Ordinary Council Meeting

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 24 July 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

17 July 2018

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## CONTENTS

<table>
<thead>
<tr>
<th>Item</th>
<th>Business</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>APOLOGIES/LEAVE OF ABSENCE</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>ORDERS OF THE DAY</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>DECLARATIONS OF PECUNIARY / NON PECUNIARY INTEREST</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>CONFIRMATION OF PREVIOUS MINUTES</strong></td>
<td>5</td>
</tr>
<tr>
<td></td>
<td><strong>MINUTES - ORDINARY COUNCIL MEETING 26 JUNE 2018</strong></td>
<td>5</td>
</tr>
<tr>
<td></td>
<td><strong>LORD MAYORAL MINUTE</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>REPORTS BY COUNCIL OFFICERS</strong></td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>ITEM-65 <strong>CCL 24/07/18 - EXECUTIVE MONTHLY REPORT</strong></td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>ITEM-66 <strong>CCL 24/07/18 - ADOPTION OF GLEBE RD FEDERATION COTTAGES</strong></td>
<td>34</td>
</tr>
<tr>
<td></td>
<td><strong>HERITAGE CONSERVATION AREA - AMENDMENT TO NEWCASTLE LEP 2012 AND</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>NEWCASTLE DCP 2012</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ITEM-67 <strong>CCL 24/07/18 - HAMILTON RESIDENTIAL PRECINCT HERITAGE</strong></td>
<td>40</td>
</tr>
<tr>
<td></td>
<td><strong>CONSERVATION AREA - ENDORSEMENT OF AMENDMENT TO NEWCASTLE LEP 2012</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ITEM-68 <strong>CCL 24/07/18 - ADOPTION OF THE NEWCASTLE COASTAL</strong></td>
<td>45</td>
</tr>
<tr>
<td></td>
<td><strong>ZONE MANAGEMENT PLAN (REVISED 2018) - STOCKTON AND COASTLINE SOUTH</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>OF THE HARBOUR</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>NOTICES OF MOTION</strong></td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>ITEM-16 <strong>NOM 24/07/18 - LAMBTON PARK MEMORIAL GATES - TIME CAPSULE</strong></td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>ITEM-17 <strong>NOM 24/07/18 - SANDSTONE MEGAREGION</strong></td>
<td>65</td>
</tr>
<tr>
<td></td>
<td>ITEM-18 <strong>NOM 24/07/18 - NEWCASTLE LIGHT RAIL SMALL BUSINESS ASSISTANCE</strong></td>
<td>67</td>
</tr>
<tr>
<td></td>
<td><strong>REPORT ON NOTICE OF MOTION - NEWCASTLE LIGHT RAIL SMALL BUSINESS</strong></td>
<td>79</td>
</tr>
<tr>
<td></td>
<td><strong>ASSISTANCE - 24 JULY 2018</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ITEM-19 <strong>NOM 24/07/18 - COMPASSIONATE COMMUNITIES</strong></td>
<td>81</td>
</tr>
<tr>
<td></td>
<td>ITEM-20 <strong>NOM 24/07/18 - REDUCING VIOLENCE AGAINST WOMEN AND CHILDREN</strong></td>
<td>97</td>
</tr>
<tr>
<td></td>
<td><strong>A CITY POSITION</strong></td>
<td></td>
</tr>
</tbody>
</table>
CONFIDENTIAL REPORTS

ITEM-14 CON 24/07/18 - RELOCATION OF COUNCIL CHAMBER TO 12 STEWART AVENUE

ITEM-15 CON 24/07/18 - TENDER FOR STOCKTON BEACH HOLIDAY PARK MANAGEMENT SERVICES

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 26 JUNE 2018

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 180626 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 M Byrne, J Church, D Clausen, C Duncan, J Dunn, K Elliott, B Luke, J Mackenzie, A Rufo, E White and P Winney-Baartz.

IN ATTENDANCE
J Bath (Chief Executive Officer), A Jones (Interim Director Corporate Services), K Liddell (Director Infrastructure), J Gaynor (Interim Director Planning and Regulatory), E Kolatchew (Interim Manager Legal and Governance), M Swan (Interim Manager Finance), T Askew (Acting Manager Strategic Planning), M Cherry (Manager Rates, Debt Management), G Douglass (Interim Manager Development and Building), J Rigby (Interim Planning Infrastructure Manager), I Challis (Acting Manager Projects and Contracts), K Arnott (Corporate Strategist), S Moore (Manager Business Partnering), M Murray (Policy Officer, Lord Mayor's Office), C Field (Executive Assistant, Lord Mayor's Office), K Hyland (Manager Communications and Engagement), B Johnson (Media Officer), K Sullivan (Council Services/Minutes) and A Leach (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 Luke, seconded by Cr Church

The apology submitted on behalf of Councillor Robinson be received and leave of absence granted.

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor Luke
Councillor Luke declared a non-pecuniary less than significant conflict of interest in Item 52 - 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.
Councillor Luke
Councillor Luke declared a non-pecuniary significant conflict of interest in Confidential Item 9 - Provision of Banking Services - Contract No. 2018/419T stating that he had dealings with many of the institutions mentioned in the report both personally and through business. Councillor Luke advised he would leave the Chamber for discussion on the item.

Councillor Church
Councillor Church declared a significant and pecuniary interest in Item 63 - Endorsement of East End Stage One - Streetscape Plan stating that his employer had a commercial relationship with Iris Capital and would manage the conflict by leaving the Chamber for discussion on the item.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - PUBLIC VOICE COMMITTEE 10 APRIL 2018
MINUTES - BRIEFING COMMITTEE 10 APRIL 2018
MINUTES - PUBLIC VOICE COMMITTEE 15 MAY 2018
MINUTES - ORDINARY COUNCIL MEETING 22 MAY 2018

MOTION
Moved by Cr Clausen, seconded by Cr Mackenzie

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

LORD MAYORAL MINUTE

ITEM-9  LMM 26/06/18 - EASY TO DO BUSINESS - SERVICE NSW

MOTION
Moved by Lord Mayor, Cr Nelmes

That Council:

1 Delegate authority to the Chief Executive Officer to enter into a contract with Service NSW for the Easy to do Business initiative; and
2 Delegate authority to the Lord Mayor and Chief Executive Officer to execute any necessary documents under the Common Seal of Council. Carried unanimously
ITEM-10 LMM 26/06/18 - CITY OF NEWCASTLE VETERANS EMPLOYMENT PROGRAM

MOTION
Moved by Lord Mayor, Cr Nelmes

That Council:

1. Acknowledges that the NSW Government’s Veterans Employment Program has led to the over 500 veterans employed into the NSW public service since 2016;
2. Notes that while Veterans can experience barriers to employment following their Australian Defence Force careers, statistics indicate that employers and colleagues have a very positive experience working alongside veterans;
3. Notes that the skills veterans acquire in the ADF are highly transferable to public sector workplaces;
4. Invites the NSW Veterans Affairs to present a workshop about the Veterans Employment Program, outlining the potential benefits of establishing a City of Newcastle Veterans Employment Program;
5. Prepares a report on the establishment of a City of Newcastle Veterans Employment Program, aimed at increasing the amount of ex-service men and women employed at Newcastle City Council.

Carried unanimously

REPORTS BY COUNCIL OFFICERS

ITEM-52 CCL 26/06/18 - EXECUTIVE MONTHLY PERFORMANCE REPORT

MOTION
Moved by Cr Clausen, seconded by Cr Mackenzie

The report be received.

Carried unanimously
**CITY OF NEWCASTLE**  
Ordinary Council Meeting 24 July 2018

**ITEM-54 CCL 26/06/18 - MAKING OF THE RATES AND CHARGES FOR 2018/19**

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

1 Council makes the following rates and charges for the 2018/19 financial year:

<table>
<thead>
<tr>
<th>RATE</th>
<th>MINIMUM RATE</th>
<th>MINIMUM AD Valorem Amount Cents in $</th>
<th>BASE AMOUNT</th>
<th>ESTIMATED RATE YIELD P.A. in $</th>
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<tbody>
<tr>
<td>Ordinary Rates</td>
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<td></td>
</tr>
<tr>
<td>Residential</td>
<td>Nil</td>
<td>0.218992</td>
<td>724.04</td>
<td>50</td>
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<tr>
<td>Farmland</td>
<td>$968.00</td>
<td>0.296363</td>
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<td>Nil</td>
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<tr>
<td>Business</td>
<td>$968.00</td>
<td>1.805180</td>
<td>Nil</td>
<td>Nil</td>
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<tr>
<td>Business Sub-Categories</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Major Commercial Shopping Centre - Kotara</td>
<td>$968.00</td>
<td>3.210487</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Major Commercial Shopping Centre - Jesmond</td>
<td>$968.00</td>
<td>4.321563</td>
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<td>Nil</td>
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<tr>
<td>Major Commercial Shopping Centre - Waratah</td>
<td>$968.00</td>
<td>4.784879</td>
<td>Nil</td>
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<tr>
<td>Major Commercial Shopping Centre – Wallsend</td>
<td>$968.00</td>
<td>5.251752</td>
<td>Nil</td>
<td>Nil</td>
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<td>Major Commercial Shopping Centre – The Junction</td>
<td>$968.00</td>
<td>3.718891</td>
<td>Nil</td>
<td>Nil</td>
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<tr>
<td>Major Commercial Shopping Centre – Inner City</td>
<td>$968.00</td>
<td>1.876258</td>
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<td>Suburban Shopping Centres.</td>
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<td>3.040763</td>
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<tr>
<td>Suburban Shopping Centres – Inner City</td>
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<td>Suburban Shopping Centres – Mayfield</td>
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<td>Kotara – Homemaker’s Centre</td>
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<td>1.384098</td>
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<td>Kotara – Homemaker’s Centre - South Zone</td>
<td>$968.00</td>
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<td>Kooragang Industrial Coal Zone</td>
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<td>Kooragang North Industrial Coal Zone</td>
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<td>Kooragang Industrial Centre - Walsh Point</td>
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<td>Kooragang Industrial Centre</td>
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<td>Mayfield North Heavy Industrial Centre</td>
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</tr>
<tr>
<td>Mayfield North Industrial Centre</td>
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<td>1.582551</td>
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<td>Location</td>
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<td>Zone</td>
<td>Base Charge</td>
<td>Nil</td>
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</tr>
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<td>Mayfield North Industrial Centre - Future Development</td>
<td>$968.00</td>
<td>1.989221</td>
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</tr>
<tr>
<td>Carrington Industrial Coal and Port Zone</td>
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<td>Carrington Industrial Centre</td>
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</tr>
<tr>
<td>Carrington Industrial Port Operations Use</td>
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<td>Nil</td>
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<td>Broadmeadow Industrial Centre</td>
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<td>3.612502</td>
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<tr>
<td>Hexham Industrial Centre</td>
<td>$968.00</td>
<td>2.534710</td>
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</tbody>
</table>

**Special Rates**

- Hunter Mall: Nil, Zone: 0.231864, Total: 90,005
- Mayfield Business District: Nil, Zone: 0.102566, Total: 74,748
- Hamilton Business District - Zone A: Nil, Zone: 0.194877, Total: 86,002
- Hamilton Business District - Zone B: Nil, Zone: 0.097439, Total: 32,959
- Hamilton Business District - Zone C: Nil, Zone: 0.048719, Total: 14,180
- Wallsend Business District - Zone A: Nil, Zone: 0.384393, Total: 103,868
- Wallsend Business District - Zone B: Nil, Zone: 0.192197, Total: 14,128
- Wallsend Business District - Zone C: Nil, Zone: 0.288295, Total: 24,707
- New Lambton Business District: Nil, Zone: 0.117168, Total: 14,623
- City Centre - City East: Nil, Zone: 0.284731, Total: 184,710
- City Centre - Darby St: Nil, Zone: 0.063880, Total: 31,958
- City Centre - City West (Close Zone): Nil, Zone: 0.117651, Total: 226,737
- City Centre - City West (Distant Zone): Nil, Zone: 0.058826, Total: 18,743
- City Centre – Tower: Nil, Zone: 0.284731, Total: 176,500
- City Centre – Mall: Nil, Zone: 0.284731, Total: 123,745
- City Centre – Civic (Close Zone): Nil, Zone: 0.159224, Total: 89,480
- City Centre – Civic (Distant Zone): Nil, Zone: 0.079612, Total: 6,482

**TOTAL**: 147,265,546

2 An Ordinary Rate of zero point two one eight nine nine two cents (0.218992c) in the dollar with a 50% base charge of seven hundred and twenty four dollars and four cents ($724.04) named RESIDENTIAL, apply to all rateable land in The City of Newcastle Local Government Area (LGA) categorised as Residential.

3 An Ordinary Rate of zero point two nine six three six three cents (0.296363c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named FARMLAND, apply to all rateable land in The City of Newcastle LGA categorised as Farmland.

4 An Ordinary Rate of one point eight zero five one eight zero cents (1.805180c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS, apply to all rateable land in The City.
of Newcastle LGA categorised as Business **except** that rateable land determined to be in the Business Sub-Categories - Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City), Suburban Shopping Centres, Suburban Shopping Centres (Inner City), Suburban Shopping Centre - Mayfield, Kotara, Homemaker’s Centre, Kotara, Homemaker’s Centre - South Zone, Kooragang Industrial Coal Zone, Kooragang North Coal Zone, Kooragang Industrial Centre, Kooragang Industrial Centre - Walsh Point, Mayfield North Heavy Industrial Centre, Mayfield North Industrial Centre, Mayfield North Future Industrial Development Centre, Carrington Industrial Coal Zone, Carrington Industrial Centre, Carrington Industrial Port Operations Use, Carrington Industrial Coal and Port Zone, Broadmeadow Industrial Centre and Hexham Industrial Centre.

