<th>LZN</th>
<th>WRA</th>
<th>ASS</th>
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</table>

Map Codes:
- FSR = Floor Space Ratio map
- LAP = Land Application Map
- LZN = Land Zoning Map
- WRA = Wickham Redevelopment Area Map
- ASS = Acid Sulfate Soils Map
- HOB = Height of Buildings Map
- LSZ = Lot Size Map
- LRA = Land Reservation Acquisition Map
- CL1 = Key Sites Map & Newcastle City Centre Map
- HER = Heritage Map
- URA = Urban Release Area Map
Part 5 - Community consultation

The planning proposal is considered as low impact in accordance with the Department of Planning and Environment's guidelines, ‘A guide to preparing local environmental plans’. It is proposed that the planning proposal will be publicly exhibited for a minimum 14 day period.

Part 6 - Project timeline

The plan making process is anticipated to take ten months as shown in the timeline below. It will be undertaken in accordance with the Gateway determination.

<table>
<thead>
<tr>
<th>Task</th>
<th>Planning Proposal Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anticipated commencement date (date of Gateway determination)</td>
<td>18 18 18 18 18 18 19 19 19 19</td>
</tr>
<tr>
<td>Anticipated timeframe for the completion of required studies</td>
<td>18 18 18 18 18 18 19 19 19 19</td>
</tr>
<tr>
<td>Timeframe for government agency consultation</td>
<td>18 18 18 18 18 18 19 19 19 19</td>
</tr>
<tr>
<td>Commencement and completion dates for public exhibition period</td>
<td>18 18 18 18 18 18 19 19 19 19</td>
</tr>
<tr>
<td>Dates for public hearing (if required)</td>
<td>18 18 18 18 18 18 19 19 19 19</td>
</tr>
<tr>
<td>Timeframe for consideration of submissions</td>
<td>18 18 18 18 18 18 19 19 19 19</td>
</tr>
<tr>
<td>Timeframe for the consideration of a proposal post exhibition</td>
<td>18 18 18 18 18 18 19 19 19 19</td>
</tr>
<tr>
<td>Anticipated date RPA* will make the plan (if delegated)</td>
<td>18 18 18 18 18 18 19 19 19 19</td>
</tr>
<tr>
<td>Anticipated date RPA* will forward to the Department for notification (if delegated) or for finalisation (if not delegated)</td>
<td>18 18 18 18 18 18 19 19 19 19</td>
</tr>
</tbody>
</table>

*RPA Relevant Planning Authority
ITEM-50  CCL 22/05/18 - ENDORSEMENT OF EXHIBITION OF AMENDMENT TO ALCOHOL FREE ZONE IN MAYFIELD

REPORT BY: PLANNING AND REGULATORY
CONTACT: ACTING DIRECTOR PLANNING AND REGULATORY / ACTING MANAGER STRATEGIC PLANNING

PURPOSE

To advise Council of the updated Mayfield Alcohol Free Zone and seek endorsement to place on public exhibition.

RECOMMENDATION

1 Council resolves to:
   i) Place the updated Mayfield Alcohol Free Zone (AFZ) as provided in Attachment A on public exhibition for 30 days.
   ii) Receive a report back on the outcomes of the public exhibition.

KEY ISSUES

2 Provisions to establish, update and temporarily lift AFZs are made under the Local Government Act 1993 to assist Councils in addressing alcohol related anti-social behaviour and to promote feelings of safety in public places. Adopted AFZs remain active for a period of four years. 'Encouraging responsible use of alcohol within the Newcastle community' is a strategy listed in Council's Safe City Plan 2017-2020 adopted in 2017.

3 An AFZ currently applies to several key roads in Mayfield, including Maitland Road (from Carrington Street in the West to Werribi Street to the East), Hanbury Street and the streets boarding Webb Park. The proposal is to extend the existing AFZ to include Victoria Street and the nearby streets of Dora and Kerr (Attachment A).

4 Requests via email and the telephone have been received from a business on Victoria Street, Mayfield to extend the area's existing AFZ. Requests relate to regular alcohol related anti-social behaviour occurring on the Victoria Street public seat. Police are routinely contacted about the matter however as the area is not part of the Mayfield AFZ, Police do not have power to take action (first, a warning given and the opportunity to cease the activity, then confiscation or tipping out of alcohol at the discretion of enforcement officers).

5 The updated Mayfield AFZ is supported through the Newcastle Licensed Premises Reference Group (LPRG) which includes representation from Council Officers, Police, Office of Liquor Gaming and Hunter New England Health.
FINANCIAL IMPACT

6 Public exhibition of the Mayfield AFZ update will be undertaken within the existing operational budget.

COMMUNITY STRATEGIC PLAN ALIGNMENT

7 The Mayfield AFZ update aligns with the following objectives of Newcastle 2030:

3.1 Public places that provide for diverse activity and strengthen our social connections.

3.2 Culture, heritage and place are valued, shared and celebrated.

3.3 Safe and activated places that are used by people day and night.

4.1 A welcoming community that cares and looks after each other.

IMPLEMENTATION PLAN / IMPLICATIONS

8 The Mayfield AFZ update has been prepared within existing resources.

RISK ASSESSMENT AND MITIGATION

9 There are no corporate risks associated with the exhibition of the updated Mayfield AFZ.

RELATED PREVIOUS DECISIONS

10 Council has regular updates on AFZs dating back to their formation in 2003.

CONSULTATION

11 The Mayfield AFZ update will be prepared using a staged stakeholder engagement process required by sections 644, 644A, 644B, 644C, 646 of the Local Government Act 1993. This will include:

i) Publish a public notice.

ii) Send a letter and copy of the proposed Mayfield AFZ update to:

   a) The local Police.

   b) The Anti-Discrimination Board of NSW, including any objections raised during the public exhibition.

   c) Local residents.

   d) Local sporting clubs.
e) Licensed premises and / or secretaries of registered clubs whose premises border, adjoin or are adjacent to the proposed zone update.

f) Any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area.

12 The Mayfield AFZ update will reflect relevant feedback before returning to Council for adoption.

OPTIONS

Option 1

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

Option 2

14 Council resolves not to exhibit the updated Mayfield Alcohol Free Zone. This is not the recommended option.

BACKGROUND

15 Community consultations undertaking during the development of the Safe City Plan 2017-2020 indicate that community safety issues rank highly amongst Newcastle residents. AFZ (and related Alcohol Prohibited Areas [APA]) are a useful tool when used as part of a broader strategy to manage alcohol related crime and anti-social behaviour. AFZ and APA can promote feelings of safety in public places thereby encouraging the legitimate use of areas such as public roads, parks and reserves.

16 AFZ can be declared in any public road or car park and include the adjoining footpaths and nature strips. Approved outdoor dining areas are exempt from AFZ restrictions. APA can be declared in any Council managed park or reserve. AFZ and APA can only be established in locations where antisocial behaviour or crime has been linked to the public consumption of alcohol.

17 AFZ and APA provide Police (and Council officers, where is considered appropriate) with the power to address issues of public intoxication and antisocial behaviour. Anyone consuming alcohol in an AFZ or APA must first be given a warning and the opportunity to cease the activity. Confiscation or tipping out of alcohol can take place at the discretion of enforcement officers.

18 Once adopted, the AFZ must be advertised in a newspaper circulating in the area that includes the AFZ. The AFZ will become effective seven days from the date of advertisement. Adequate signage with appropriate dates must also be present for the AFZ to become effective.
REFERENCES


ATTACHMENTS

Attachment A: Map of proposed updated Alcohol Free Zone in Mayfield
ATTACHMENT A: Proposed Updated Mayfield Alcohol Free Zone

Existing AFZ in Mayfield
Green line = Existing AFZ in Mayfield
Red line = Proposed updated AFZ in Mayfield
ITEM-51 CCL 22/05/18 - AA COMPANY HOUSE - ENDORSEMENT OF AMENDMENT TO NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012

REPORT BY: PLANNING AND REGULATORY
CONTACT: ACTING DIRECTOR PLANNING AND REGULATORY / ACTING MANAGER STRATEGIC PLANNING

PURPOSE

This report seeks the endorsement of the exhibition of the Planning Proposal to amend the Newcastle Local Environmental Plan 2012, to update the heritage significance under Schedule 5 Environmental Heritage for properties 195, 195A and 197 Denison Street, Hamilton.

RECOMMENDATION

1 Council resolves to:

   i) Note the attached Gateway Determination (Attachment B), issued by the Department of Planning and Environment on 22 January 2018 to amend Newcastle Local Environmental Plan 2012 (LEP) as outlined in the following table:

<table>
<thead>
<tr>
<th>Suburb</th>
<th>Item Name</th>
<th>Address</th>
<th>Property Description</th>
<th>Significance</th>
<th>Item No</th>
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<tbody>
<tr>
<td>Hamilton</td>
<td>AA Company House</td>
<td>195 Denison</td>
<td>Lot 211, DP 1122139</td>
<td>State</td>
<td>I126</td>
</tr>
<tr>
<td>Hamilton</td>
<td>AA Company House (curtilage)</td>
<td>195A Denison</td>
<td>Lot 212, DP1122139 and Lot 3, DP 153592</td>
<td>Local</td>
<td>I701</td>
</tr>
<tr>
<td>Hamilton</td>
<td>AA Company House (curtilage)</td>
<td>197 Denison</td>
<td>Lot 3, DP 153592</td>
<td>Local</td>
<td>I702</td>
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   ii) Exhibit the planning proposal (Attachment A) for 14 days in accordance with gateway determination.

   iii) Receive a report back if a written objection is received during consultation with the community as per the requirements of Section 3.34 of the Environmental Planning and Assessment Act 1979 (EP&A Act), otherwise forward the Planning Proposal to the Secretary, for Planning and Environment requesting the proposed amendment to the LEP be made.
2 The Department of Environment and Heritage advised Council in August 2017 of the listing of AA Company House (195 Denison Street, Hamilton) on the State Heritage Register.

3 Currently, Schedule 5 of the Newcastle Local Environmental Plan 2012, lists 195, 195A and 197 Denison Street, Hamilton as “State Nominated”. To ensure the LEP is consistent with the change to the State Heritage Register, Council sought from the Department of Planning and Environment (DPE) an amendment to the LEP under Section 73A of the EP&A Act to amend the heritage status for properties associated with AA Company House.

4 Section 73A (now known as Section 3.22) allows certain types of minor amendments to be made to environmental planning instruments (EPIs) without following the usual procedure for preparing an EPI, including reporting to Council and public exhibition.

5 Section 73A Amendments are assessed by the Department of Planning and Environment on the facts of each individual case and are generally used to correct an obvious error in the principle instrument such as a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error.

6 Following review of Council’s request, the Section 73A amendment was not accepted by the DPE, however gateway determination for the proposal was issued in January 2018.

7 A Planning Proposal (Attachment A) has been prepared in accordance with the DPE guidelines and Council’s Local Environmental Plan - Request for Amendment Policy.

8 The objective of the Planning Proposal is to amend the heritage item significance under Schedule 5 Environmental Heritage for properties at 195, 195A and 197 Denison Street, Hamilton. The Planning Proposal seeks to amend these listings to 'State' for AA Company House (195 Denison Street), and 'Local' for properties at 195A and 197 Denison Street.

9 If endorsed by Council, the Planning Proposal will be publicly exhibited, in accordance with the gateway determination for a minimum period of 14 days. Any objections received during the exhibition period will be reported back to Council.
FINANCIAL IMPACT

10 All costs associated with processing the proposal can be met within the current budget.

COMMUNITY STRATEGIC PLAN ALIGNMENT

11 The preparation and processing of the attached draft Planning Proposal aligns to the strategic direction ‘Open and Collaborative Leadership’ identified within the Newcastle 2030 Community Strategic Plan.

12 Compliance with the LEP amendment process will assist in achieving the strategic objective "Consider decision-making based on collaborative, transparent and accountable leadership" and the identified strategy 7.2b, which states: "Provide opportunities for genuine representative community engagement in local decision making" as identified within the Newcastle 2030 Community Strategic Plan.

LOCAL PLANNING STRATEGY

13 The Local Planning Strategy (LPS) is Council's comprehensive land use strategy to guide the future growth and development of Newcastle to 2030 and beyond. The Planning Proposal is consistent with the visions and objectives of the LPS as detailed in the provided Planning Proposal (Attachment A).

IMPLEMENTATION PLAN/IMPLICATIONS

14 The preparation of the attached Planning Proposal was undertaken in accordance with Council's LEP - Request for Amendment Policy (2012). This policy identifies Council's processes and responsibilities in applying the requirements of Part 3 of the EP&A Act for amending an LEP.

RISK ASSESSMENT AND MITIGATION

15 The process of amending an LEP is prescribed by Part 3 of the EP&A Act. Adherence to the legislative framework reduces the risk to both applicant and Council by ensuring that a Planning Proposal is considered with regard to relevant strategic planning documents and is determined in an appropriate timeframe.

RELATED PREVIOUS DECISIONS

16 At the Ordinary Council Meeting held on 21 June 2011 Council adopted the LEP.

17 Gateway determination was received on 22 January 2018.

CONSULTATION

18 The Gateway Determination requires a minimum community consultation period of 14 days.
19 The Gateway Determination does not require consultation with any state agencies.

20 Owners of all affected properties were contacted by letter regarding the proposed amendments to heritage significance of their properties. No submissions have been received to date. Owners will have further opportunity to lodge a submission during the exhibition of the planning proposal.

OPTIONS

Option 1

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

Option 2

22 Council resolves not to proceed with the Planning Proposal. This is not the recommended option.

BACKGROUND

23 The Office of Environment and Heritage, listed AA Company House at 195 Denison St, Hamilton on the State Heritage Register on 25 August 2017.

24 Council requested (September 2017) that the heritage status for the subject properties be amended as a Section 73A amendment to the LEP (now Section 3.22).

25 In January 2018, the DPE advised that the amendment did not meet the criteria of a Section 73A amendment and that the request was to proceed as a Planning Proposal. The DPE also issued gateway determination for the proposal under this correspondence, and requested a public exhibition period for a minimum of 14 days.

26 The Planning Proposal seeks to amend the heritage item significance under Schedule 5 Environmental Heritage for properties at 195, 195A and 197 Denison Street, Hamilton. All three properties currently have a heritage item significance listing of 'State Nominated' under Schedule 5 Environmental Heritage under the LEP. The Planning Proposal seeks to amend these listings to 'State' for AA Company House (195 Denison Street), and 'Local' for properties at 195A and 197 Denison Street.

27 Gateway determination was issued on 22 January 2018.

28 The Planning Proposal (Attachment A) provides the necessary justification to satisfy Council of the proposed amendment to Newcastle LEP 2012 and that it may proceed to public exhibition.
REFERENCES

ATTACHMENTS

Attachment A: Planning Proposal – 195, 195A & 197 Denison St, Hamilton
Attachment B: Gateway Determination
PLANNING PROPOSAL

195, 195A & 197 Denison St, Hamilton

Version 1.0 - Council endorsement

February 2018

For enquiries please call 4974 2881.

For more information visit: www.newcastle.nsw.gov.au
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195, 195A & 197 Denison Street, Hamilton

Introduction

This planning proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (NSW). It explains the intended effect of a proposed local environmental plan and sets out the justification for making the plan.

‘A guide to preparing planning proposals’ has been used to guide and inform the preparation of this planning proposal.

The planning proposal may evolve over time due to various reasons, such as feedback during exhibition. It will be updated at key stages in the planning process.

Summary of proposal

<table>
<thead>
<tr>
<th>Proposal</th>
<th>To amend the heritage significance of the subject properties under Schedule 5 Environmental Heritage, Newcastle Local Environmental Plan (NLEP).</th>
</tr>
</thead>
</table>
| Property Details | Lot 211, DP 1122139, 195 Denison St, Hamilton  
Lot 212, DP 1122139, 195A Denison St, Hamilton  
Lot 3, DP 153592, 197 Denison St, Hamilton |
| Applicant Details | Newcastle City Council |

Background

This Planning Proposal seeks to amend the significance of these heritage items under Schedule 5 Environmental heritage, as tabulated below.

Table 1.