5 An Ordinary Rate of three point two one zero four eight seven cents (3.210487c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - KOTARA**, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Kotara located on a site of greater than eight hectares (80,000m²), providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of forty (40) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Kotara.

6 An Ordinary Rate of four point two one five six three cents (4.321563c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - JESMOND**, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Jesmond providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Jesmond.

7 An Ordinary Rate of four point seven eight four eight seven nine cents (4.784879c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - WARATAH**, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Waratah providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20)
specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Waratah.

8 An Ordinary Rate of five point two five one seven five two cents (5.251752c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - WALLSEND, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. “Major Commercial Shopping Centre” being defined as a centre of commercial activity within the suburb of Wallsend providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major COMMERCIAL SHOPPING CENTRES - WALLSEND.

9 An Ordinary Rate of three point seven one eight eight nine one cents (3.718891c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES – THE JUNCTION, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. “Major Commercial Shopping Centre” being defined as a centre of commercial activity within the suburb of The Junction providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of fifteen (15) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major COMMERCIAL SHOPPING CENTRES – THE JUNCTION.

10 An Ordinary Rate of one point eight seven six two five eight cents (1.876258c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES (INNER CITY), apply to all rateable land in The City of Newcastle LGA situated at Newcastle West within the centre of activity defined by Parry, National Park, King and Ravenshaw Streets, being utilised as a Major Commercial Centre (Inner City). “Major Commercial Centre – (Inner City)” being defined as a centre of commercial activity providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres (Inner City).

11 An Ordinary Rate of three point zero four zero seven six three (3.040763c) cents in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – SUBURBAN SHOPPING CENTRES, apply to all rateable land in The City of Newcastle LGA, being utilised as a Suburban Shopping Centre. “Suburban Shopping Centre” being defined as a centre of commercial activity situated on a site of greater than 6000m² which operates and has a dominant use as a Supermarket excepting the land categorised as Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major
Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City) or Suburban Shopping Centre - Mayfield. This land is categorised as Sub-category Business - Suburban Shopping Centres.

12 An Ordinary Rate of two point two seven eight four three four cents (2.278434c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – SUBURBAN SHOPPING CENTRES – INNER CITY, apply to all rateable land in The City of Newcastle LGA, being utilised as an Inner City Suburban Shopping Centre. "Inner City Suburban Shopping Centre" being defined as a centre of commercial activity within the suburb of Newcastle West or Hamilton situated on a site of greater than four thousand and nine hundred square metres (4,900m²) which operates as a Supermarket excepting the land categorised as Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City), Suburban Shopping Centre – Mayfield and Suburban Shopping Centres. This land is categorised as Sub-category Business - Suburban Shopping Centres – Inner City.

13 An Ordinary Rate of four point zero one five zero three four cents (4.015034c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – SUBURBAN SHOPPING CENTRE - MAYFIELD apply to all rateable land in The City of Newcastle LGA within the suburb of at Mayfield, being utilised as a Suburban Shopping Centre. “Suburban Shopping Centre” being defined as a centre of commercial activity situated on a site of greater than 1 Hectare.(10,000m²) with a minimum 4,000m² of floorspace which operates as a Supermarket. This land is categorised as sub-category Business – Suburban Shopping Centre - Mayfield.

14 An Ordinary Rate of one point three eight four zero nine eight cents (1.384098c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – KOTARA HOMEMAKER’S CENTRE apply to all rateable land in The City of Newcastle LGA situated at Kotara, used for commercial purposes, within the centre of activity defined by Lot 501 DP 1174032 and Lots 181 and 182 DP 850168. This land is categorised as sub-category Business – Kotara Homemaker’s Centre.

15 An Ordinary Rate of one point five six eight eight six six cents (1.568866c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – KOTARA HOMEMAKER’S CENTRE - SOUTH ZONE apply to all rateable land in The City of Newcastle LGA situated at Kotara, used for commercial purposes, within the centre of activity defined by Lot 220 DP 1014716. This land is categorised as sub-category Business – Kotara Homemaker’s Centre - South Zone.

16 An Ordinary Rate of one point seven three five two four two cents (1.735242c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – KOORAGANG INDUSTRIAL COAL ZONE apply to all rateable land in The City of Newcastle LGA within the centre
of activity defined by the suburb of Kooragang being Lot 11 DP 841542, Lot 121 DP 874949, Lot 1 DP 1097327, Lot 5 DP 1097327, Lots 2, 5, 7, 9 DP 775774, Lot 1 DP 775775, Lot 1 DP 869622, Lot 18 DP 1119752. This subcategorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Kooragang Industrial Coal Zone.

17 An Ordinary Rate of two point three seven three five zero eight cents (2.373508c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – KOORAGANG NORTH INDUSTRIAL COAL ZONE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by the suburb of Kooragang being Lots 2, 3, 6, 16 DP 1119752, Lot 61 DP 1184395, Lot 62 DP 1184943, Lot 16 DP 262783, Lots 8 DP 1119752, Lots 29, 30, 31, 32 and 33 DP 1184229, Lots 4, 5, 6, 10, 11, 12 DP 1207051, Lots 3, 7, 8, 9, 13, 14, 15 DP 1207051 and Lot 22 DP 1155723. This subcategorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Kooragang North Industrial Coal Zone.

18 An Ordinary Rate of one point eight six seven one eight six cents (1.867186c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – KOORAGANG INDUSTRIAL CENTRE WALSH POINT apply to all ratable land in The City of Newcastle LGA within the centre of activity defined by the suburb of Kooragang being Lots 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22 DP 234887, Lots 6, 7 DP 262783, Lots 1, 2, 3 DP 557904, Lot 1 DP 575674, Lots 2, 6, 7, 8, 9 DP 775772, Lots 11, 12, 13, 14, 17, 18, 19, 20, 22, 23 DP 775773, Lots 2, 4, 5, 7, 8, 9, 10, 14 DP 775775, Lots 29, 31, 32, 33, 35, 37, 38, 39, 40, 41, 42 DP 775776, Lots 44, 45, 46, 47, 48, 49, 50, 51, 53 DP 775777, Lots 60, 61, 62, 63 DP 802700, Lot 3 DP 858206, Lots 1, 2, 3 DP 1015754, Lots 201, 202, 203, 204, 205, 206, 208, 210 DP 1017038, Lots 210, 211 DP 1018949, Lots 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112 DP 1018951, Lots 131, 132 DP 1018952, Lot 362 DP 1104196, Lot 15 DP 1119752, Lot 12, 13 DP 1144748, Lots 1, 2 DP 1184514, Lots 1, 2, 3, 4 DP 1191912, Lots 94, 95 DP 1191913, Lots 41, 42, 43, 44 DP 1193134, Lot 2 DP 1195449, Lots 151, 152, 153 DP 1202468, Lots 91, 92 DP 1202475 and Lot 3 in DP 234288. This subcategorisation applies to all land categorised as Business in terms of Section 518 of the Act located within this centre of activity which is not sub categorised as Business – Kooragang Industrial Coal Zone or not sub categorised as Business – Kooragang North Industrial Coal Zone or not sub categorised Business – Kooragang Industrial Centre. This land is categorised as sub-category Business – Kooragang Industrial Centre Walsh Point.

19 An Ordinary Rate of one point five six nine seven eight cents (1.566978c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – KOORAGANG INDUSTRIAL CENTRE apply to all ratable land in The City of Newcastle LGA within the centre of activity defined by the suburb of Kooragang. This subcategorisation applies to
all land categorised as Business in terms of Section 518 of the Act located in Kooragang which is not sub categorised as Business – Kooragang Industrial Coal Zone or not sub categorised as Business – Kooragang North Industrial Coal Zone or not sub categorised as Business – Kooragang Industrial Centre Walsh Point. This land is categorised as sub-category Business – Kooragang Industrial Centre.

20 An Ordinary Rate of zero point nine eight one three nine cents (0.981369c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – MAYFIELD NORTH HEAVY INDUSTRIAL CENTRE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land contained within, Lot 225 DP 1013964, Lot 224 DP 1013964, Lot 2 DP 1204573, Lot 2 DP 1184257 and Lot 1 DP 874109 This land is categorised as sub-category Business - Mayfield North Heavy Industrial Centre.

21 An Ordinary Rate of one point five eight two five five one cents (1.582551c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – MAYFIELD NORTH INDUSTRIAL CENTRE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by Lot 10 DP 625019, Lot 1 DP 403544, Lot 1 DP 528411, Lot 2 DP 207307, Lot 3 DP 259009, Lot 1 DP 880225, Lots 1, 2 DP 1177466, Lots 36, 37, 38, 39, 40 DP 1191723 Lots 5, 6 and 7 DP 1204575 and Lot 11 DP 625019. This land is categorised as sub-category Business - Mayfield North Industrial Centre.

22 An Ordinary Rate of one point nine eight nine two two one cents (1.989221c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – MAYFIELD NORTH INDUSTRIAL CENTRE FUTURE DEVELOPMENT apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by Lots 41, 42, 43, 44, 45 in DP 1191982. This land is categorised as sub-category Business - Mayfield North Industrial Centre Future Development.

23 An Ordinary Rate of three point zero seven six eight seven cents (3.076687c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – CARRINGTON INDUSTRIAL COAL AND PORT ZONE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land within Lot 1 DP 1044636 Lots 1, 2 DP 1104199, the land contained within Railway Land Lease reference number 115/75/2261, Lots 3, 4 DP 1104199, Lots 1, 2, 3 DP1187068, Lot 30 DP 1190075, Lots 8 and 11 DP 1190231, Lots 12, 13, 14, 15, 16 DP 1190232, Lots 110, 111, 113 DP 1191911, Lots 91, 92, 93 DP 1193181, Lots 1, 2, 3 DP 1195231, Lots 219, 220 DP 1195310 and and Lots 1, 2, 3 in DP 1218150. This land is categorised as sub-category Business - Carrington Industrial Coal and Port Zone.

24 An Ordinary Rate of two point two one four four eight three cents (2.214483c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – CARRINGTON INDUSTRIAL CENTRE
apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land with an area of greater than than six hundred square metres (600m$^2$) zoned SP1 – Special Activities under the State Environmental Planning Policy (Three Ports) 2013 and located within the suburb of Carrington and the land known as Lot 1 DP 1097368 excepting that land categorised as Business - Carrington Industrial Coal and Port Zone or the land categorised as Business - Carrington Industrial Port Operations Use. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Carrington Industrial Centre.

25 An Ordinary Rate of two point four six six zero four five cents (2.466045c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – CARRINGTON INDUSTRIAL PORT OPERATIONS USE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land within Lot 11 DP 1023961, Lot 27 DP 842685 Lot 101 DP 1014244, Lot 1014 DP 1143277, Lot 33 DP 1078910 and Lot 1 DP 834572. This land is categorised as sub-category Business - Carrington Industrial Port Operations Use.

26 An Ordinary Rate of three point six one two five zero two cents (3.612502c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – BROADMEADOW INDUSTRIAL apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land within Lot 221 DP 1012345. This land is categorised as sub-category Business - Broadmeadow Industrial.

27 An Ordinary Rate of two point five three four seven one zero cents (2.534710c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – HEXHAM INDUSTRIAL CENTRE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land wholly or partly contained in a “parcel of land” as defined within the Valuation of Land Act NSW 1916, which is in the majority zoned IN3 Heavy Industrial under the Newcastle Local Environmental Plan 2012 and located within the suburb of Hexham excepting Lots 2 and 3 DP 874409 and Lot 1 DP 90824. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business - Hexham Industrial Centre.

28 A Special Rate of zero point two three one eight six four cents (0.231864c) in the dollar named HUNTER MALL, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Hunter Mall Town Improvement District” as defined in Attachment A for the purpose of defraying the cost of continuing additional horticultural and cleansing services and street furnishings determined to be of special benefit to the said Hunter Mall Town Improvement District.

29 A Special Rate of zero point one zero two five six six cents (0.102566c) in the dollar named MAYFIELD BUSINESS DISTRICT, apply to part of the rateable
land within The City of Newcastle LGA constituted and known as the “Mayfield Business District” as defined in Attachment B for the purpose of defraying the additional cost of promotion, beautification and development of the Mayfield Business District determined to be of special benefit to the said Mayfield Business District.

30 A Special Rate of zero point one nine four eight seven seven cents (0.194877c) in the dollar named HAMILTON BUSINESS DISTRICT - ZONE A, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Hamilton Business District” as defined in Attachment C for the purpose of defraying the additional cost of promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District.

31 A Special Rate of zero point zero nine seven four three nine cents (0.097439c) in the dollar named HAMILTON BUSINESS DISTRICT - ZONE B, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Hamilton Business District” as defined in Attachment D for the purpose of defraying the additional cost of promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District.

32 A Special Rate of zero point zero four eight seven one nine cents (0.048719c) in the dollar named HAMILTON BUSINESS DISTRICT - ZONE C, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Hamilton Business District” as defined in Attachment E for the purpose of defraying the additional cost of promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District.

33 A Special Rate of zero point three eight four three nine three cents (0.384393c) in the dollar named WALLSEND BUSINESS DISTRICT - ZONE A, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Wallsend Business District” as defined in Attachment F for the purpose of defraying the additional cost of promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District.

34 A Special Rate of zero point one nine two one nine seven cents (0.192197c) in the dollar named WALLSEND BUSINESS DISTRICT - ZONE B, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Wallsend Business District” as defined in Attachment G for the purpose of defraying the additional cost of promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District.

35 A Special Rate of zero point two eight eight two nine five cents (0.288295c) in the dollar named WALLSEND BUSINESS DISTRICT - ZONE C, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Wallsend Business District” as defined in Attachment H for the purpose of
defraying the additional cost of promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District.

36 A Special Rate of zero point one one seven one six eight cents (0.117168c) in the dollar named NEW LAMBTON BUSINESS DISTRICT, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “New Lambton Business District” as defined in Attachment I for the purpose of defraying the additional cost of promotion, beautification and development of the New Lambton Business District determined to be of special benefit to the said New Lambton Business District.

37 A Special Rate of zero point two eight four seven three one cents (0.284731c) in the dollar named CITY CENTRE - CITY EAST, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - City East” as defined in Attachment J for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City East determined to be of special benefit to the said City Centre Benefit Area - City East.

38 A Special Rate of zero point zero six three eight eight zero cents (0.063880c) in the dollar named CITY CENTRE - DARBY STREET, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - Darby Street” as defined in Attachment K for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Darby Street determined to be of special benefit to the said City Centre Benefit Area - Darby Street.

39 A Special Rate of zero point one one seven six five one cents (0.117651c) in the dollar named CITY CENTRE - CITY WEST (CLOSE ZONE), apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - City West” as defined in Attachment L for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City West (Close Zone) determined to be of special benefit to the said City Centre Benefit Area - City West (Close Zone).

40 A Special Rate of zero point zero five eight eight two six cents (0.058826c) in the dollar named CITY CENTRE - CITY WEST (DISTANT ZONE), apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area -City West” as defined in Attachment M for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City West (Distant Zone) determined to be of special benefit to the said City Centre Benefit Area - City West (Distant Zone).

41 A Special Rate of zero point two eight four seven three one cents (0.284731c) in the dollar named CITY CENTRE - TOWER apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - Tower” as defined in Attachment N for the purpose of defraying
the additional cost of promotion, beautification and development of the City Centre Benefit Area - Tower determined to be of special benefit to the said City Centre Benefit Area - Tower.

42 A Special Rate of zero point two eight four seven three one cents (0.284731c) in the dollar named CITY CENTRE – MALL, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - Mall” as defined in Attachment O for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Mall determined to be of special benefit to the said City Centre Benefit Area - Mall.

43 A Special Rate of zero point one five nine two two four cents (0.159224c) in the dollar named CITY CENTRE - CIVIC (CLOSE ZONE), apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area – Civic (Close Zone)” as defined in Attachment P for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area – Civic (Close Zone) determined to be of special benefit to the said City Centre Benefit Area – Civic (Close Zone).

44 A Special Rate of zero point zero seven nine six one two cents (0.079612c) in the dollar named CITY CENTRE - CIVIC (DISTANT ZONE), apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area – Civic (Distant Zone)” as defined in Attachment Q for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area – Civic (Distant Zone) determined to be of special benefit to the said City Centre Benefit Area – Civic (Distant Zone).

45 A STORMWATER MANAGEMENT SERVICE CHARGE of twenty five dollars ($25.00) per non-strata property and twelve dollars and fifty cents ($12.50) per Strata/Company Title unit for the provision of stormwater management services. This charge applies to all rateable land categorised as Residential not being an exclusion as outlined in Section 496A(2) of the Act as amended.

46 A STORMWATER MANAGEMENT SERVICE CHARGE of twenty five dollars ($25.00) per three hundred and fifty square metres (350m²) or part thereof, of land area capped at a maximum of $1,000 for each non-strata property. This charge applies to all non-strata or non-company title rateable land categorised as Business or sub-categorised as one of the Business sub-categories referred to in the table within paragraph 1 of this report not being an exclusion as outlined in Section 496A(2) of the Act as amended or an exclusion outlined in paragraph 48.

47 A STORMWATER MANAGEMENT SERVICE CHARGE of twenty five dollars ($25.00) per three hundred and fifty square metres 350m² or part thereof, of land area occupied by the strata scheme, capped at a maximum of $1,000, divided between each unit based on the unit entitlement of each business lot divided by the total unit entitlement of strata lots within the scheme. This
charge applies to all strata or company title rateable land categorised as Business where the dominant use of the strata development is for business purposes, not being an exclusion as outlined in Section 496A(2) of the Act as amended.

48 A STORMWATER MANAGEMENT SERVICE CHARGE of twelve dollars and fifty cents ($12.50) per three hundred and fifty square metres (350m²) or part thereof, of land area capped at a maximum of $500 for each non-strata property. This charge shall only apply where a property's storm water is not discharged to a storm water pipeline that is reliant on a downstream network that Council has a proportion of the ownership of, and maintenance responsibility for. This charge applies to non-strata or non-company title rateable land categorised as Business or sub-categorised as one of the Business sub-categories referred to in the table within paragraph 1 of this report not being an exclusion as outlined in Section 496A(2) of the Act as amended.

49 A DOMESTIC WASTE MANAGEMENT SERVICE CHARGE of three hundred and forty dollars and nine cents ($340.09) for the provision of domestic waste management services for each parcel of rateable land for which the service is available in The City of Newcastle LGA.

50 A BUSINESS WASTE MANAGEMENT SERVICE CHARGE of two hundred and thirty one dollars and fifty one cents ($231.58) for the provision of waste management services (other than domestic waste management services), on each parcel of rateable land categorised as Business or sub-categorised as one of the Business sub-categories referred to in the table within paragraph 1 of this report, for which the service is provided or proposed to be provided in The City of Newcastle LGA.

Carried

ITEM-55 CCL 26/06/18 - INTEREST ON OVERDUE RATES AND CHARGES FOR 2018/19

MOTION
Moved by Cr Mackenzie, seconded by Cr Byrne

1 Council adopts the rate of 7.5% per annum on interest on overdue rates and charges for the 2018/19 rating year. This is the maximum allowable by the Minister for Local Government.

2 The rate of interest on overdue rates and charges that are deferred against an eligible ratepayer’s estate for the 2018/19 rating year be fixed at 2.9% per annum.

Carried
ITEM-56  CCL 26/06/18 - MAKING OF THE RATE - HUNTER CATCHMENT CONTRIBUTION AND COMMISSION FOR THE YEAR COMMENCING 1 JULY 2018

MOTION
Moved by Cr Clausen, seconded by Cr Dunn

1  (a) Council notes that the NSW Governments Hunter Local Land Services has established the Hunter Catchment Contribution rate for the 2018/19 rating year at 0.011100 of a cent in the dollar on all relevant properties within the Newcastle Local Government Area (LGA), with a land value in excess of $300.

(b) Council endorses the making, levying and collection of the Hunter Catchment Contribution on behalf of Hunter Local Land Services as the rate detailed in Paragraph 1(a) above.

2  Council endorses the rate of commission payable to Council for the collection of the 2018/19 Catchment Contribution at 5% of Hunter Catchment Contributions collected, as determined by Hunter Local Land Services.  

Carried

ITEM-57  CCL 26/06/18 - ADOPTION OF DONATIONS PROGRAM POLICY

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

That Council resolves to adopt the Donations Program Policy at Attachment A.

Carried

ITEM-58  CCL 26/06/18 - PUBLIC EXHIBITION OF THE COUNCILLOR EXPENSES AND FACILITIES POLICY

MOTION
Moved by Cr Clausen, seconded by Cr Rufo


Carried
ITEM-62  CCL 26/06/18 - ADOPTION OF THE DRAFT ABORIGINAL HERITAGE MANAGEMENT STRATEGY

MOTION
Moved by Cr Mackenzie, seconded by Cr Duncan

Council resolves to adopt the Aboriginal Heritage Management Strategy 2018-2021 (AHMS) as provided in Attachment A.

Carried

ITEM-53  CCL 26/06/18 - ADOPTION OF 2018/19 OUR BUDGET AND 2018/19 FEES AND CHARGES

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

Council adopts the 2018/19 Our Budget in the form as attached at Attachment A, and the 2018/19 Fees and Charges Register in the form as attached at Attachment B.

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

Against the Motion: Councillors Church, Elliott, Luke and Rufo.

Carried

ITEM-59  CCL 26/06/18 - ADOPTION OF CODE OF MEETING PRACTICE

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

That Council resolves to adopt the revised Code of Meeting Practice at Attachment A.

AMENDMENT
Moved by Cr Mackenzie, seconded by Cr Luke

That Section 12.1 of the Code of Meeting Practice be amended to include provision for Public Voice in the order of business at Ordinary Council Meetings.

Councillor Mackenzie withdrew the amendment in favour of a Part B which provided for the Chief Executive Officer to:

- Facilitate wider engagement in Public Voice with the view to community representatives voicing their opinions and perspectives so there were more opportunities for the elected Council to hear from the public; and
- Prepare a memo to Councillors on ways to engage in accordance with the Open and Transparent Governance Strategy.
The motion moved by Lord Mayor, Cr Nelmes and seconded by Councillor Clausen, incorporating parts A and B was put to the meeting.  

Carried

ITEM-60  CCL 26/06/18 - ADOPTION OF CHARTERS FOR COASTAL REVITALISATION, ENVIRONMENTAL, FLOODPLAIN RISK MANAGEMENT AND CYCLING ADVISORY COMMITTEES

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

Items 60 - Adoption of Charters for Coastal Revitalisation, Environmental, Floodplain Risk Management and Cycling Advisory Committees and 61 - Adoption of Charters for Disability Inclusion, Guraki and Youth Council Advisory Committees be dealt with concurrently and following Item 64 - Endorsement of Newcastle 2030 Community Strategic Plan.

Carried

ITEM-63  CCL 26/06/18 - ENDORSEMENT OF EAST END STAGE ONE - STREETSCAPE PLAN

Councillor Church left the Chamber for discussion on this item.

MOTION
Moved by Cr White, seconded by Cr Duncan

Council resolves to adopt the East End Stage One - Streetscape Plan (the Plan) as provided in Attachment A.

FORESHADOWED MOTION - CR MACKENZIE

a) That prior to Council’s adoption of the East End Stage One - Streetscape Plan (the Plan) as provided in Attachment A, the plan be referred for review to:
   a. Newcastle City Council's Disability Inclusion Advisory Committee
   b. Newcastle City Council’s Cycling Advisory Committee

b) That those Committees be requested to advise on the specific proposal to convert the Hunter Street pedestrian mall into a 40km/hour vehicular carriageway, and the speed increase from the current 10km/hour as a shared use zone.

c) That Council receive the proactive Footpath Strategy prior to adoption of the Streetscape Plan, noting that the Strategy is to be based on the principles of the PAMP hierarchy agreed to as per Footpath Delivery Notice of Motion on 27/03/18.

The mover and seconder of the motion indicated they would include a part B which incorporated elements of Councillor Mackenzie's foreshadowed motion:
B 1 The Streetscape Plan (the Plan) as provided in Attachment A, the plan be referred for review to:
   a. Newcastle City Council’s Disability Inclusion Advisory Committee
   b. Newcastle City Council’s Cycling Advisory Committee
during the detailed design phase.

2 That those Committees be requested to advise on the specific proposal to convert the Hunter Street pedestrian mall into a 40km/hour vehicular carriageway, and the speed increase from the current 10km/hour as a shared use zone.

The motion moved by Councillors White and Duncan, incorporating parts A and B, was put to the meeting.

For the Motion: Lord Mayor, Councillor Nelmes, Councillor Byrne, Clausen, Duncan, Dunn, Elliott, Luke, Rufo, White and Winney-Baartz.

Against the Motion: Councillor Mackenzie.

Carried

The Lord Mayor stated that the foreshadowed motion had lapsed.

Councillor Church returned to the Chamber at the conclusion of this item.

ITEM-64 CCL 26/06/18 - ENDORSEMENT OF NEWCASTLE 2030 COMMUNITY STRATEGIC PLAN

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

Council resolves to endorse the Newcastle 2030 Community Strategic Plan (Attachment A).

Carried unanimously

ITEM-60 CCL 26/06/18 - ADOPTION OF CHARTERS FOR COASTAL REVITALISATION, ENVIRONMENTAL, FLOODPLAIN RISK MANAGEMENT AND CYCLING ADVISORY COMMITTEES

MOTION
Moved by Lord Mayor, Cr Nelmes, seconded by Cr Winney-Baartz

Council resolves to:

i) Adopt the Coastal Revitalisation Consultative Committee Charter at Attachment A.
ii) Adopt the Environmental Advisory Committee Charter at **Attachment B**.

iii) Adopt the Newcastle Floodplain Risk Management Advisory Committee Charter at **Attachment C**.

iv) Adopt the Newcastle Cycling Advisory Committee Charter at **Attachment D**.

v) Notes the Schedule of Meeting Dates for the Committees at **Attachment E**.

with the following minor amendments

i) Charters at **Attachment A-D**

- Stakeholder organisations to be appointed by the Chairperson / Chief Executive Officer on behalf of the Committee.
- Items of business to be approved by the Chairperson of CEO.

ii) Coastal Revitalisation Consultative Committee Charter at **Attachment A**.

Insert a new clause 4.1.1 'Monitor the project status, including budget and milestones and assist in resolving inhibitors to the meeting of project milestones'.

**Part B**

The charters at **Attachments A-D** to remain in place on an interim basis pending a review of the composition and structure of advisory committees (this is consistent with the resolution of 27 March 2018). The review to include:

1. A Councillor workshop to be held in July 2018
2. Consultation with Council staff who currently facilitate each committee and Councillors who are members of committees or elect to participate.
3. Consultation with each of the committee members on amendments to the charters.

Council staff will provide a report back to Council following the review with recommendations as to change in structure and composition as well as amendments required to the interim charters.