<table>
<thead>
<tr>
<th>Suburb</th>
<th>Item Name</th>
<th>Address</th>
<th>Property Description</th>
<th>Significance</th>
<th>Item No</th>
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<tbody>
<tr>
<td>Hamilton</td>
<td>AA Company House</td>
<td>195 Denison</td>
<td>Lot 211, DP 1122139</td>
<td>State</td>
<td>I126</td>
</tr>
<tr>
<td>Hamilton</td>
<td>AA Company House</td>
<td>195A Denison</td>
<td>Lot 212, DP 1122139</td>
<td>Local</td>
<td>I701</td>
</tr>
<tr>
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<td>(curtilage)</td>
<td>and Lot 3, DP 153592</td>
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<tr>
<td>Hamilton</td>
<td>AA Company House</td>
<td>197 Denison</td>
<td>Lot 3, DP 153592</td>
<td>Local</td>
<td>I702</td>
</tr>
<tr>
<td></td>
<td>(curtilage)</td>
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</table>

Planning Proposal – Denison St, Hamilton 1
Site

The proposal consists of sites at 195, 195A and 197 Denison Street, Hamilton. The sites are zoned R2 Low Density Residential. The former Australian Agricultural Company Mine Managers House (AA Company House) is located on Lot 211, DP 1122139, 195 Denison Street, Hamilton.

195A and 197 Denison Street,Hamilton are adjacent to AA Company House and share with it heritage structures (i.e. iron fence) and form part of its curtilage. These sites have been redeveloped over the years and currently contain residential dwellings.

Figure 1 - site
Part 1 - Objectives or intended outcomes

To amend the heritage significance for the subject properties under Schedule 5, Environmental heritage of the NLEP 2012.

Part 2 - Explanation of provisions

The proposed outcome will be achieved by:

1. Amending the heritage significance of 195 Denison Street (AA Company House) from State Nominated to State.

2. Amending the heritage significance of 195A Denison Street from State Nominated to Local.

3. Amending the heritage significance of 197 Denison Street from State Nominated to Local.

Part 3 - Justification

Section A - Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

The planning proposal is the result of The Office of Environment and Heritage listing AA Company House on the State Heritage Register. All three properties are currently listed on the NLEP as State nominated. The planning proposal seeks to amend the heritage significance for AA Company House (195 Denison St) to be consistent with the listing on the State Heritage Register.

Properties at 195A and 197 Denison Street contain heritage items associated with AA Company House and form part of its curtilage. These properties have not been listed on the State Heritage Register and therefore a Local Heritage Significance is considered appropriate.

The planning proposal is consistent with the Local Planning Strategy, in particular, Section 3.8 Heritage which objectives include the ‘Ongoing review and updating of heritage schedules for both items and heritage conservation areas’.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. A Planning Proposal is the only way to formally amend the heritage listings of these properties.

Section B - Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

Hunter Regional Plan 2036

The Hunter Regional Plan 2036 is the NSW government’s plan to guide land use planning and infrastructure priorities and decisions over the next 20 years. The plan identifies regionally
important natural resources, transport networks and social infrastructure and provides a framework to guide more detailed land use plans, development proposals and infrastructure funding decisions. The plan includes overarching directions, goals and actions as well as specific priorities for each local government area in the Hunter region.

The planning proposal is consistent with Goal 3 - Thriving Communities, and in particular Direction 19: Identify and protect the region’s heritage. The planning proposal is considered to address the intention of this direction by protecting existing built heritage.

4. Is the planning proposal consistent with a council’s local strategy or other local strategic plan?

Newcastle 2030 Community Strategic Plan

The Newcastle Community Strategic Plan (CSP) reflects the community’s vision for the city and is Council’s guide for action. It contains the strategies to be implemented and the outcomes that will indicate achievement of the defined goals. Council adopted the Newcastle 2030 Community Strategic Plan in February 2011. It was revised and updated in 2013. The following relevant strategic directions and their objectives from the Newcastle CSP are addressed in relation to this planning proposal.

Open and Collaborative Leadership

Compliance with the LEP amendment process, in particular section 57 – community consultation of the EP&A Act 1979, will assist in achieving the strategic objective to ‘Consider decision-making based on collaborative, transparent and accountable leadership’ and the identified strategy 7.2b to ‘Provide opportunities for genuine and representative community engagement in local decision making’.

Liveable and Distinctive Built Environment

The listing of these items on the NLEP Environmental heritage schedule will protect these heritage resources; ensure their continued conservation; and retain the distinctive character of the subject area. This is considered to meet the strategic objective 5.1 ‘A built environment that maintains and enhances our sense of identity’ and the identified strategy 5.1d ‘Identify, preserve, enhance and promote historic streetscapes, village centres and residential areas.’

Local Planning Strategy

The Local Planning Strategy was adopted by Council in 2015. It was prepared in accordance with the Community Strategic Plan. The strategy is a comprehensive land use strategy prepared to guide the future growth and development in Newcastle to 2030 and beyond. It underpins the Local Environmental Plan.

The Planning Proposal is considered to meet the strategic direction for Heritage (Section 3.8), by ensuring that heritage schedules are regularly reviewed and updated. The subject properties have been listed on the Environmental heritage schedule for a number of years as State nominated. In August 2017, the Minister for Heritage directed the listing of 195 Denison Street (AA Company House) on the State Heritage Register. The planning proposal seeks to formalise this directive.

The remaining two properties, 195A and 197 Denison Street, are identified as contributing to the heritage curtilage, by containing/sharing items associated with AA Company House (i.e. fence and underground well). A listing of Local significance on the Environmental heritage schedule is sought under the planning proposal to ensure the continued conservation of these sites.
5. **Is the planning proposal consistent with applicable State Environmental Planning Policies?**

An assessment of the planning proposal against the relevant SEPPs is provided in the table below.

<table>
<thead>
<tr>
<th>Relevant SEPPs</th>
<th>Consistency and Implications</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPP 44 (Koala Habitat Protection)</td>
<td>The SEPP applies to the entire LGA, however, the land does consist of area of koala habitat.</td>
</tr>
</tbody>
</table>

6. **Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

An assessment of the planning proposal against the relevant Ministerial Directions is provided in the table below.

<table>
<thead>
<tr>
<th>Relevant Section 9.1 Directions</th>
<th>Consistency and implications</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Environment and Heritage</td>
<td>Consistent. The proposal is considered to meet the objectives of this direction by conserving items of heritage significance through listings on Schedule 5 Environmental heritage of the NLEP.</td>
</tr>
<tr>
<td>2.3 Heritage Conservation</td>
<td>Consistent. The proposal is considered to meet the objectives of this direction by conserving items of heritage significance through listings on Schedule 5 Environmental heritage of the NLEP.</td>
</tr>
<tr>
<td>3. Housing, Infrastructure and Urban Development</td>
<td>Consistent. The proposal is considered to meet the objectives of this direction by conserving items of heritage significance through listings on Schedule 5 Environmental heritage of the NLEP.</td>
</tr>
<tr>
<td>3.1 Residential Zones</td>
<td>Consistent. The proposal is considered to meet the objectives of this direction by conserving items of heritage significance through listings on Schedule 5 Environmental heritage of the NLEP.</td>
</tr>
<tr>
<td>4. Hazard and Risk</td>
<td>Consistent. The proposal is considered to meet the objectives of this direction by conserving items of heritage significance through listings on Schedule 5 Environmental heritage of the NLEP.</td>
</tr>
<tr>
<td>4.1 Acid Sulphate Soils</td>
<td>Consistent. The proposal is considered to meet the objectives of this direction by conserving items of heritage significance through listings on Schedule 5 Environmental heritage of the NLEP.</td>
</tr>
<tr>
<td>4.2 Mine Subsidence and Unstable Land</td>
<td>Consistent. The proposal is considered to meet the objectives of this direction by conserving items of heritage significance through listings on Schedule 5 Environmental heritage of the NLEP.</td>
</tr>
<tr>
<td>5. Regional Planning</td>
<td>Consistent. The proposal is considered to meet the objectives of this direction by conserving items of heritage significance through listings on Schedule 5 Environmental heritage of the NLEP.</td>
</tr>
<tr>
<td>5.10 Implementation of Regional Plans</td>
<td>Consistent. The proposal is considered to meet the objectives of this direction by conserving items of heritage significance through listings on Schedule 5 Environmental heritage of the NLEP.</td>
</tr>
<tr>
<td>6. Local Plan Making</td>
<td>Consistent. The proposal is considered to meet the objectives of this direction by conserving items of heritage significance through listings on Schedule 5 Environmental heritage of the NLEP.</td>
</tr>
<tr>
<td>6.1 Approval and Referral Requirements</td>
<td>Consistent. The proposal is considered to meet the objectives of this direction by conserving items of heritage significance through listings on Schedule 5 Environmental heritage of the NLEP.</td>
</tr>
</tbody>
</table>
Section C - Environmental, social and economic impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The sites are currently developed for urban purposes and the planning proposal has no potential for critical habitat or threatened species, populations or ecological communities, or their habitats, to be adversely affected.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Heritage

AA Company House was built in 1849/50 for the Overman of the company’s mining works at Hamilton. The house is considered to be one of the oldest intact colliery structures in Australia. The house was purchased from AA Company in 1914 and the land was divided into three blocks, with new houses constructed either side of AA Company House.

The NLEP currently lists all properties with a significance of State nominated, under Schedule 5 Environmental heritage. The Office of Environment and Heritage, listed AA Company House (195 Denison Street) on the State Heritage Register in August, 2017. As a result, the planning proposal seeks to amend the heritage significance of this property from State nominated to State.

Properties at 195A and 197 Denison Street contain heritage items associated with AA Company House and form part of its curtilage (eg. fencing and underground well). These properties have not been listed on the State Heritage Register and as a result a Local Heritage Significance listing under Schedule 5 Environmental heritage of the NLEP is considered appropriate.

9. Has the planning proposal adequately addressed any social and economic effects?

The proposal will provide for continued conservation of nominated heritage sites.

Section D - State and Commonwealth interests

10. Is there adequate public infrastructure for the planning proposal?

Existing infrastructure is adequate to serve or meet the needs of the proposal.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Heritage Council of NSW, and The Office of Environment & Heritage, recommended and approved the State listing of 195 Denison Street, Hamilton (AA Company House).

The Northern Region, Heritage Division, Office of Environment and Heritage was consulted regarding the listing of all sites. The office supported the State Heritage Register listing for 195 Denison St (AA Company House) and recommended listings of Local significance for 195A and 197 Denison Street, Hamilton.

No further consultations were required from Gateway determination.
Part 4 - Mapping

The planning proposal seeks to amend the following maps within Newcastle LEP 2012:

- Land Zoning Map
- Height of Buildings Map
- Floor Space Ratio Map
- Minimum Lot Size Map
- Land Classification Map

The Matrix below indicates (with an “X”), which map sheets (of Newcastle LEP 2012) are to be amended as a result of this planning proposal (e.g. FSR_001C)

<table>
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<th>Map Code</th>
<th>FSR</th>
<th>LAP</th>
<th>LZN</th>
<th>WRA</th>
<th>ASS</th>
<th>HOB</th>
<th>LSZ</th>
<th>LRA</th>
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<th>HER</th>
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Map Codes:
- FSR = Floor Space Ratio map
- LAP = Land Application Map
- LZN = Land Zoning Map
- WRA = Wickham Redevelopment Area Map
- ASS = Acid Sulphate Soils Map
- HOB = Height of Buildings Map
- LSZ = Lot Size Map
- LRA = Land Reservation Acquisition Map
- CL1 = Key Sites Map & Newcastle City Centre Map
- HER = Heritage Map
- URA = Urban Release Area Map
The following maps illustrate the proposed amendments to the Newcastle LEP 2012 maps:

**Figure 2:** Existing Heritage Map
Figure 3: Proposed Heritage Map
Part 5 - Community consultation

The planning proposal is considered as low impact in accordance with the Department of Planning and Environment's guidelines, 'A guide to preparing local environmental plans'. The planning proposal will be publicly exhibited for a minimum 14 day period.

Part 6 - Project timeline

The plan making process is shown in the timeline below. It will be undertaken in accordance with the Gateway determination.

<table>
<thead>
<tr>
<th>Task</th>
<th>Planning Proposal Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Jan 18</td>
</tr>
<tr>
<td>Anticipated commencement date (date of Gateway determination)</td>
<td></td>
</tr>
<tr>
<td>Anticipated timeframe for the completion of required studies</td>
<td>N/A</td>
</tr>
<tr>
<td>Timeframe for government agency consultation</td>
<td>N/A</td>
</tr>
<tr>
<td>Commencement and completion dates for public exhibition period</td>
<td></td>
</tr>
<tr>
<td>Dates for public hearing (if required)</td>
<td></td>
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<tr>
<td>Timeframe for consideration of submissions</td>
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<tr>
<td>Timeframe for the consideration of a proposal post exhibition</td>
<td></td>
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<tr>
<td>Anticipated date RPA* will make the plan (if delegated)</td>
<td></td>
</tr>
<tr>
<td>Anticipated date RPA* will forward to the Department for notification (if delegated) or for finalisation (if not delegated)</td>
<td></td>
</tr>
</tbody>
</table>

*RPA Relevant Planning Authority
Gateway Determination

Planning Proposal (Department Ref: PP_2017_NEWCA_004_00): to amend Schedule 5 – Environmental Heritage as a consequence of an item of heritage significance being listed on the State Heritage Register

I, the Director Regions, Hunter, at the 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 (the Act) that an amendment to the Newcastle Local Environmental Plan (LEP) (2012) to amend Schedule 5 – Environmental Heritage as a consequence of an item of heritage significance being listed on the State Heritage Register should proceed subject to the following conditions:

1. The Planning Proposal shall be updated to:
   a. Clarify the details of the amendment to Schedule 5 of the LEP, in particular the separation of the previous Heritage item (I126) into multiple items with respective local or state significance.
   b. Include relevant correspondence from the Office of Environment and Heritage

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
   (a) the planning proposal is classified as low impact as described in A guide to preparing local environmental plans (Department of Planning and Environment 2016) and must be made publicly available for a minimum of 14 days; and
   (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Section 5.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment 2016).

3. No consultation is required with public authorities/organisation under section 56(2)(d) of the Act

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 Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
The timeframe for completing the LEP is to be 6 months following the date of the Gateway determination.

Dated 22nd day of January 2018.

Monica Gibson  
Director Regions, Hunter Planning Services  
Department of Planning and Environment  
Delegate of the Minister for Planning
NOTICES OF MOTION

ITEM-9 NOM 22/05/18 - PENSIONER REBATES

COUNCILLORS: J CHURCH, K ELLIOTT, A RUFO AND A ROBINSON

PURPOSE

The following Notice of Motion was received on 10 May 2018 from the abovenamed Councillors.

To assist vulnerable ratepayers facing rising costs of living.

MOTION

1 That Newcastle City Council Introduce an additional $100 voluntary annual rebate for eligible pensioners who have lived in the City of Newcastle for five full financial years and that this rebate would be available starting in financial year 2018/2019.

2 That this rebate would be in addition to the Mandatory Pensioner Rebate of $250 per annum which is funded 45% by council and 55% by the NSW State Government

3 That this voluntary rebate would be reviewed each financial year based on council’s financial position and with regard to the cost of living pressures faced by eligible pensioners at that time.

BACKGROUND

1 Persons in receipt of certain classes of pensions and who own and occupy rateable property may be eligible for a mandatory maximum rebate of $250. This rebate is funded 45% by Council and 55% by the State government.

2 This notice of motion proposes a further additional voluntary rebate to a maximum of $100 per annum per property provided for residents who have been ratepayers in the City for five full financial years, and qualify for receipt of the mandatory rebate, recognising long term residents who have worked hard and contributed to the city over many years.

3 Pensioners make up about 15% of Newcastle ratepayers and are facing rising costs of living from increasing water bills, power bills and council rates. Newcastle City Council rates will rise a further 8% next financial year.

4 Pensioners are often financially vulnerable because their incomes are fixed while other living costs are on the rise.
5 NCC is forecasting a budget surplus of $6.5 million in the next financial year, meaning it can well absorb the estimated costs of this measure of about $1 million.

6 This additional rebate is to be provided in accordance with Section 582 of the Local Government Act 1993.

7 Owners who become eligible pensioners during the year may be entitled to a pro-rata rebate of their Newcastle City Council rates, calculated on a quarterly basis. Rebates would also be reversed on a quarterly basis when owners become ineligible for the rebate.

ATTACHMENTS

Nil
DIRECTOR COMMENT

The local government pensioner concession scheme is a NSW Government policy that provides financial assistance to help pay council rates to pensioners who, despite owning their home, have limited income. The scheme is acknowledged by the Independent Pricing and Regulatory Tribunal in determining rates for local councils.

Under the current scheme, eligible pensioners are required to apply to their local council to receive a 50% rebate on their combined ordinary council rates and domestic waste service charges, up to a maximum of $250 per annum. This rebate has remained at the same level since 1989.

The current scheme is jointly funded by the NSW State Government (55%) and local councils (45%). In all other states the pensioner concession is fully funded by the state or territory government.