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

**Against the Motion:** Councillor Luke.  

**Carried**
ITEM-61 CCL 26/06/18 - ADOPTION OF CHARTERS FOR DISABILITY INCLUSION, GURAKI AND YOUTH COUNCIL ADVISORY COMMITTEES

MOTION
Moved by Lord Mayor, Cr Nelmes, seconded by Cr Winney-Baartz

i) Council adopts the Disability Inclusion Advisory Committee Charter at Attachment A.

ii) Council adopts the Guraki Aboriginal Advisory Committee Charter at Attachment B.

iii) Council adopts the Youth Council Committee Charter at Attachment C.

iv) Council adopts the Schedule of Meeting Dates for the above Committees at Attachment D.

with the following minor amendments

Charters at Attachment A-D

- Stakeholder organisations to be appointed by the Chairperson / Chief Executive Officer on behalf of the Committee.
- Items of business to be approved by the Chairperson of CEO.

Part B

The charters at Attachments A-D to remain in place on an interim basis pending a review of the composition and structure of advisory committees (this is consistent with the resolution of 27 March 2018). The review to include:

1. A Councillor workshop to be held in July 2018
2. Consultation with Council staff who currently facilitate each committee and Councillors who are members of committees or elect to participate.
3. Consultation with each of the committee members on amendments to the charters.

Council staff will provide a report back to Council following the review with recommendations as to change in structure and composition as well as amendments required to the interim charters.
For the Motion:
 Lord Mayor, Cr Nelmes, Councillors Byrne, Church, Clausen, Duncan, Dunn, Elliott, Mackenzie, Rufo, White and Winney-Baartz.

Against the Motion: Councillor Luke.

Carried

NOTICES OF MOTION

ITEM-14 NOM 26/06/18 - FACILITATING THE ADOPTION OF ELECTRICITY MICROGRIDS IN NEWCASTLE

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

That Council

1. Notes that Newcastle Council was the first local government in Australia to commit to action to reduce climate change impacts under the Cities Power Partnership, a Climate Council program that brings together Australian cities and towns that are driving solutions around climate change.

2. Notes that one of Council’s commitments under the Partnership related to increased energy efficiency, including the use of energy-efficient and smart-controlled LED lighting trials for Newcastle’s main roads and inner city.

3. Notes the contribution that electricity microgrids powered by renewable energy and using Smartgrid technology to balance loads have made to energy efficiency where implemented. Further, electricity microgrids are an innovative solution to reducing electricity costs, decentralising production and management, and reducing greenhouse gas emissions, and are consistent with Council’s priorities identified in both the Newcastle Smart City Strategy and the Newcastle 2020 Carbon and Water Management Action Plan.

4. Prepare a report on ways for Council to become part of an embedded electricity microgrid and ways to promote and to facilitate the development of microgrids in the community. This report should also consider opportunities for microgrids to cross Newcastle Council boundaries into neighbouring LGAs.

Carried unanimously
ITEM-15 NOM 26/06/18 - COMMUNITY PARTICIPATION PLANS

MOTION
Moved by Cr Elliott, seconded by Cr Church

That Council officer's provide Councillors with a presentation on the process for adhering to the community participation changes in the EP&A Act and provide a timeframe for implementation including information on:

- Developing a community participation plan
- Developing a local strategic planning statement
- Adhering to community participation principles
- Proposed consultation tools to support community participation

Carried unanimously

CONFIDENTIAL REPORTS

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

Council move into confidential session for the reasons outlined in the business papers.

Carried

Council moved into confidential session at 7.23pm.

During confidential session:

- Councillor Luke left the Chamber for discussion on Item 9 - Provision of Banking Services - Contract No. 2018/419T and returned to the Chamber at the conclusion of the item.
- Councillor Clausen identified a less than significant non-pecuniary interest in Item 9 - Provision of Banking Services - Contract No. 2018/419T and remained in the Chamber for discussion on the item.

Council reconvened at 7.38pm and the Chief Executive Officer reported the resolutions of confidential session.

ITEM-9 CON 26/06/18 - PROVISION OF BANKING SERVICES - CONTRACT NO. 2018/419T

MOTION
Moved by Cr Dunn, seconded by Cr Mackenzie

1 Council accepts the tender of Commonwealth Bank of Australia for the provision of banking services for Contract No. 2018/419T.
2. 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 Council determines otherwise.

Carried

ITEM-10 CON 26/06/18 - DISTRICT SPORT AND RECREATION COMPLEX, 40 CREEK ROAD, MARYLAND

MOTION

Moved by Lord Mayor, Cr Nelmes, seconded by Cr Dunn

1. Council approve the transfer of ownership of 40 Creek Road, Maryland, Lot 2 DP 80158 and Lot 25 DP 599877, from Newcastle Wallsend Coal Company to Newcastle City Council.

2. Council grant authority to the Chief Executive Officer or his delegate to execute all relevant documentation required to give effect to the transaction.

3. Attachment D of the confidential report relating to 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

ITEM-11 CON 26/06/18 - TENDER FOR TREE WORKS SERVICES - CONTRACT 2018/414T

MOTION

Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

1. Council accept the tender of Agility Professional Tree Service Pty Ltd, Treeserve Pty Ltd, Plateau Tree Service Pty Ltd and Waratah Professional Tree Care Pty Ltd for tree work services for Contract No. 2018/414T with payments to be made at the tendered rates.

2. 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
ITEM-12 CON 26/06/18 - TENDER FOR TREE PLANTING AND TREE ESTABLISHMENT SERVICES - CONTRACT 2018/415T

MOTION
Moved by Cr Mackenzie, seconded by Cr Duncan

1 Council accept the tender of Treeserve Pty Ltd and Waratah Professional Tree Care Pty Ltd for tree planting and tree establishment services for Contract No. 2018/415T with payments to be made at the tendered rates.

2 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

ITEM-13 CON 26/06/18 - CIVIC ELECTRICAL SUBSTATION UPGRADE WORKS - CONTRACT 2018/410T

MOTION
Moved by Cr Mackenzie, seconded by Cr Clausen

1 Council accepts the tender of Systems Construction Pty Ltd in the amount of $1,245,066 (excluding GST) for Civic Electrical Substation Upgrade works for Contract No. 2018/410T.

2 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 7.42pm.
REPORTS BY COUNCIL OFFICERS

ITEM-65 CCL 24/07/18 - EXECUTIVE MONTHLY REPORT

REPORT BY: GOVERNANCE
CONTACT: INTERIM DIRECTOR GOVERNANCE / INTERIM CHIEF FINANCIAL OFFICER

PURPOSE

To report on Council's monthly performance which includes 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 The June 2018 Executive Monthly Performance Report includes updates on Council's investments, capital works in Ward 4, and communications and engagement.

3 The 2017/18 financial data remains preliminary as Finance continues end of year processing and technical analysis including calculating the value of assets written off through the asset renewal program, assessing the value of infrastructure assets donated to Council through sub divisions and end of financial year processing that occurs in accordance with Australian Accounting Standards and the Code of Accounting Practice. In August 2018, Finance will workshop with Councillors the preliminary end of year results for 2017/18.

4 This approach is consistent with the reporting of the 2016/17 June monthly financial result.

5 The final 2017/18 financial statements will be reported to Council through a workshop scheduled on 9 October 2018 and adoption on 23 October 2018.

FINANCIAL IMPACT

6 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 (Attachment A).
COMMUNITY STRATEGIC PLAN ALIGNMENT

7 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

8 The distribution of the report and the information contained therein is consistent with:
   
   i) Council’s Investment Policy and Strategy, and
   
   ii) Clause 212 of the Regulation and s. 625 of the Act.

RISK ASSESSMENT AND MITIGATION

9 No additional risk mitigation has been identified this month.

RELATED PREVIOUS DECISIONS

10 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".

11 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

12 Nil.

BACKGROUND

13 Previous resolutions of Council and the Audit Committee identified the need for careful monitoring of Council’s financial strategy and operational budget result. Traditionally a monthly Executive Performance Report is presented to Council. Monthly reports for Communications and Engagement are also included at Attachment A.
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 is not the recommended option.

REFERENCES

ATTACHMENTS

Attachment A: Investment Policy and Strategy Compliance Report

Distributed under separate cover
ITEM-66 CCL 24/07/18 - ADOPTION OF GLEBE RD FEDERATION COTTAGES HERITAGE CONSERVATION AREA - AMENDMENT TO NEWCASTLE LEP 2012 AND NEWCASTLE DCP 2012

REPORT BY: GOVERNANCE
CONTACT: INTERIM DIRECTOR GOVERNANCE / INTERIM MANAGER REGULATORY AND ASSESSMENT

PURPOSE

This report seeks Council's endorsement of an amendment to Newcastle Local Environmental Plan 2012 (LEP), as per attached Planning Proposal for the Glebe Road Federation Cottages Heritage Conservation Area, and adoption of new Section 6.02 Heritage Conservation Areas of the Newcastle Development Control Plan 2012 (DCP).

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 (EP&A Act), to amend the LEP to create a Heritage Conservation Area for the Glebe Road Federation Cottages on the following land:
      a) Lot 1 DP 7356435, Lots 10 DP 1049694, Lot 1 DP 1188026, Lot 0 SP 0053274, and Lots 112 to 117 and 120 to 121 DP 95005, Nos 53 - 75 Glebe Road, The Junction.
    b) Lot 11 DP 1049694, 4 Watkins Street, The Junction.
   ii) Forward the Planning Proposal to the Department of Planning and Environment (DPE) requesting that a draft LEP be prepared and made pursuant to Section 3.36(1) of the EP&A Act.
   iii) Advise the Secretary of the Department of Planning and Environment that Council does not seek to exercise delegations for undertaking Section 3.36(1) of the EP&A Act.
   iv) Adopt Section 6.02 Heritage Conservation Areas (Attachment B) of the DCP and provide public notice advising that this development control plan take effect on the business day following the date upon which the abovementioned amendment to the LEP is made.
KEY ISSUES

2 At the Ordinary Council Meeting held on 27 March 2018 Council resolved to endorse the Planning Proposal and amend the DCP to create the Glebe Road Federation Cottages Heritage Conservation Area and forward the proposal to the Minister for Planning for Gateway determination. A positive Gateway determination was issued by the DPE on 27 April 2018.

3 In accordance with the Department of Planning and Environment's Gateway Determination, the Planning Proposal and draft DCP were exhibited from 14 May 2018 until 12 June 2018.

Submissions

4 During the exhibition period Council received four submissions. Details regarding the content of the submissions is provided below.

Support

5 Council received three submissions in support of the planning proposal and draft DCP. The submissions supported the proposal in its entirety, as well as specific components of the proposal such as removal of the floor space ratio and maximum building height controls from the site. The submissions expressed excitement about the protection and conservation of the area.

Objection

6 Council received one objection during the exhibition period. This submission contended that many of the properties in the row facing Glebe Road have undergone changes which have impacted on their heritage significance and do not merit inclusion in the heritage conservation area. As such, the submission suggests that only those property owners who agree should have their properties heritage listed.

7 Council officers do not support this submission. The defining character of the site, which this planning proposal seeks to protect, is not the individual properties per se but rather the collective contribution and uniformity of the group in terms of architectural style, age, height, form, massing, setbacks and materials. The contributory buildings map contained within the Planning Proposal (Attachment A) identifies that 11 of the 13 properties are contributory and therefore merit inclusion within the heritage conservation area. Furthermore, the designation of the heritage conservation area will provide the impetus for property owners to reverse insensitive minor alterations which have occurred.
DCP Changes

8 To address this submission and to provide further clarification and advice to the future management of the area, the Summary Statement of Heritage Significance for the site within DCP Section 6.02 (Attachment B) has been amended. Amendments include a more detailed physical description, which gives greater emphasis to the uniformity and collective contribution of the row of cottages to be protected within the heritage conservation area. The blue text in the draft DCP shows the changes that have been made following the exhibition period. Other minor changes have been made to ensure consistency with the LEP Dictionary and State Heritage Register and are also highlighted in blue text.

FINANCIAL IMPACT

9 Work will be undertaken by Council’s Urban Planning staff within their current allocated work program and budget.

COMMUNITY STRATEGIC PLAN ALIGNMENT

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

- Vibrant and Activated Public Spaces
- Livable and Distinctive Built Environment.

11 A detailed discussion of the Planning Proposal and its relationship with the CSP is provided within the Planning Proposal.

Local Planning Strategy (LPS)

12 The LPS is Council's comprehensive land use strategy to guide the future growth and development of Newcastle to 2030 and beyond. The LPS seeks to ensure development will protect culture, heritage and place and aims to ensure the built environment will maintain and enhance the City's identity by protecting and enhancing heritage buildings, streetscapes, views and key features, as well as, encouraging building innovation that respects the scale and bulk of the existing urban fabric. The Planning Proposal is consistent with the strategic directions of the LPS relating to heritage.

13 A detailed discussion of the Planning Proposal and its relationship with the LPS is provided within the Planning Proposal.

IMPLEMENTATION PLAN/IMPLICATIONS

14 The preparation of the Planning Proposal was undertaken in accordance with Council’s Local Environmental Plan – 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 Adoption of the recommendations enables the planning proposal to be processed within the timeframes provided within the Gateway determination and enable the Glebe Road Federation Cottages Heritage Conservation Area to be established.

RELATED PREVIOUS DECISIONS


17 Council resolved to endorse the Glebe Road Federation Cottages Heritage Conservation Area Planning Proposal and the draft Section 6.02 of the DCP at the Ordinary Council Meeting held on 27 March 2018.

CONSULTATION

18 Consultation with the community was undertaken in accordance with the Gateway determination as outlined above and further detailed in the planning proposal.

BACKGROUND

19 In 2004, Hunter History Consultants Pty Ltd did a brief historical analysis of the surrounding dwellings at Glebe Road, The Junction to accompany a development application proposal for the demolition of a dwelling at 55 Glebe Road and replacement with two, two-storey townhouses with attached single garages (DA 2003/0499). This application was refused by Council.