NSW Councils contribute a total $64 million to fund the concession scheme, with Newcastle’s contribution being currently $1.2 million across approximately 11,000 eligible properties. Local Government NSW on 4 April 2018 published a media release (Attachment) supporting NSW Seniors receiving a 100% rebate, funded from the State Government.

Due to the split in funding, the NSW scheme requires other ratepayers within the Newcastle Local Government Area (LGA) to contribute towards pensioner rate reductions.

Historically Newcastle City Council offered an additional pensioner concession of up to $37.50 per property above the mandatory level from 1989 until June 1997. However, given the budgetary cost of this concession and the effect on service provision across the city, Council resolved to remove this concession effective from 1 July 1997.

As part of the Integrated Planning and Reporting Framework and as is required by cl. 201 of the Local Government (General) Regulation 2005 and Sections 404 and 405 of the Local Government Act 1993, Newcastle City Council’s draft 2018/19 "Our Budget" ("Our Budget" incorporates the 2018-2022 Delivery Program and 2018/19 Operational Plan) is currently on public exhibition inclusive of the 2018/19 Revenue Policy. This document was endorsed by Councillors at the April Ordinary Council meeting following a budget workshop held on 10 April 2018. The draft exhibition period is from 3 May - 30 May 2018.
Additionally, s. 404 and s. 405 of the Act requires all submissions received by Council (up until 5pm 30 May 2018) to be considered before Our Budget is adopted, and a workshop has been scheduled for 12 June 2018. Our Budget, including feedback submissions, is scheduled for consideration and adoption at the Ordinary Meeting 26 June 2018.

The current NOM for Council to consider including an additional $100 voluntary rebate available only to eligible pensioners who have paid rates within Newcastle LGA for five full financial years, is now being tabled after the Council resolved on 1 May 2018 to place Our Budget on public exhibition. The estimated cost of the NOM is $1.1 million and if supported this would therefore reduce the 2018/19 Budget position. As such another service or project currently funded would have to be removed from the budget currently on only public exhibition.

The statutory timeframes for the adoption of Our Budget 2018/19 is such that there is no flexibility to publicly exhibit the NOM and duly consider submissions prior to 30 June 2018. Ideally this would have been considered at the last Ordinary Council meeting.

Council currently provides rates assistance mechanisms which provide both financial and non-financial assistance to ratepayers. These include direct assistance of up to $260 per annum per property to those ratepayers suffering financial hardship. This assistance is available through any of four community welfare organisations (Legacy, St Vincent DePaul, Samaritans and Salvation Army) currently utilised by Council. Additionally, Newcastle pensioners are eligible for a rate deferral, with rates and charges accrued against the property. This existing assistance is well in excess of the $100 concession which is the subject of the NOM.

Council wrote to the NSW Government on 29 July 2015 requesting that the pensioner rebate be increased annually commensurate to the Consumer Price Index. This letter was formally supported by Hunter Councils (now known as the Hunter Joint Organisation). The Local Government Minister wrote to Council rejecting this request.

By way of contrast, the NSW Government funds 100% of the $250 rebate of eligible pensioners’ water bills and $285 rebate on electricity bills. Local Government is for unknown reasons required to pay almost half of the annual $250, making the NSW Government’s application of pensioner rebates inconsistent and a direct impost on all ratepayers.

Taking into account both time and practicality constraints, the following alternate resolution be considered by Councillors.

RECOMMENDATION

1. Council writes to the State Government and recommends that it consider an improved pensioner concession scheme by indexing the amount of the concession annually in accordance with movements in the CPI or rate-peg - whichever is greater. This scheme should be fully funded by the State Government as is the case with all other States.
2. Council promotes the existing rates assistance provisions available to pensioners by inclusion of advertised material to accompany the annual rates and charges notices.

ATTACHMENTS

Attachment A: Local Government NSW Media Release - 4 April 2018
Attachment A

Home > News > Media Releases > Media Release - NSW Seniors deserve a fully-funded rate rebate

Media Release - NSW Seniors deserve a fully-funded rate rebate

4 April 2018

Pensioner concessions on council rates must be simultaneously increased to more realistic levels and fully funded by the NSW Government, Local Government NSW (LGNSW) said today.

LGNSW President Linda Scott issued the call at the commencement of the NSW Seniors Festival, which runs from 4-15 April.

Under the current scheme, eligible seniors receive a discount on their combined ordinary council rates and waste service charges, up to a maximum of $250 per annum.

The NSW Government funds roughly 55% of the annual $78.5 million concession cost, with councils left to fund the remaining 45%.

"NSW is the only state in which pensioner concessions on rates are not fully funded by the State Government," Cllr Scott said.

"Local government has to absorb the remaining cost to the tune of around $64 million each year, with some councils being asked to forgo up to $1 million in rates revenue."

"Make no mistake: local government supports these concessions for pensioners."

"As a peak body we pushed hard at the Independent Pricing and Regulatory Tribunal (IPART) Rating Review for the concession to be simultaneously increased and fully-funded, but have heard nothing from the NSW Government since IPART reported back to the Government in December 2016."

Cllr Scott said welfare and income support were a matter for State and Federal Governments.

"To ask councils to bear this burden is yet another form of cost-shifting, and it impacts on the level and range of services councils can deliver," she said.

"Local government has a limited revenue base and it is unfair that councils should be required to fund this form of welfare assistance," Cllr Scott said.

"Costs of pensioner concessions are also inequitably distributed among councils, with councils in many coastal areas, regional areas and some established suburbs experiencing a higher concentration of pensioners."

"Those who qualify for rebates are also disproportionately represented in low-income areas where there is a high demand for council services but limited revenue-raising capacity."

Cllr Scott said IPART had found contribution to the scheme was as high as three per cent of rates income in some council areas.

"The cost of mandatory pensioner rebates is a rapidly growing burden for many councils, and many will not be able to afford further increases in the funding they have to provide for pensioner rate rebates," she said.

"It’s particularly disappointing that the State Government can boast of a significant budget surplus and splash cash on stadiums, but refuse to fully fund the Pensioner Rates Concession."

"If the Berejiklian Government really cares about our Seniors, they should do the right thing and pick up the same share of the bill as every other Australian state."

Media Enquiries

Media Toni Allan: 0412 774 441
ITEM-10 NOM 22/05/18 - SOLAR UPTAKE
COUNCILLORS: M BYRNE, D CLAUSEN, C DUNCAN, J DUNN, E WHITE AND P WINNEY-BAARTZ

PURPOSE

The following Notice of Motion was received on 10 May 2018 from the abovenamed Councillors.

MOTION

That Council:

1. Notes the article in the Sun-Herald on 6 May 2018 (Attachment A) which highlights that Newcastle West is in the bottom 4 suburbs in NSW for solar uptake

2. Notes the election commitment from the Newcastle Independents to address solar uptake on residential apartment buildings (Attachment B)

3. Notes that 8 months have passed since the September 2017 election and no action has been taken by the Newcastle Independents on this issue

4. Notes the August 2016 report by Pitt and Sherry for City of Sydney titled ‘Accelerating Net-Zero High-Rise Residential Buildings in Australia’ (Attachment C) which concludes that net-zero residential buildings are technically feasible and cost effective.

5. Receives a report outlining opportunities to help boost solar and battery storage uptake on residential buildings, particularly on high rise apartment complexes and dwellings owned by pensioners, and considered opportunities to support residents in realising the benefits of solar including schemes similar to the Victorian Solar Savers program being delivered in partnership with local councils

BACKGROUND

Australia is one of the sunniest continents on earth. Producing power from the sun makes sense.

1.8 million rooftop power stations are now lighting up homes around the country. And many more households are looking to solar as a way to manage their energy bills, creating cleaner energy along the way.

As at May 2018, more than 8,266 dwellings in the Newcastle Local Government Area have rooftop solar systems installed, with an estimated total capacity of 27,590 kilowatts.
Maximising energy efficiency is much cheaper and less disruptive during design and construction of new buildings than retrofitting an existing building.

There is a unique opportunity to maximise efficiency now given the significant construction and development interest in the Newcastle LGA.

ATTACHMENTS

Attachment A: Page 14 of The Sun Herald 6 May 2018
Attachment B: NBN News, 7 August 2017: Calls for more roof top solar panels on residential high-rise
Attachment C: Link to The City of Sydney Accelerating Net-Zero High-Rise Residential Buildings in Australia Final Report
Solar panel fittings go through the roof

Cole Latimer

Rooftop solar has been growing rapidly in Australia, but in NSW the greatest growth is occurring outside Sydney.

Australian aerial imagery company Nearmap has utilised the latest Clean Energy Regulator data to show the top five postcode for rooftop solar energy growth in NSW as of March.

"From the ground, it can be difficult to see the progress our country is making to reduce energy costs and our carbon footprint, but when you look at it from the air, you can observe in incredible detail the renewable energy uptake occurring across our country," Nearmap executive Shane Preston said.

“We’ve been capturing aerial images of Australia for the last 10 years, and have recently seen a dramatic change in the rooftop landscape, with many more solar panels on Aussie homes.”

The north coast city of Lismore came first in NSW with more than 57,000 units installed, followed closely by the Central West city of Dubbo, with just under 55,000 solar rooftop installations.

The northern end of the Central Coast, north of Sydney, incorporating Hawksbury and Wadalba, was ranked third, with more than 48,000 solar units installed across the postcode area.

The north coast makes another appearance in NSW’s top five, with Illawarra and its surrounds, just west of Sydney, with over 47,000 units.

The major city of Newcastle has installed 45,050 units, while Sydney’s inner west has had 40,750 units installed, representing the state’s major city.

Mr Preston said this uptake would only increase.

“As the benefits of renewable energy continue to surface, we can expect to see more demand for installations," he said.

Mr Preston said aerial imagery was increasingly being used by solar companies to remotely identify new business opportunities, accurately estimate the power output and quote customers.

In March, rooftop solar installations hit a new record, achieving 127 megawatts of new generation installed in a single month, or about 18,327 new solar systems. This is enough to power 36,750 homes and is forecast to cut power bills by about $225 million over the next decade.

The number of rooftop solar systems installed for the first quarter of this year is already 56 per cent higher than the same time last year, which at the time was record.

According to Green Energy Markets, “the rate of rooftop solar installations so far this year is about 56 per cent higher than what had been assumed in the economic modelling of the National Energy Guarantee”.

However, global solar expert Yossi Abramowitz recently said Australia was “not living up to its potential for power generation”. At present rooftop solar generates just over 5 per cent of all electricity.
NBN News, 7 August 2017: **Calls for more roof top solar panels on residential high-rise**


**Transcript:**

Journalist (Meredith Gibbs): [The Newcastle] CBD is undergoing a transformation, and independent candidate John Church believes the new look Newcastle should have more renewable energy.

John Church: Putting solar panels on the roof tops of apartment buildings seems to be a win-win. It could reduce the cost of running the buildings and produce a positive outcome for the environment.

Meredith Gibbs: He says it’s an initiative taking off elsewhere.

John Church: In Melbourne, some buildings have their entire cladding made out of solar panels, so they’re large sources of energy and they actually produce energy not only for the building, but put energy back into the grid. So this is a small step for Newcastle, but I think it’s a step in the right direction.

Meredith Gibbs: The region is already in the middle of a solar boom. Since 2012, Newcastle council has installed eight roof top systems on its buildings, while local businesses and charities have followed suit.

Mr. Church hopes CBD developers will be encouraged to jump onboard.

John Church: Our hope is that, uh, building developers, bodies corporate, look at this idea and incorporate it in their planning while … while buildings are being built. It’s a much cheaper solution to make buildings solar panel ready, than to try and put in it afterwards.
Attachment C

ITEM-11 NOM 22/05/18 - RV DISPOSAL POINTS
COUNCILLORS: E WHITE AND P WINNEY-BAARTZ

PURPOSE

The following Notice of Motion was received on 10 May 2018 from the abovenamed Councillors.

MOTION

1. Note the media release from the Parliamentary Secretary for the Hunter announcing $500 thousand in funding for RV disposal points in the Hunter (Attachment A)

2. Investigates the installation of new RV Disposal Points within the Newcastle LGA, including by working with the Campervan and Motorhome Club of Australia (CMCA), the NSW Government, Hunter Water, tourism and economic development groups and other stakeholders.

3. Receives a report summarising these opportunities, and any funding requirements.

4. Invites Campervan and Motorhome Club of Australia (CMCA) to present to Council at a future Briefings Committee meeting, noting that CMCA is based in Newcastle.

BACKGROUND

Nationwide, campervan and Motorhome tourists are responsible for more than $5.4 billion in economic activity¹.

Campervan and Motorhome tourists need access to a disposal point every 4-5 days to dispose of black and grey water.

There are presently no disposal points within the Newcastle local government area.

Noting the recent announcement of $500 thousand of state funding to develop disposal points in the Hunter there is an opportunity to investigate the opportunities further.

ATTACHMENTS

Attachment A: Media release: Funding for Hunter RV disposal points

ATTACHMENT A:

MEDIA RELEASE:
FUNDING FOR HUNTER RV DISPOSAL POINTS

8th May 2018
Parliamentary Secretary for the Hunter Scot MacDonald MLC today announced $500,000 in funding from the Regional Growth Environment and Tourism Fund to the Campervan & Motorhome Club of Australia (CMCA) for a major upgrade of a planned 80 public dump points across NSW.

Dump points are vital infrastructure for the whole Recreational Vehicle (RV) market including the Coach/Bus market, with most RVs requiring the use of a dump point for disposal of their black and grey water every 3-5 days.

Mr MacDonald said the funding will allow for waste to be disposed of in an environmentally friendly manner, and also allow towns to become more receptive to the road tourism market.

“This funding means we can continue to promote the Hunter as a destination region for the campervan and motorhome industry,” Mr MacDonald said.

“The CMCA will now work with Local Government and local community organisations such as show societies and racecourses to expand the number of disposal points.” Currently, there are 620,000 registered RVs in Australia with reportedly 135,000 on the road at any one time.

The Hunter Valley has been identified as a priority location, alongside the Northern Tablelands, South Coast and Western NSW.

CMCA Chairman Garry Lee is excited at the news the Club has secured their largest ever Government grant for Road Tourism infrastructure.

“This will bring New South Wales to the forefront of RV Tourism providing essential infrastructure to encourage RV travelers to visit. I am very confident the grant will ensure visitation to many rural and regional areas in NSW bringing a significant tourism boost to these regions,” Mr Lee said.

With headquarters in Newcastle, the CMCA is an RV club with over 70,000 members.

Deputy Premier and Minister for Regional NSW John Barilaro said the CMCA RV Disposal Points project is one of 33 projects that will be funded in regional NSW as part of the first round of the Regional Growth - Environment and Tourism Fund.

For more information about the Regional Growth Environment and Tourism Fund visit:

For more information on the CMCA visit https://www.cmca.net.au/
ITEM-12 NOM 22/5/18 - NEWCASTLE AS A WELCOMING CITY AND REFUGEE WEEK

COUNCILLOR: J MACKENZIE

PURPOSE

*The following Notice of Motion was received on 10 May 2018 from the abovenamed Councillor.*

MOTION

That Council

- Note the dates for Refugee Week 2018, an initiative of the Refugee Council of Australia, as Sunday 17 June to Saturday 23 June 2018.
- Note the historical leadership of Newcastle Council on refugee and multicultural issues, including as the second city in Australia to declare itself a “refugee welcome zone” in 2004. Further, that Council note the recommitment to that declaration on 28 May 2015.
- Work with the Refugee Council of Australia to promote local community activities that celebrate Refugee Week, as per our commitment in the Newcastle Multicultural Plan (2016-2019).
- Initiate the process of becoming accredited as a Welcoming City by providing a briefing to the Executive and Councillors on key considerations and opportunities of joining the Welcoming City network.
- Prepare a report for the consideration of Councillors, in consultation with local community groups and service providers, that identifies options, opportunities and gaps in Council programs and services that could enhance Council’s support for the settlement of refugees in Newcastle.

BACKGROUND

The Newcastle Multicultural Plan (2016-2019) is a four-year plan which outlines Council’s vision, priority areas and partnership opportunities to meet Council’s responsibilities under the Local Government Act (1993) in promoting the principles of multiculturalism and ongoing commitment to and engagement with Newcastle’s multicultural communities. The aim of the plan is to harness and deliver a range of social, cultural and economic strengths for Newcastle through meaningful engagement, inclusion and support of its multicultural communities.