20 The applicant appealed Council's decision and in 2005 the Land and Environment Court supported Council's refusal of the development application for demolition of the dwelling (P D Anderson Holdings Pty Ltd v Newcastle City Council [2005] NSWLEC 17). The reason was partly attributed to the observation that the area had potential heritage significance as a group of intact Federation houses. In refusing the appeal, the judgement concluded:

"There is real evidence that there is heritage significance in the streetscape, and cultural significance in the early origins of the subdivision, and the row of houses, and there is particular reference to the cultural significance of the existing house on No. 55 Glebe Road. The Council is in the process of examining that."

21 The court also found that because the houses are relatively intact they could be considered fine representative examples of the era of construction – ie. between 1909 and 1915. The court noted:

"The reasons the streetscape is valuable also relates to heritage matters the respondent said. In this aspect:
(1) The land on which the row of houses stand was the first residential subdivision by the pioneering AA Company at The Junction.

(2) The consistency, aesthetic form, scale, detail, alignment and remnant external finishes of the row of houses are intact and demonstrate the early Federation cottage form of detached working persons’ houses. Each house in the row had contributory significance for the whole row.

22 The court also noted that one of the dwellings, No 55 Glebe Road, was shown to have important historical associations with RJ Kilgour, a past Mayor of Merewether, and whose son was the first to enlist locally in 1915 for the First World War. The judgement states "...there is a strong association with a prominent person of the locality and WWI. There was cultural heritage value in the existing house itself".

23 In addition to the group at 55 to 75 Glebe Road, 53 Glebe Road and 4 Watkins Street are recommended to be included within the heritage conservation area planning proposal as these two properties complete this clearly defined street block at Watkins Street with significant impact on its existing and desired future character and setting.

24 Consultation was undertaken by Council in February 2016 as part of the Review of Heritage Conservation Areas Report, which included an assessment of the Glebe Road Federation cottages. The Review Report recommended making a new heritage conservation area for the Federation cottages.

25 The process and outcomes of the consultation undertaken as part of preparing the Heritage Conservation Area Review Report is documented in the Consultation Report (which is attached to the Planning Proposal). Council adopted the report at the Ordinary Council Meeting held on 28 June 2016.

OPTIONS

Option 1

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

Option 2

27 Council resolves not to proceed with the Planning Proposal and associated draft DCP guidelines. This is not the recommended option.
REFERENCES

ATTACHMENTS

Attachment A: Planning Proposal - Glebe Road Federation Cottages Heritage Conservation Area

Attachment B: Draft Section 6.02 - Heritage Conservation Areas

All attachments distributed under separate cover.
ITEM-67  CCL 24/07/18 - HAMILTON RESIDENTIAL PRECINCT HERITAGE CONSERVATION AREA - ENDORSEMENT OF AMENDMENT TO NEWCASTLE LEP 2012

REPORT BY:  GOVERNANCE
CONTACT:  INTERIM DIRECTOR GOVERNANCE / INTERIM MANAGER REGULATORY AND ASSESSMENT

PURPOSE

This report seeks Council's endorsement of a Planning Proposal to commence the statutory process to prepare an amendment to Newcastle Local Environmental Plan 2012 (LEP) and Newcastle Development Control Plan 2012 (DCP) for the Hamilton Residential Precinct Heritage Conservation Area.

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 (EP&A Act), to amend the LEP to create a Heritage Conservation Area for the Hamilton Residential Precinct.
   ii) Forward the Planning Proposal to the Minister for Planning for Gateway determination pursuant to Section 3.34 of the EP&A Act.
   iii) Advise the Secretary of the Department of Planning and Environment that Council does not seek to exercise delegations for undertaking Section 3.36(1) of the EP&A Act.
   iv)  Consult with the community and relevant government agencies as instructed by the Gateway determination.
   v)  Place draft Section 6.02 Heritage Conservation Areas (Attachment B) of the DCP on public exhibition for a minimum period of 28 days, concurrently with the Planning Proposal.
   vi)  Receive a report back on the Planning Proposal and draft Development Control Plan guidelines as per the requirements of Section 3.34 of the EP&A Act.

KEY ISSUES

2  The majority of the land is currently zoned R3 Medium Density Residential. The Planning Proposal proposes to designate the site as a Heritage Conservation Area (HCA), as well as remove the floor space ratio and maximum building height.
3 Council does not currently apply numeric building height or floor space ratio controls to its HCAs given these controls do not adequately dictate the desired building envelope outcomes, nor would they necessarily result in a built form that respects the character and significance of the existing building stock. The objective of the Planning Proposal (Attachment A) is to ensure the heritage significance of the existing and desired future character of the site is protected.

4 The Review of HCAs Report also recommended that the DCP section for HCAs be moved from Section 5.0 Environmental Controls to Section 6.0 Locality Specific Controls.

5 Draft Section 6.02 of the DCP has been amended to guide development within the site. The draft DCP will provide further guidance on site specific matters such as Statement of Heritage Significance and Statement of Desired Future Character relating to the Hamilton Residential Precinct site (this is highlighted in red text). It will continue to provide guidance contained within the existing publicly exhibited draft DCP Section 6.02 on matters applicable to all conservation areas such as alterations and additions, materials and details, accommodating vehicles, fencing, gardens, subdivision and infill development. It is intended to exhibit the draft DCP guidelines concurrently with the Planning Proposal. The draft DCP is included as Attachment B. Also highlighted in red text in the draft DCP are the changes that have been made following the exhibition period for the previous Glebe Road Federation Cottages Heritage Conservation Area Planning Proposal.

FINANCIAL IMPACT

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

COMMUNITY STRATEGIC PLAN ALIGNMENT

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

- Vibrant and Activated Public Spaces
- Livable and Distinctive Built Environment

8 A detailed discussion of the Planning Proposal and its relationship with the CSP is provided within the planning proposal.
Local Planning Strategy (LPS)

9 The LPS is Council's comprehensive land use strategy to guide the future growth and development of Newcastle to 2030 and beyond. The LPS seeks to ensure development will protect culture, heritage and place and aims to ensure the built environment will maintain and enhance the City's identity by protecting and enhancing heritage buildings, streetscapes, views and key features, as well as, encouraging building innovation that respects the scale and bulk of the existing urban fabric. The Planning Proposal is consistent with the strategic directions of the LPS relating to heritage.

10 A detailed discussion of the Planning Proposal and its relationship with the LPS is provided within the Planning Proposal.

IMPLEMENTATION PLAN/IMPLICATIONS

11 The preparation of the Planning Proposal was undertaken in accordance with Council’s Local Environmental Plan – 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 1979 for amending an LEP.

12 If endorsed by Council, the Planning Proposal will be forwarded to the Minister for Planning for a Gateway determination. The Gateway determination will confirm initial support for the Planning Proposal, and identify any further technical studies and community consultation required prior to the proposed amendments being finalised and reported to Council for determination.

13 Should Council resolve to place the draft section to the DCP on public exhibition, the correct legal process will be followed for amending DCPs. The outcomes of the public exhibition will be reported to Council along with the Planning Proposal.

RISK ASSESSMENT AND MITIGATION

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

15 Justification has been provided for the formal LEP amendment request within the Planning Proposal.

16 Further consultation with stakeholders (including the broader community) will occur in accordance with the Minister’s requirements following Gateway determination. This will ensure all relevant parties are able to consider and comment on the Planning Proposal and draft DCP prior to it being reported back to Council for final consideration of the proposed amendment.
RELATED PREVIOUS DECISIONS


CONSULTATION

18 Consultation with stakeholders (including the community) will occur in accordance with the Minister’s requirements following Gateway determination.

19 In accordance with the Department of Planning and Environment’s Guide to Preparing Local Environmental Plans, it is proposed that the planning proposal be publicly exhibited for 28 days, unless otherwise advised by the Gateway determination. This would also correspond with the minimum exhibition requirements of 28 days for the draft DCP guidelines.

20 The Gateway determination will confirm the consultation requirements, however, it is envisaged that this will include, at a minimum, public notice in the local newspaper, publication on the Newcastle City Council web page and letters to owners of adjoining and nearby properties.

BACKGROUND

21 The heritage value of Hamilton residential precinct was recognised in the Newcastle City Wide Heritage Study of 1997 prepared by Suters Architects. The heritage study recognised it as an area of historic character, based around a traditional village centre.

22 During the course of preparing the Review of Conservation Areas Report in 2014 to 2016 it again became apparent that a small area in close proximity to the existing Hamilton Business Centre Heritage Conservation Area possessed a distinctive character and had potential heritage significance. Fieldwork was undertaken to examine the extent of contributory buildings and research into the history and heritage significance of this place was undertaken, in accordance with the guidelines for assessing heritage significance.

23 A relatively compact pocket of residential development located between Donald Street, Murray Street, Devon Street, Gordon Avenue and Tudor Street Hamilton was examined. It was determined that as a representative example of residential development, this area, to the immediate east of the Hamilton Beaumont Street HCA is a highly intact residential area and strongly representative of the late 19th and early 20th century. An assessment of heritage significance was undertaken following the standard Heritage Assessment Guidelines and the NSW State Heritage criteria. As a result of the assessment, the Review of Conservation Areas Report recommended that the area be protected through the mechanism of a statutory heritage conservation area, and be referred to as the Hamilton Residential Precinct Heritage Conservation Area, in a future LEP amendment.
24 Early consultation has been undertaken by Council in February 2016 as part of the Review of Conservation Areas Report process for the site. A number of methods of community consultation were undertaken, including a community voice public survey, meetings, newsletters, online activities, phone calls, emails and community information and feedback sessions. During this process the Review of Heritage Conservation Areas report for the site was made available for comment. The process and outcomes of early consultation is documented in the Consultation Report (which is attached to the Planning Proposal).

25 The review defined the current heritage significance of each area, produced desired future character statements, assessed the appropriateness of boundaries, examined the relevant planning controls and identified items that contributed to or detract from each area and documented what the community valued about these areas.

26 The Review of HCAs Report included a list of recommendations, including preparation of the attached Planning Proposal and draft DCP. Council adopted the report at the Ordinary Council Meeting held on 28 June 2016.

OPTIONS

Option 1

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

Option 2

28 Council resolves not to proceed with the Planning Proposal and associated draft DCP guidelines. This is not the recommended option.

REFERENCES

ATTACHMENTS

Attachment A: Planning Proposal - Hamilton Residential Precinct Heritage Conservation Area

Attachment B: Draft Section 6.02 - Heritage Conservation Areas

All attachments distributed under separate cover.
ITEM-68  CCL 24/07/18 - ADOPTION OF THE NEWCASTLE COASTAL ZONE MANAGEMENT PLAN (REVISED 2018) - STOCKTON AND COASTLINE SOUTH OF THE HARBOUR

REPORT BY: INFRASTRUCTURE AND PROPERTY
CONTACT: DIRECTOR INFRASTRUCTURE AND PROPERTY / INTERIM MANAGER ASSETS AND PROJECTS

PURPOSE

To adopt the draft Newcastle Coastal Zone Management Plan 2018 (Plan), which includes Part A - Stockton and Part B - Coastline South of the Harbour. The report also seeks endorsement to submit the Plan to the Office of Environment and Heritage (OEH) for certification under the Coastal Protection Act 1979.

RECOMMENDATION

1 Council adopts the draft Newcastle Coastal Zone Management Plan 2018 (Attachment A) and endorses submission of the Plan to the Office of Environment and Heritage for certification under the Coastal Protection Act 1979.

KEY ISSUES

2 Council's previously adopted Newcastle Coastal Zone Management Plan 2016 was submitted to the NSW State Government for certification under the Coastal Protection Act 1979. In August 2017, OEH advised Council the Newcastle Coastal Zone Management Plan 2016 did not meet legislative requirements to enable certification. OEH advised that the sections relevant to the Coastline South of the Harbour were satisfactory, but sections in relation to Stockton Beach required additional work.

3 The Coastal Protection Act 1979 was replaced by the Coastal Management Act 2016 on 3 April 2018. Due to the change in legislation Council has until 3 October 2018 for certification of the Plan under the Coastal Protection Act 1979.

4 The Plan now consists of two sections: Part A - Stockton; and Part B - Coastline South of the Harbour.

5 Part A - Stockton has been revised and was exhibited in June 2018, whilst Part B - Coastline South of the Harbour remains essentially unchanged from the 2016 plan and did not require re-exhibition. Council officers have worked closely with OEH during the preparation of the Plan.
Sixteen submissions were received during the public exhibition of Part A - Stockton. Two submissions were received from Government agencies, two from community groups (Stockton Community Liaison Group, Stockton Community Action Group) and the remainder individual submissions. The key issues raised in the submissions relate to preference for sand replenishment on Stockton Beach, timeframes for management actions, management of the former landfill site at Fullerton Street and other potential long-term coastal hazard management options such as construction of groyne fields. A full summary of submissions can be found in Attachment C.

The key changes to Part A - Stockton of the Plan after review of the submissions are shown in tracked changes in Attachment B.

In 2016, the NSW Government announced Councils would no longer have access to funding under the Coastal and Estuary Grants Program unless the Council has a certified coastal zone management plan. When announced in 2016, the Coastal and Estuary Grants Program included an $83.6 Million funding package over five years.

If certification of the Plan is not achieved by 3 October 2018 then Council is required to undertake a Coastal Management Program under the Coastal Management Act 2016. In this scenario, Council will be unable to request funding to undertake works for coastal hazard management until certification of the Coastal Management Program, which could potentially take a number of years to complete.

The proposed actions in the Plan will be undertaken as funding and resources allow. Adoption and certification of the Plan would allow Council to apply for funding under the NSW Government's Coastal and Estuary Grants Program for management actions identified in the Plan.

The Plan is consistent with the Community Strategic Plan strategies: Protected and Enhanced Environment, Vibrant and Activated Public Places, and Liveable and Distinctive Built Environment.

Management actions requiring funding will be identified in Council's Delivery Program and annual Operational Plans, allowing Council to undertake management as funding / resources allow. The Part A - Stockton component of the Plan only addresses short to medium term actions.

The Coastal Management Program under the Coastal Management Act 2016 will commence this year and will address long term actions for Stockton and for additional management of the remainder of the Newcastle coastal area.
14 Council is currently seeking letters of support from relevant public authorities in relation to the Plan.

**RISK ASSESSMENT AND MITIGATION**

15 The Plan outlines Council's response to managing priority coastal issues. The main focus of the Plan is the management of coastal hazards (beach erosion, shore line recession, coastal inundation, cliff/slope stability and tidal inundation). Section 733 of the *Local Government Act 1993* provides an exemption from liability for the preparation and adoption of a coastal zone management plan when Council has prepared the plan in good faith. The Plan has been prepared in accordance with OEH's 'Guidelines for Preparing Coastal Zone Management Plans' and is considered to have been prepared in good faith.

**RELATED PREVIOUS DECISIONS**

16 The Newcastle Coastal Zone Management Plan 2016 was placed on public exhibition from 11 October to 1 November 2016. On 22 November 2016, Council adopted the Newcastle Coastal Zone Management Plan 2016 and endorsed the Newcastle Coastal Zone Hazard Study and the Newcastle Coastal Zone Management Study.

17 On 22 May 2018, Council resolved to provide delegation to the Lord Mayor and Chief Executive Officer to publicly exhibit the draft Part A - Stockton of the Plan.

**CONSULTATION**

18 Part A - Stockton of the Plan was placed on public exhibition from 6 June to 28 June 2018. Sixteen submissions were received during the public exhibition period and Attachment C outlines Council's response to the submissions received.

19 Two community information drop-in sessions were held at Stockton RSL on 14 June 2018 during the public exhibition of Part A - Stockton of the Plan. Approximately 80 people attended these sessions.

20 Formation of the Stockton Community Liaison Group which comprises ten community representatives. Six meetings were held between March and June 2018 to provide information and discussion of Part A - Stockton of the Plan.

21 Formation of the Stockton Coastal Interagency Advisory Committee including representatives from Council, OEH, Hunter Water Corporation, Department of Industry- Lands and Water (Crown Lands), Department of Premier and Cabinet and NSW Environment Protection Authority. Four meetings have been held during the preparation of Part A - Stockton of the Plan.

22 Part B - Coastline South of the Harbour of the Plan was publicly exhibited from 11 October to 1 November 2016 as part of the previously adopted Newcastle Coastal Zone Management Plan 2016.
BACKGROUND

23 The Plan has been prepared and addresses the advice provided by OEH to enable certification of the Plan under the Coastal Protection Act 1979.

24 The Plan has been the subject of a number of studies to assess coastal processes and to inform the Plan. These studies included the Newcastle Coastal Zone Hazard Study and the Newcastle Coastal Zone Management Study which were endorsed by Council on 22 November 2016. The Newcastle Coastal Zone Management Study provides an overview of the potential options for managing the coastal hazards identified in the Hazard Study. These studies accompany the Plan and can currently be viewed on Council's website for Newcastle's coastline.

25 Coastal protection works previously undertaken to address beach erosion at Stockton Beach include:

   i) Construction of Mitchell Street seawall by Department of Public Works in 1989;
   
   ii) Sand bagging at the Stockton Surf Life Saving Club in 1996;
   
   iii) Annual placement of sand dredged from Newcastle Harbour off Stockton Beach by Port of Newcastle since 2009;
   
   iv) Construction of seawall outside Stockton Surf Life Saving Club in 2016;
   
   v) Ongoing beach scraping campaigns to maintain beach amenity; and
   
   vi) Maintenance of beach access points in response to erosion events.

OPTIONS

Option 1

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

Option 2

27 Council does not adopt the recommendation as at Paragraph 1. This is not the recommended option.
REFERENCES

ATTACHMENTS

Attachment B: Draft Part A - Stockton of Newcastle Coastal Zone Management Plan (track changed document).
Attachment C: Summary of submissions and key issues for Part A - Stockton.

Attachments distributed under separate cover
NOTICES OF MOTION

ITEM-16 NOM 24/07/18 - LAMBTON PARK MEMORIAL GATES - TIME CAPSULE

COUNCILLOR: A RUFO

PURPOSE

The following Notice of Motion was received on 11 July 2018 from the abovenamed Councillor.

MOTION

That Council:

- Acknowledges the contribution of community historian Robert Watson, who is a member of the Lambton Residents Group, in researching the history of the World War I (WWI) Memorial Gates in Lambton Park, and in particular the burying of a time capsule beneath them on 19 October 1918.

- Notes the work conducted by Council staff in facilitating a heritage and engineering assessment of the Gates.

- Supports the proposal to unearth the Time Capsule and hold a ceremony commemorating the event on or around 19 October 2018.

- Supports the sourcing of grant funds from the State and Federal Governments towards the removal of the time capsule, the burying of a new time capsule, and celebratory centennial event.

- Establishes a working group to further develop and progress the both the removal of the original time capsule and burying of a new time capsule, including completion of the heritage and engineering assessments, determination of costs involved, securing of necessary funding, and organisation of the celebratory event. Membership of the Committee to include, as a minimum, a Ward 3 Councillor, Council staff nominated by NCC’s CEO, two representatives from the Lambton Residents’ Group, a representative from the Lambton New Lambton RSL Sub-Branch, and other members as required.

BACKGROUND

- Over the last four years the Centenary of Anzac has seen events and exhibitions held throughout Australia and overseas.

- During WWI when local men were away at the Front, their mothers, sisters and wives put energy into fundraising to build a Memorial Gate to acknowledge the bravery and patriotism of local men who had volunteered to join the Australian military. Under the Memorial Gate’s Foundation Stone, a time capsule was buried on 19 October 1918.
In comparison to other WWI celebrations over the last four years commemorating efforts of military personnel and support for the war effort from home, this event in Lambton is unique in that it is commemorating the mothers, the sisters and the wives who banded together to fundraise to build these Gates as a perpetual memorial to the men who fought in WW1. The women’s efforts were in addition to their direct support of Australia’s war effort.

The Lambton Residents Group have proposed the recovery of the capsule on its Centenary this year.

Following extensive research, the Residents Group believes that this is the only WWI time capsule whose location and burial date are known, making its unearthing of potentially national significance. The Group recommend that this be drawn to the attention of the Director of the Australian War Memorial, the Hon. Dr Brendan Nelson AO.

The WWI Memorial Gates in Lambton Park are both local and state Heritage Listed.

In 1917, the Gates were designed by Eric Yeomans, and the Ladies’ Send-off and Welcome Home Committee began fundraising activities, including bazaars, dances, operettas, concerts and euchre parties.

The Foundation Stone was laid on 19 October 1918 by Mr J Estell, MLA for Wallsend. All the mayors from the Newcastle District attended.

Mr Estell was presented with a ceremonial gilt trowel, which has been located in Sydney. It is a treasured item belonging to his great grandson.

A time capsule was placed under the Foundation Stone. It is believed to contain a newspaper, coins, a list of the names of the Lambton Councillors and the names of the 30 ladies who undertook the fundraising for the purchase and installation of the Memorial Gates. At the time Lambton had its own council, with the amalgamation of the various boroughs into Newcastle City Council not happening until 1938.

The pillars and gates were completed in April 1919 and the event was celebrated by the second major fundraiser, being a Gala Day in the park. The keys were handed over to the Lambton Council by the Ladies on 9 December 1919.

Many of the descendants of the soldiers and the Ladies Committee still live in Lambton, and the current Lambton Residents Group have commenced working to make a new time capsule, to be opened in 2118.

Extensive research, including with the Australian War Memorial, has failed to find any other known WWI time capsule. Those which have been found were found by accident. Hence this Lambton capsule is believed to be the only one whose location and burial date is known, making the unearthing of the Lambton time capsule especially significant.

It is proposed to carefully unearth the time capsule, hold a public ceremony, bury the new capsule and place the 1918 contents on permanent display in a location to be determined. The new home for the time capsule needs to be one where the contents are carefully preserved, and on display to the public. The Newcastle Museum has been proposed as a potential site.
Extensive consultations have already been conducted by Robert Watson on behalf of the Lambton Residents Group. A more detailed description of the work done to date, as well as a list of all parties who have been consulted so far, is included in Attachment A.

Council has allocated $2,500 towards the heritage and engineering assessment of the proposal, which concluded the time capsule could be removed without damaging the Memorial Gates.

A meeting of Lambton New Lambton RSL Sub-Branch on 8 July 2018 unanimously supported the proposal to remove the time capsule on its 100th anniversary.

It would be appropriate for a new stainless-steel capsule to be fabricated by a local firm. There are several to choose from in Lambton who are capable of performing this task.

**ATTACHMENTS**

**Attachment A:** Lambton WWI Time Capsule Paper – prepared by Robert Watson
Lambton WW1 Time Capsule

Inscriptions:

Erected by the Citizens of Lambton to perpetuate the memory of the men of the district who fought in the World’s Greatest War 1914–1918

Eric G. Yeomans Esq., Hon. Architect

Edward Charlton J.P., Mayor 1916–18 Inaugurator of the movement to erect these gates.

Thomas Croudace, Mayor 1884–5 Founder of this park.

This foundation stone was laid by the Hon. J. Estell M.P. on the 19th October 1918

G. E. Hardy Esq. J.P., Mayor
Executive Summary

The Centenary of Anzac has seen events and exhibitions held all around Australia and overseas, with a major focus on the battles, the atrocious conditions and the loss of lives. When their men were away at the Front, in Lambton, the mothers, sisters and wives put their energy into fundraising to build a Memorial Gate for their men. Under the Foundation Stone of the gates, a time capsule was buried on October 19, 1918.

It is proposed to recover the capsule on its Centenary this year.

Following extensive research, it is believed that this is the only WW1 time capsule whose location and burial date are known, making its unearthing of **National significance**. It is recommended that this be drawn to the attention of the Australian War Memorial Director, Dr Brendan Nelson.

- The WW1 Memorial Gates in Lambton Park are Heritage Listed.
- In 1917, the gate was designed and then the **Ladies’ Send-off and Welcome Home Committee** began fundraising activities, including bazaars, dances, operettas, concerts and euchre parties.
- The first major fundraiser was a **Sports Day** in April 1918.
- The **Foundation Stone** was laid on **October 19, 1918** by Mr J Estell, MLA for Wallsend. All the mayors from the Newcastle District attended.
- Mr Estell was presented with a ceremonial gift trowel, which we have located in Sydney. It is a treasured item belonging to his great grandson.
- A **glass time capsule** was placed under the Foundation Stone. It contained a newspaper, coins, a list of the names of the Lambton Councillors and the names of the 30 ladies who did the fundraising. [Lambton had its own council; amalgamation of the boroughs into Newcastle City Council happened in 1938]
- The Ladies also raised enough funds to present Private Stan Curtis with a horse and buggy. At the Front, he had developed “trench feet” and had had both feet amputated. This was in November 1918.
- The **pillars and gates** were completed in April 1919 and the event was celebrated by the second major fundraiser, being a **Gala Day** in the park.
- Many of the descendents of the soldiers and the Ladies committee still live in Lambton, and the current Lambton Residents Group have already started working to make a new time capsule, to be opened in 2118.
- Extensive research—including to the Australian War Memorial—has failed to find any other known WW1 time capsule. Those which have been found were found by accident, so this Lambton capsule seems to be the only one whose location and burial date is known. James Gardner, heritage consultant who has restored over 50 war memorials in NSW, has never found a capsule other than the 1950s Miranda one. This makes the unearthing of the Lambton time capsule **especially significant**.
- It is proposed to carefully unearth the capsule, hold a public ceremony, bury the new capsule and place the 1918 contents on permanent display in the Newcastle Museum.
- The striking of a medal for local school children and the **printing** of a commemorative booklet are being considered.
Other Capsules

1927 capsule from Adelaide accidentally discovered 1960

1950s capsule found in 1918 Miranda memorial, unearthed 2014

[NB: Permission to use photos not gained yet]
Selected Newspaper Items
March 1917 Fundraising Sports Day
October 1918 Foundation Stone Laid

Lambton Park Gates

IN CONJUNCTION WITH ROLL OF HONOUR AND MEMORIAL.

THE FOUNDATION STONE WILL BE LAID

BY

JOHN ESTELL, M.L.A.

ON SATURDAY, OCTOBER 19, 1918, AT 2.30 P.M.

MISS DOROTHY CHARLTON'S LAMBTON JUVENILE CHOIR

WILL RENDER SEVERAL ITEMS.

Messrs. Gardiner and Keddie, M.L.A., and D. Watkins, M. Charlton, Mr. B.R.,
along with the Mayors of the several Municipalities in the district, and Macquarie Shire President, will give short addresses.

The Woolloomooloo Model Band has kindly consented to be present.

We extend to all Patriotic Bodies a hearty invitation to be present.

We invite the Citizens to ROLL UP and show their gratitude to the Brave Boys who voluntarily enlisted to fight their cause.

GEORGE J. HARDY, President.
MISS MAY OTT,
J. THOMPSON,
Joint Hon. Secretaries.