The Multicultural Plan includes Council’s Refugee Welcome Zone Declaration, which is a commitment by Council in spirit to welcoming refugees into our community, upholding human rights and compassion for refugees and enhancing the cultural and religious diversity of our community. The Multicultural Plan further includes a commitment promotion of community activities that celebrate Refugee Week through the Events Calendar.
The Refugee Council of Australia provides a range of simple suggestions (attached) for local government initiatives that support a welcome zone declaration, including:

- Develop a Local Government policy relating to refugees and asylum seekers or review existing policies.
- Offer funding for community-based projects which support the settlement of refugees.
- Hold community picnics and gatherings to encourage families from different backgrounds and community organisations to meet.
- Coordinate with local libraries in the area to develop an English tutoring program for newly arrived refugees.

One such opportunity is provided by the Welcoming Cities network. Welcoming Cities in an initiative that supports local councils, and their communities, to become more welcoming and inclusive through the creation of a national network of cities, shires, towns and municipalities who are committed to an Australia where everyone can belong and participate in social, economic and civic life. The Welcoming Cities network seeks to provide for members knowledge sharing and partnership development resources, as well as administering the national standard and accreditation for cultural diversity and inclusion policy and practice in local government. The Welcoming Cities model is based on the recognition that local councils are best placed to understand the complexity and diversity of their communities, but continue to operate with limited resources and support.

The Welcoming Cities network currently consists 14 local councils (cities, shires, towns and municipalities) from across Australia. Globally, Welcoming Cities members are part of a network of more than 135 cities and municipalities based in New Zealand, North America, Germany and the United Kingdom. In December last year, Lake Macquarie became the first NSW Council to join the Welcoming Cities network.

**ATTACHMENTS**

**Attachment A:** Refugee Welcome Zones information sheet for Councils, Refugee Council of Australia
Attachment A

Refugee Council of Australia

REFUGEE WELCOME ZONES
An initiative of the Refugee Council of Australia

Who is the Refugee Council of Australia?

The Refugee Council of Australia (RCOA) is the national peak body for refugees and the organisations and individuals who support them. RCOA promotes the adoption of flexible, humane and constructive policies towards refugees and asylum seekers through conducting policy analysis, research, advocacy and public education on refugee issues.

What is a Refugee Welcome Zone?

A Refugee Welcome Zone is a Local Government Area which has made a commitment in spirit to welcoming refugees into the community, upholding the human rights of refugees, demonstrating compassion for refugees and enhancing cultural and religious diversity in the community.

This public commitment is also an acknowledgment of the tremendous contributions refugees have made to Australian society in the fields of medicine, science, engineering, sport, education and the arts. By making this Declaration it is hoped that local government will be encouraged in their continuing efforts to support the men, women and children who make the difficult journey to Australia to seek our protection.

The Refugee Welcome Zone initiative began in June 2002 as part of Refugee Week celebrations. At the time, 15 local Councils in Victoria, New South Wales and South Australia were declared Refugee Welcome Zones. Today, with more than 120 Local Government Areas having declaring themselves Refugee Welcome Zones, the initiative has proven to be a great success in connecting local governments with the issues facing refugees and asylum seekers.

What is the process for becoming a Refugee Welcome Zone?

The process for becoming a Refugee Welcome Zone is very straightforward. It simply involves the Council signing the Refugee Welcome Zone Declaration, which is “a commitment in spirit to welcoming refugees into our community, upholding the human rights of refugees, demonstrating compassion for refugees and enhancing cultural and religious diversity in our community”. An example of the Declaration is included at the end of this document.

To mark the occasion of becoming a Refugee Welcome Zone, many Councils choose to hold public signing ceremonies. These provide an opportunity to highlight the initiative and acknowledge the work of local groups and individuals that support refugees and asylum seekers. If possible, a representative from the Refugee Council of Australia will attend the ceremony to present a Certificate of Appreciation.

Why become a Refugee Welcome Zone?

Local Government has historically played an important role in assisting refugee settlement and promoting community harmony. Since Federation in 1901, Australia has become home to over 800,000 refugees and we have a proud history of settling refugees from all over the world who have come on to make an
enormous contribution to our economic, social and cultural life. Becoming a Refugee Welcome Zone is a way to continue this proud tradition of supporting the settlement of refugees.

Signing the Declaration can also promote harmony, social cohesion and respect for human rights in your local community. It is a great way to demonstrate support for refugees and take a strong stand against racism and discrimination. It can help to raise awareness about the issues affecting refugees, foster a culture of mutual respect and promote an appreciation of cultural diversity.

Becoming a Refugee Welcome Zone can also encourage the development of a more coordinated approach to supporting refugee settlement. It can motivate Local Government and local organisations and support groups to work together more effectively so as to improve settlement outcomes for refugees.

**What are the obligations and responsibilities of Refugee Welcome Zones?**

The Refugee Welcome Zone Declaration does not confer any formal obligations and Refugee Welcome Zones are not required to uphold any statutory responsibilities or financial commitments. The signing of the Declaration is a simply a way of demonstrating broad support for the principles it contains. Any actions or activities undertaken by Refugee Welcome Zones to implement the Declaration are voluntary.

However, while signatories to the Refugee Welcome Zone Declaration are not required to undertake any specific activities, any initiatives which help to create a welcoming atmosphere and assist the settlement of refugees and their communities are welcomed and encouraged.

**How can Refugee Welcome Zones support refugees?**

There are many simple things that your Local Government Area can do to welcome refugees to your community:

- Develop a Local Government policy relating to refugees and asylum seekers or review existing policies.
- Offer funding for community-based projects which support the settlement of refugees.
- Hold community picnics and gatherings to encourage families from different backgrounds and community organisations to meet.
- Build partnerships and work collaboratively with local community groups and service providers to enhance support for refugees settling in your area.
- Organise an event during Refugee Week, such as a street fair of festival.
- Host a community meeting with newly arrived refugees and guest speakers from refugee support organisations to find out how your Council can best support refugees in your community.
- Hold a multicultural film festival.
- Coordinate with local libraries in the area to develop an English tutoring program for newly arrived refugees.
- Liaise with the Red Cross to run information sessions for newly arrived refugees who have been separated from family members and relatives.
- Hold a public forum to enable guest speakers from refugee backgrounds to share their stories.

*How has your organisation, community or council welcomed refugees? Send in your past and upcoming events and initiatives to [media@refugeecouncil.org.au](mailto:media@refugeecouncil.org.au) We’d like to hear about your program or event, big or small!*
Current Refugee Welcome Zones

There are currently 148 Refugee Welcome Zones in Australia.

**Australian Capital Territory:** ACT government

**New South Wales:** Albury City Council, Armidale Dumareshq Council, Ashfield Council, Auburn City Council, Ballina Shire Council, Bankstown City Council, Bathurst Regional Council, Bega Valley Shire Council, Blacktown City Council, Blue Mountains City Council, Burwood Council, Byron Shire Council, Campbelltown City Council, City of Canterbury, Cooffs Harbour City Council, Cowra Council, Dubbo City Council, Eurobodalla Shire Council, Fairfield City Council, Georges River Council, Glen Innes Severn Council, Gosford City Council, Goulburn Mulwaree Council, Griffith City Council, Gunnedah Shire Council, Gwydir Shire Council, Hawkesbury City Council, Hornsby Shire Council, Kiama Municipal Council, Kogarah City Council, Ku-ring-gai Council, City of Lake Macquarie, Leeton Shire Council, Leichhardt Council, Lismore City Council, Liverpool City Council, Manly Council, Marrickville Council, Moree Plains Shire Council, Mosman Council, Newcastle City Council, North Sydney Council, Northern Beaches Council, Palerang Council, Parkes Shire Council, City of Parramatta, Penrith City Council, Port Macquarie-Hastings Council, Quambayen City City Council, Quambayen-Palerang Regional Council, Randwick City Council, Rockdale City Council, City of Ryde, Shellharbour City Council, Snowy Monaro Regional Council, Sutherland Shire Council, City of Sydney, Tweed Shire Council, Upper Lachlan Shire Council, Wagga Wagga City Council, Warringah Council, Waverley Council, Willoughby City Council, Wollongong City Council, Yass Valley Council