October 1918 Report on Foundation Stone Ceremony

[Highlighted text version on following pages]
The foundation stone of the Lambton memorial gates was laid by Mr. J. Estell, M.P., in the presence of a very large gathering on Saturday afternoon. The Lambton Welcome Home Committee have been working for some considerable time in promoting functions to raise the money required, and they expect to have sufficient funds in hand to defray the cost by the time the gates are completed. The officers of the committee are the Mayor and Mayoress, Alderman and Mrs. Hardy, the president and vice-president; treasurers, Messrs. E. Charlton, and J. Fitzpatrick; secretaries, Mr. J. Thompson, and Miss Mary Ott. Prior to the proceedings on Saturday, the Wallsend Model Band, under the conductorship of Bandmaster Wanless, played selections, and also during the intervals of speeches. The Mayor said the ceremony of laying the foundation-stone and the opening of the gates would be a memorable event for Lambton, and would be mingled with pleasure and a certain amount of regret. Pleasure to know that they were erecting a fitting monument to the brave lads who had done their duty, and with regret to know that some had paid the supreme sacrifice, and would never return. One hundred and twenty-five had enlisted from Lambton, and 12 of them had fallen in action. The committee were pleased that Mr. Estell was sufficiently recovered to perform the ceremony, and that he would soon be restored to his usual health. He then read the address, and a list containing the names of 30 members of the committee, a copy of which was on parchment, and, together with a copy of the “Newcastle Morning Herald” of date August 4, 1914, containing the proclamation of the war, and a number of old coins, were sealed in a bottle and placed in the cavity of the cement foundation, over which the stone was laid.

Mr Estell said he was pleased to be able to attend, and regarded it an honour to perform the ceremony. Too much could not be done to express our gratitude to the soldiers, and he was sure the Lambton people would look upon the gates with pride. Their sympathy was extended to those whose loved ones would never return. The stone of the day’s ceremony might decay, but the records of the bravery of their lads on the battlefield would never be obliterated. The stone was lowered into position, after which Mr. Estell declared it well and truly laid. The Mayor, on behalf of the committee, presented Mr. Estell with a gilt trowel and thanked him for performing the ceremony. In accepting the trowel, Mr. Estell assured them it would be highly treasured both by himself and his family.

The Mayor announced the receipt of the following donations: Mr. M. Charlton, M.H.R., £5 5s; Mr. George Smith, £3 2s; Mr. J. Estell, M.P., £1 1s; the Mayor and Mayoress, £1 1s each; Mrs. E. Charlton, £1 1s; Alderman E. Charlton 10s 6d; Alderman J. Fitzpatrick, £1 1s; Mr. J. Campion. £1 1s; Lambton Juvenile Choir, 16s. Collectors with boxes made an appeal, which was liberally responded to.

The Mayor, in thanking the donors, said he was sure that on the completion of the gates it would be acknowledged as a credit to all concerned. They expected the contract completed
by the end of November, and he believed they would have sufficient money to pay the whole of the cost upon its completion. He complimented the architect, Mr. E. G. Yeomans, who was giving his services gratuitously.

The gathering then moved into the inner gates of the park. The Lambton Juvenile Choir, conducted by Miss Dorothy Charlton, with Miss Doris Bell as pianist, gave splendid renderings, of the pieces, “Australia the Beautiful” and “When the Stormy Winds do Blow.” Addresses were given by Mr. A. R. Gardiner, M.P., and Alderman Kilgour, Mayor of Newcastle, and Alderman Wilkinson, the Mayor of Wallsend, who congratulated the Lambton people on their efforts in erecting a monument in honour of those who had enlisted from the municipality. Alderman Charlton gave an outline of the work of the committee since they first decided to erect the gates, which was a suggestion of his some three years ago. The committee, especially the ladies, deserved every praise, and although the undertaking appeared at first to be fringed with difficulty, he was proud to say that their efforts would soon be an accomplished fact. The lettering on the pillars would cost about £30 or £40, which would be in addition to the contract price of the erection of the gates. Alderman Fitzpatrick moved a vote of thanks to all who had taken part in the function. Mr. P. Atkinson seconded the motion, which was carried by acclamation. The visitors were then invited to the Coronation Hall, where a repast provided by the ladies’ committee was prepared.

The gates are being erected at the main entrance to the park in Morehead Street. There will be two main piers, two subsidiary piers, and two street alignment pillars the material being Bowral polished trachyte. On the top of the main piers will be bronze kangaroos, and the heading King and Country. The height of the main piers will be 12 feet. The ironwork is of a beautiful design, and will consist of two large centre gates and two side pedestrian gates, with iron rail approaches. The contractors are Messrs. Meldrum and Markey, and the contract price is £600. Mr. E. G. Yeomans is the honorary architect.

Aldermen Charlton, Johnson, Bell, Hillyard, and Fitzpatrick will deliver addresses in favour of the debt redemption rate at Smith’s Hotel to-night.
April 1919 Unveiling of Roll of Honour Gates

Newcastle Morning Herald and Miners' Advocate, Saturday 6 April 1919, page 12

Lambton Citizens' Committee
(By Authority of Repatriation Committee.)

Great Gala Day
LAMBTON PARK, APRIL 12, 1919.

THE UNVEILING CEREMONY OF ROLL OF HONOUR & MEMORIAL GATES TO OUR BRAVE SOLDIER BOYS
WILL BE PERFORMED BY THE MAYOR (ALD. E. CHARLTON, J.P.), AT 2 P.M. SHARP.

Chairman, Ald. G. E. Hardy. Addresses by Mr. M. Charlton, M.H.R.,
and Mr. J. Estell, M.P.

PROGRAMME OF SPORTS.

A Novel Exhibition by Newcastle Motorcycle Club, Scottish Dancing, Horse Events, Pedestrian Events, Merewether 'Darktown' Brigade, Etc. Stalls Galore.
Attractive Side-shows. Skipping Contest.

BRASS AND PIPERS PAND IN ATTENDANCE.

ROLL UP IN THOUSANDS AND ENJOY YOURSELF.

ADMISSION TO PARK 6d.

M. OTT. J. THOMPSON,
Hon. Sec.
People Consulted

- Lambton Residents Group
- Cr Andrea Rufo, Newcastle City Council
- Julie Keating, Lambton historian and author
- Gionni di Gravio, University Archivist and Chair of Hunter Living Histories Initiative
- Dr Ann Hardy, National Trust
- David H Dial OAM, Military Historian for the Hunter region and weekly ANZAC columnist for the Newcastle Herald
- Tim Adams, Principal Archaeologist at Umwelt (and archaeologist for the Light Rail and Newcastle500 racetrack)
- Nicola Hirschorn, Archaeologist in Lambton
- Mark Fenwick, Heritage Architect in Lambton
- RSL NSW, RSL WA and RSL Raymond Terrace
- Sonia Hornery, MP for Wallsend
- National Anzac Museum, Albany, WA
- Kent Watson, of Monuments Australia, who has confirmed that their records do not show other time capsules knowingly exhumed at the 100-year mark.
- Maree Shilling and Ken Shilling, Newcastle Family History Society and Lambton and War Memorial historians
- James Gardiner, Stonemason and NSW War Memorial Restoration expert
- Elizabeth Burge, Office of Veterans Affairs, Department of Justice
- Bill Jordan, heritage engineering consultant
- John Carr, heritage architect consultant
- Wayne Mullen, architect and local historian
- Rev Maree Armstrong, Anglican Church, Lambton
- Syd and Thea Woodington, Lambton historians
- Lachlan Wetherall, Lambton historian
- Multiple Anzac/WW1 Facebook Groups

Yet to be consulted:

- Newcastle Museum, where the capsule and its contents might be put on permanent display
New Time Capsule

Ideas for possible items to include:

- a copy of Lambton Resident Group meeting minutes/agenda
- a 2018 list of members of the Lambton Residents Group
- a copy of the Lambton Local (the edition with the Lambton poems)
- selection of coins and stamps
- a badge from each school in the Lambton area
- medallions struck for school pupils
- Lambton Heritage Walk Map
- 2018 aerial photo of Lambton
- photos of local places/shops/houses of interest
- a list of NCC Councillors
- a selection of essays on the topic “Life in Lambton in 2018” (or similar)
- list of 2018 Lambton residents names and addresses

Research by Robert Watson – Community Historian

10 July 2018
ITEM-17 NOM 24/07/18 - SANDSTONE MEGAREGION

COUNCILLORS: D CLAUSEN, N NELMES, M BYRNE, C DUNCAN, J DUNN, E WHITE AND P WINNEY-BAARTZ

PURPOSE

The following Notice of Motion was received on 12 July 2018 from the abovenamed Councillors.

MOTION

That Council:

1 Notes the release of the Committee for Sydney’s Sandstone Megaregion Report, developed by its Steering Committee Chair Kyle Loades (former President of the NRMA) and Professor Paul Wellings CBE (Vice Chancellor of the University of Wollongong) which advocates for transport and economic development planning across the three Cities of Sydney, the City of Wollongong and the City of Newcastle.

2 Endorses the Report’s recommendations, namely that the “NSW Government investigate fast rail and a 70-minute connection between Sydney and Newcastle”, and notes that in March 2018 the Federal and NSW Governments jointly announced $6 million to investigate faster trains from Newcastle to Sydney to cut the journey from three hours to two.

3 Writes to the Prime Minister, NSW Premier, Federal Minister for Urban Infrastructure and Cities, NSW Minister for Transport and Infrastructure, and NSW Minister for Planning requesting that the committed Federal/NSW Government ‘faster train’ investigation also consider the business case of a 70 minute or less rail journey between Newcastle and Sydney.

BACKGROUND

The Sandstone Megaregion concept proposes to consider the three cities of Sydney, the City of Wollongong and the City of Newcastle as a global mega-region with a population of close to 10 million people. The proposal is for better integration in transport planning and a wholistic economic strategy across the whole region.

This proposal is consistent with Newcastle’s vision to be a Smart, Liveable and Sustainable Global City, and advocacy for a national Second City policy.

The cornerstone of the Megaregion concept is faster rail connections between the various cities. The current Newcastle to Sydney rail journey takes approximately 2.5 hours, slower than the Sydney Flyer trains introduced in the 1930s.
The faster rail connection proposed in the Report is not an ambitious high speed (300+km/hr) or hyperloop style connection (1,000km/hr), and instead relies on 40-year-old standard heavy rail capable of travelling at speeds of 200km/hr. With this older technology, it is still possible to cut the journey time to less than 70 minutes.

The Report notes that travel time is critical in connecting the megaregion. Most people are generally happy to travel 30 minutes one way, pushing up to 60 minutes for a routine trip. Research from the UNSW City Futures Research Institute confirms that beyond a 60/70 minute journey, people are reluctant to travel routinely, which limits economic connections.

Given the Federal and NSW Governments have committed funds to prepare a business case for reducing the travel time from Newcastle to Sydney to 2 hours, it would be foolish to not also consider the case for reducing the trip to closer to 1 hour. While there is likely to be a greater expense, the economic benefits of this significantly reduced travel time are more likely to justify the expenditure required.

ATTACHMENTS

Attachment A: Committee for Sydney Sandstone Megaregion Report:

ITEM-18 NOM 24/07/18 - NEWCASTLE LIGHT RAIL SMALL BUSINESS ASSISTANCE

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

PURPOSE

The following Notice of Motion was received on 12 July 2018 from the abovenamed Councillors.

To assist small businesses affected by Light Rail Construction.

MOTION

That Newcastle City Council

1. Notes that many small businesses along the Light Rail route in Newcastle have suffered financial hardship as a result of construction reducing access.

2. Provides approval to Newcastle Business Improvement Association to use funds received from Council to deliver financial assistance to businesses as detailed in the small business assistance program attached as an addendum to this motion.

3. Commits to the release of $100,000 from the restricted funds held in reserve by Council on behalf of Newcastle Business Improvement Association to provide immediate assistance to eligible businesses impacted by the Light Rail construction.

4. Commits a further $100,000 of Council funds in support of the small business assistance program attached as an addendum to this motion (Attachment A).

BACKGROUND

Restricted funds that are held in reserve by Council are un-expended funds that have been paid by commercial property owners via a Special Rate within the city centre. Newcastle Business Improvement Association is required to expend these funds for the purposes for which the Special Rate is levied and as such periodically draws upon these reserve funds to deliver programs in accordance with its obligations to Council and the business community.

Please refer to the Small Business Assistance Program document. Please find below some edited highlights.

Newcastle Light Rail is proposed to be a key part of Revitalising Newcastle and will provide a frequent and reliable travel option throughout the city centre, connect key activity precincts, reinvigorate Hunter and Scott Streets, and open great urban renewal opportunities. Significant economic and social benefits are proposed.
Light Rail construction commenced in September 2017 with the route being the main thoroughfare of Newcastle’s Central Business District along Hunter and Scott Streets. Temporary road closures are occurring and proposed throughout the 2018 calendar year with construction proposed to be completed, assuming no delays, by November 2018 in time for Newcastle Supercars 2018. The light rail vehicles will require a further 6 months testing before being commissioned for public use, estimated around March 2019-April 2019.

Travel throughout the CDB has been significantly impacted with high congestion of alternate routes to the City, whether by car or public transport. This has also limited access to parking near the respective business premises due to the construction activity and road closures.

The planning decision made to close a far bigger length of Hunter Street rather than staging the construction in sections as initially proposed has further compounded these impacts. This change has resulted in further restrictions to access for businesses, hampering deliveries and it has made it very difficult for businesses to develop contingencies and plan the mitigation of negative impacts forcing a reactive rather than a proactive response.

Although there has been adequate and proactive communication with respect to upcoming road closures, alternate routes and public transport alternatives, the construction has caused potential visitors to Newcastle generally to choose alternate locations for their business and personal activities. Parking access/convenience is also a significant deterrent as historically the Newcastle public has expected convenience of parking.

For those businesses dependent on visitation for ongoing business viability, the above has had a detrimental financial and emotional impact due to decisions beyond their control. For some business entities this is not sustainable, whether now or in the near future.

A total funding pool of $300,000 is proposed to be made available with $100,000 having been committed from Newcastle Now, and a further $100,000 being sought from Newcastle City Council and a further $100,000 being sought from the NSW Government to provide immediate assistance to eligible businesses impacted by the Light Rail construction.