**Northern Territory:** City of Palmerston

**Victoria:** Ararat Rural City Council, City of Ballarat, Banyule City Council, Bass Coast Shire Council, Brimbank City Council, Shire of Campaspe, Cardinia Shire Council, City of Casey, City of Darebin, City of Greater Bendigo, Colac Otway Shire, City of Greater Dandenong, City of Greater Geelong, Hepburn Shire Council, Hindmarsh Shire Council, Hobsons Bay City Council, Horsham Rural City Council, Hume City Council, Indigo Shire Council, Knox City Council, La Trobe City Council, Manningham City Council, Mansfield Shire Council, Maribyrnong City Council, Maroondah City Council, City of Melbourne, Mildura Rural City Council, Moira Shire Council, City of Monash, City of Moonee Valley, Moreland City Council, Mornington Peninsula Shire, Mount Alexander Shire Council, Nichelink Council, Northern Grampians Shire Council, City of Port Phillip, Borough of Queenscliffe, Greater Shepparton City Council, Surf Coast Shire, Swan Hill Rural City Council, City of Whittlesea, City of Wodonga, Wyndham City, City of Yarra, Yarra Ranges Council

**South Australia:** Adelaide City Council, Adelaide Hills Council, Campbelltown City Council, Town of Gawler, City of Marion, City of Mitcham, City of Mount Gambier, Rural City of Murray Bridge, City of Norwood, Payneham and St Peters, City of Onkaparinga, City of Port Adelaide Enfield, City of Prospect, City of Salisbury, City of Victor Harbor, City of West Torrens

**Queensland:** Brisbane City Council, Diamantina Shire Council, Flinders Shire Council, City of Ipswich, Toowoomba Regional Council, Townsville City Council

**Tasmania:** Break O’Day Council, Burnie City Council, Clarence City Council, Derwent Valley Council, Hobart City Council, Huon Valley Council, Kingborough Council, La Trobe Council, Launceston City Council, Northern Midlands Council, West Tamar Council

**Western Australia:** City of Bayswater, City of Fremantle, Shire of Katanning, Shire of Manjimup, Shire of Augusta-Margaret River, City of Subiaco, Town of Victoria Park, City of Vincent

Map of Refugee Welcome Zones in Australia
The Refugee Welcome Zone Declaration

(Council crest/logo)

The _______________ Council,

Declares the Council of ____________ a

Refugee Welcome Zone

This Declaration is a Commitment in Spirit to

Welcoming refugees into our community,

Upholding the Human Rights of refugees,

Demonstrating Compassion for refugees and

Enhancing cultural and religious Diversity in our community.

________________________

[name and title of signatory]

Date: ____________

This Declaration is proudly supported and endorsed by the

Refugee Council of Australia

The Refugee Council of Australia is a national umbrella organisation representing over 1,000 organisational and individual members. The aim of the Refugee Council is to promote the adoption of flexible, humane and constructive policies toward refugees and asylum seekers by the Australian and other Governments and their communities.

To obtain an editable copy of the Declaration for signing by your Council, please contact us on (02) 9211 9333 or media@refugeecouncil.org.au
CITY OF NEWCASTLE

Ordinary Council Meeting 22 May 2018

ITEM-13 NOM 22/5/18 - TIGHES HILL COMMUNITY GARDEN

COUNCILLOR: J MACKENZIE

PURPOSE

The following Notice of Motion was received on 10 May 2018 from the abovenamed Councillor.

MOTION

That Council

- Acknowledges and affirms the contributions of the Tighes Hill Community Garden to Newcastle Council’s strategic priorities outlined in the draft *Newcastle 2030 Community Strategic Plan*, including through:
  - Providing an accessible, inclusive and supportive place that facilitates diverse activity and strengthens social connections
  - Encouraging and supporting active community participation in local environmental projects
  - Providing facilities that encourage social inclusion and community connections
  - Contributing to active and healthy communities, with regard to personal and community physical and mental health and wellbeing
  - Creating and maintaining sustainable, community-based infrastructure to support a liveable environment
  - Demonstrating the value of active citizen engagement in local planning and decision-making processes and shared responsibility for achieving Council’s development goals.

- Provide the Tighes Hill Community Garden with a formal letter of reference in support of their work and achievements to date, and in support of their continuing contributions to the Newcastle community.

- Commit to supporting the relocation of the Tighes Hill Community Garden, if required, through identifying and securing an alternative location and other logistic needs as identified in consultation with the group.

BACKGROUND

In early 2009, a series of meetings of Tighes Hill residents, local businesses and other stakeholders were convened to discuss ways to reduce anti-social behaviour and vandalism occurring at 36 Kings Road. Through these consultations, it was determined that the most appropriate method was through the establishment of a community garden. Since mid-2009, the site has been transformed through volunteer effort, and has come to be highly regarded and valued by the Tighes Hill community, providing a significant and inclusive community and social hub for local residents and the wider community.

Over the past decade, local residents have transformed the garden site from a disused and dangerous liability into a pleasant, vibrant, inclusive community space.
The Garden has actively contributed to community cohesion and wellbeing, through placemaking activities and events including: regular community working bees, workshops, skillshares and open-days on urban sustainability topics, and hosting Mothers' Day gatherings, Poetry in the Garden (with the Tighes Hill School), film and music nights, and Carols in the Garden.

It is noted that the Tighes Hill Community Garden has been served with an eviction notice on behalf of the adjoining unit holders, which would require the Garden to be vacated by 18 May. This matter is proceeding through the appropriate channels. Notwithstanding, the outcome of this, this motion recognises value of the Garden as a community asset, both to the local community and to Newcastle generally, and to act to ensure its ongoing contribution to the life of the city.

ATTACHMENTS

Nil
CONFIDENTIAL REPORTS

ITEM-7  CON 22/05/18 - CONTRACT 2018/320T - CONSTRUCTION OF SMALL VEHICLE RECEIVAL CENTRE AT SUMMERHILL WASTE MANAGEMENT CENTRE

REPORT BY: INFRASTRUCTURE  
CONTACT: DIRECTOR INFRASTRUCTURE / INTERIM MANAGER PROJECTS AND CONTRACTS

REASON FOR CONFIDENTIALITY

This report has been classified confidential in accordance with the provisions of the Local Government Act 1993 (the Act) as follows:

- Section 10A(2)(d) of the Act provides that Council can close a meeting to consider commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

- Section 10B(1)(a) and (b) of the Act provides that the discussion of the item in a closed meeting must only:
  (a) include as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security; and
  (b) occur if the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

GROUND FOR CLOSING PART OF THE MEETING

In respect to section 10D(2) of the Act, the grounds on which part of a meeting is to be closed for the discussion of the particular item must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. Accordingly, an appropriate resolution to proceed is required first.

MOTION TO PROCEED

The discussion of the confidential report take place in a closed session, with the press and public excluded, for the following reasons:

A The matter relates to tenders for the Construction of the Small Vehicle Receival Centre (SVRC) at Summerhill Waste Management Centre (SWMC) for Contract No: 2018/320T.

B It is contrary to the public interest to discuss tenders in an open meeting because the information provided to Council by tenderers is provided on the basis that it will be treated by Council as commercial-in-confidence. A practice of disclosing sensitive commercial information to the public, including competitors, could result in the withholding of such information by tenderers.
This would lead to a reduction in the supply of information relevant to Council's decision. A disclosure of confidential information by Council could result in Council being the subject of litigation for breach of confidence.

C The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.
ITEM 8  CON 22/05/18 - UNDERTAKING OF URGENT POLLUTION CONTROL WORKS AT SUMMERHILL WASTE MANAGEMENT CENTRE

REPORT BY: INFRASTRUCTURE
CONTACT: DIRECTOR INFRASTRUCTURE / INTERIM MANAGER PROJECTS AND CONTRACTS

REASONS FOR CONFIDENTIALITY

This report has been classified confidential in accordance with the provisions of the Local Government Act 1993 (Act) as follows:

- Section 10A(2)(d) of the Act provides that Council can close a meeting to consider commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

- Section 10B(1)(a) and (b) of the Act provides that the discussion of the item in a closed meeting must only:
  (a) include as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security; and
  (b) occur if the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

GROUNDS FOR CLOSING PART OF THE MEETING

In respect to section 10D(2) of the Act, the grounds on which part of a meeting is to be closed for the discussion of the particular item must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. Accordingly, an appropriate resolution to proceed is required first.

MOTION TO PROCEED

The discussion of the confidential report take place in a closed session, with the press and public excluded, for the following reasons:

A The matter relates to a contract for earth and drainage works at SWMC.

B It is contrary to the public interest to discuss contracts in an open meeting because the information provided to Council by contractors is provided on the basis that it will be treated by Council as commercial-in-confidence. A practice of disclosing sensitive commercial information to the public, including competitors, could result in the withholding of such information by potential contractors. This would lead to a reduction in the supply of information relevant to Council's decision. A disclosure of confidential information by Council could result in Council being the subject of litigation for breach of confidence.

C The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.