Financial assistance of between $1,500 up to $5,000 will be available to businesses within 28 days to those eligible Newcastle businesses who meet the eligibility criteria and can provide evidence that the light rail construction has impacted the business financially.

**ATTACHMENTS**

**Attachment A:** Newcastle Now Newcastle Light Rail Funding Assistance
NEWCASTLE LIGHT RAIL – SMALL BUSINESS ASSISTANCE PROGRAM

Targeted and Comprehensive Business Support Program with immediate Funding available to assist Business Owners affected by Newcastle Light Rail Construction.

July 2018
NEWCASTLE LIGHT RAIL – SMALL BUSINESS ASSISTANCE PROGRAM

Overview

Newcastle Light Rail is proposed to be a key part of Revitalising Newcastle and will provide a frequent and reliable travel option throughout the city centre, connect key activity precincts, reinvigorate Hunter and Scott Streets, and open great urban renewal opportunities. Significant economic and social benefits are proposed.

Light Rail construction commenced in September 2017 with the route being the main thoroughfare of Newcastle’s Central Business District along Hunter and Scott Streets. Temporary road closures are occurring and proposed throughout the 2018 calendar year with construction proposed to be completed, assuming no delays, by November 2018 in time for Newcastle Supercars 2018. The light rail vehicles will require a further 6 months testing before being commissioned for public use, estimated around March 2019-April 2019.

Given the proposed and temporary closure of parts of Hunter Street, Scott Street, Worth Place, Auckland Street, Merewether Street and Watt Street at various times, travel throughout the CDB has been significantly impacted with high congestion of alternate routes to the City, whether by car or public transport. This has also limited access to parking near the respective business premises due to the construction activity and road closures. The planning decision made to close a far bigger length of Hunter Street rather than staging the construction in sections as initially proposed has further compounded these impacts. This change has resulted in further restrictions to access for businesses, hampering deliveries and it has made it very difficult for businesses to develop contingencies and plan the mitigation of negative impacts forcing a reactive rather than a proactive response.

Although there has been adequate and proactive communication with respect to upcoming road closures, alternate routes and public transport alternatives, the construction has caused potential visitors to Newcastle generally to choose alternate locations for their business and personal activities. Parking access/convenience is also a significant deterrent as historically the Newcastle public has expected convenience of parking.

For those businesses dependent on visitation for ongoing business viability, the above has had a detrimental financial and emotional impact due to decisions beyond their control. For some business entities this is not sustainable, whether now or in the near future.
NEWCASTLE LIGHT RAIL – SMALL BUSINESS ASSISTANCE PROGRAM

Case for Support to Small Business Impacted by Light Rail

In summary,

- Light Rail implementation is well documented by Government as having significant adverse impacts on certain local businesses during both the construction and operational phase of the project. The mitigation measures to address the adverse financial impacts to small business have not been released.

- Newcastle Council also acknowledges that significant loss of parking spaces within the area will critically impact business along and adjacent to Hunter Street.

- The Premier has indicated “if there’s demonstrated loss, we’re always considering rental assistance”. “This has been done for other projects in other parts of NSW including Sydney Light Rail.

- Newcastle Now’s survey indicate that most CBD Businesses were down between 10 to 25 percent of ordinary trade since the start of the light rail work and building work.

- A fair and just remedy to a business whose very future is threatened as a result of a government decision (although full of proposed economic and social benefits) should be entitled to financial support and business assistance to ensure that very business is still in existence once the construction of the light rail is completed and operations commence.

- There are numerous examples of Government financial support to local businesses throughout the world to mitigate the adverse financial impact of light rail constructions. The best practice support to those businesses facing revenue losses include grant payments or forgivable loans.

A sample of businesses whose future is very uncertain or have relocated (many more can be provided upon request)

Businesses contemplating uncertain Future (and closure)

- Newcastle Diggers Club, 172 Scott Street, Newcastle
- Celebrations at Express Liquor Newcastle, 516 Hunter Street, Newcastle
- Kerrion Framing Gallery, 1/451 Hunter Street, Newcastle
- Newcastle Bridal House, 444-448 Hunter Street, Newcastle
- Plus many others depending upon passing traffic, available car parking and other nearby viable businesses.
NEWCASTLE LIGHT RAIL – SMALL BUSINESS ASSISTANCE PROGRAM

Business Relocations

- Frontline Hobbies, 255 Hunter St, Newcastle. – Relocating Lang Street, Broadmeadow after 40 years in the City
- CFN (Cycle Fitness Nutrition), 133 Scott St, Newcastle. Now in Adamstown after 11 years in the City. (30-40% reduction in turnover)
- Newy Burger Co, 459 Hunter St, Newcastle (Reduction of 30% of trade) to Honeysuckle

Business Closures

- Many Micro Businesses have closed. See Vacant Shops in Hunter Street attached

Many other businesses cannot close or move as they are faced with the following business realities:

- Lease Terms: Onerous business premises lease terms and conditions for many years which can only be discharged with the continuation of the business or insolvency. Often personal guarantees are provided by the business owners to guarantee the rent.
- Finance Commitments: Bank loans and finance liabilities which can only be serviced by the continuation of the business or insolvency. Often, business loans are supported by business owner personal residence.
- Leave Entitlements: Employee entitlements which cannot be paid unless the business continues or paid as part of insolvency
- Fixed costs: Which do not reduce with reduction in turnover such as insurance, electricity, rates, occupancy costs, subscriptions, advertising, computer and telecommunication costs and employment costs,

The impact of reduction in turnover, profitability and resulting cash flow cannot be underestimated as many existing businesses were already facing the usual struggles of managing and operating a business prior to light rail construction. Payment to employees, contractors, suppliers need to occur weekly, the ATO, landlords, insurance, loan repayments all require payments monthly and council rates, employee superannuation is paid quarterly. Missing one payment of any of these has adverse consequences for the business and the creditor who also cannot wait.

But the Businesses are still trading?

We know about Insolvent failures where the business ceasing trading has an immediate impact on the owners of the business, employees, families and communities as well as suppliers and contractors. In regional towns, it is well documented a single insolvency can affect entire communities. These insolvency are well documented and often catastrophic and said to represent around one in five business failures.
NEWCASTLE LIGHT RAIL – SMALL BUSINESS ASSISTANCE PROGRAM

Solvent failures are businesses that have ceased operations because they could not make a go of it, and/or avoid making future losses, but without owing any debts and without any publicity or negative press. These account for the majority of business failures and is not as well documented. These failures often have the owners surviving on borrowed funds, nominal wages, existing cash reserves and equity in existing assets to support employees, pay rent and other operating expenses just to survive hoping business will improve and try to keep the family home. It is only a matter of time in these circumstances and available funds before the owner says enough is enough.

Our enquiries in Newcastle indicate many small business owners especially along Hunter and Scott St are at this point.

There are numerous reasons why a solvent business may fail but a decision by government should not be one of the reasons. A government policy premised on potentially allowing some businesses to fail without any support while pursuing long term economic and social benefits, will condemn existing struggling businesses and their owners financially.

What is Best Practice

Research conducted by Policy Link in November 2013 regarding the construction of light rail in the United States indicates the following best practices should be adopted to mitigate impacts on the business community.

- The right type of financial assistance MUST be available to meet business needs.
- Outreach to businesses should begin well in advance of construction.
- Business technical support is vital to help business understand programs and strengthen the business overall for long term viability.
- The Project can have unpredictable timelines, so trust, flexibility and communication are vital.
- Strong advocacy and organisation by multiply partners.
- The Government and Councils must play an important leadership role in ensuring appropriate business impact mitigations were in place.

Full details and case study available at:

NEWCASTLE LIGHT RAIL – SMALL BUSINESS ASSISTANCE PROGRAM

Case Study – ABC Bakery & Café

The financial impact of light rail on ABC Baker can be illustrated below:

<table>
<thead>
<tr>
<th></th>
<th>Pre Light Rail</th>
<th>Post Light Rail</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales</td>
<td>1,000,000</td>
<td>720,000</td>
<td>(280,000)</td>
</tr>
<tr>
<td>Less: Cost of Sales</td>
<td>35%</td>
<td>350,000</td>
<td>252,000</td>
</tr>
<tr>
<td>Gross Profit</td>
<td>650,000</td>
<td>468,000</td>
<td>(182,000)</td>
</tr>
<tr>
<td>Less: Expenses</td>
<td></td>
<td></td>
<td>10%</td>
</tr>
<tr>
<td>Overheads - Variable</td>
<td>10%</td>
<td>100,000</td>
<td>72,000</td>
</tr>
<tr>
<td>Overheads - Fixed</td>
<td></td>
<td>170,000</td>
<td>170,000</td>
</tr>
<tr>
<td>Rent</td>
<td>70,000</td>
<td>70,000</td>
<td>-</td>
</tr>
<tr>
<td>Financing expenses</td>
<td></td>
<td>50,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Employee Expenses</td>
<td>20%</td>
<td>200,000</td>
<td>144,000</td>
</tr>
<tr>
<td>Total Expenses</td>
<td>590,000</td>
<td>516,000</td>
<td>(74,000)</td>
</tr>
<tr>
<td>Net Profit/(Loss)(\text{pos})</td>
<td>60,000</td>
<td>(48,000)</td>
<td>(108,000)</td>
</tr>
</tbody>
</table>

This table illustrates:

- Turnover has reduced by 28% from $1,000,000 to $720,000
- Wage costs reduce from $200,000 to $144,000 or from 4 full time employees to 3 full time employees.
- Profit before owner’s wages reduces from $60,000 to a loss of $48,000. A reduction of $108,000
- This loss is funded by creditors who is guaranteed by has to be by the business owner.
NEWCASTLE LIGHT RAIL – SMALL BUSINESS ASSISTANCE PROGRAM

Program Overview

Newcastle Now is proposing a targeted and comprehensive business support program to assist business owners affected by light rail construction. The financial elements of this support will consist of two parts;

- **Newcastle Light Rail Immediate Financial Assistance Business Support Program**

  A total funding pool of $300,000 is proposed to be made available with $100,000 having been committed from Newcastle Now, and a further $100,000 being sought from Newcastle City Council and a further $100,000 being sought from the NSW Government to provide immediate assistance to eligible businesses impacted by the Light Rail construction.

  **Funds of between $1,500 and $5,000 will be made available within 28 days to Newcastle businesses who meet the eligibility criteria and can provide evidence that the light rail construction has impacted the business financially.**

- **Newcastle Light Rail Financial Sustainability Business Support Program**

  Funding of up to $3,000,000 is being sought from the NSW Government for concessional loan funding to assist business owners adversely impacted financially who have incurred further debt because of the light rail construction and agree to business support.

  **This is additional funding to the immediate assistance payment and will be provided via concessional loans of up to $30,000 per business provided the business meets the eligible criteria and commits to participate in the business support program provided by Newcastle Business Centre. The final amount will be determined by the number of eligible applicants. The aim of this program is to provide additional financial assistance via concessional loans to help overcome the period of the light rail construction together with improving the underlying business performance with business support managed by Business Connect in Newcastle.**

Eligibility Criteria

The eligibility criteria to access the program is outlined below.

- **Newcastle Light Rail Financial Assistance Business Support Program**

  To apply for financial assistance, a business will need to meet the following eligibility criteria:

  - The business is situated along the light rail corridor or immediately adjacent areas or areas as approved by Newcastle Now and other funding partners.
  - The business operated within the designated area on 1 September 2016, being 12 months prior to commencing light rail construction in September 2017 and continues to operate within the designated area at the date of the application.
  - The business turnover or profit has reduced by more than 20% since light rail construction commenced in September 2017.
NEwCASTLE LIGHT RAIL – SMALL BUSINESS ASSISTANCE PROGRAM

- This 20% reduction is determined by comparing the average monthly revenue for a period of at least 6 months prior and at least 6 months post September 2017 on a GST exclusive basis. Alternatively, turnover or profit for the period 1 January 2017 to 30 June 2017 compared to 1 January 2018 to 30 June 2018 period. Evidence of this reduction must be determined using generally accepted accounting principles.
- The business employs less than 20 full time equivalent employees, with at least one employee either as full time or part time regardless of the number of hours employed.
- The business has annualised aggregated / grouped turnover of less than $2 million per annum prior to construction of Light Rail. This will be determined from data supplied in assessing the 20% reduction in turnover or profit.
- Any additional information requested by Business Centre that shows how the light rail construction has impacted the business.
- Completion of an online application form and providing personal and business proof of identity documents as required.

Newcastle Light Rail Financial Sustainability Business Support Program

- Satisfies the eligibility criteria for the Newcastle Light Rail Financial Assistance Business Support Program.
- Provide a balance sheet for the year ended 30 June 2017 together with the most recent balance sheet after 31 December 2017 to confirm the assets and liabilities of your business. The loan proposed must not exceed 50% of your liabilities (as defined below).
- Commit to the Business Connect support program to help grow/improve your business throughout the concessional loan period or whilst ever the concessional loan remains outstanding.
- Agree to retain 10% of the loan funding to fund specific initiatives identified from the business support program managed by the Newcastle Business Centre and deemed necessary to help grow the business.

Key Features of the Concessional Loans as Part of Business Support Program

- Loan amounts are to a maximum limit of $30,000 in total with conditions applying. The total amount of Newcastle Now Concessional Loan held by a business must not exceed 50% of the total debt position. The debt positions of a business include trade creditors, bank and other external financier loans, other unsecured loans, employee obligations including PAYG/Superannuation and GST. In addition, the debt position will include the increase in loan balances of owners/shareholders loans compared to pre-light rail construction in September 2017.
- The variable concessional interest rate is currently 3.09% per annum. The interest rate will be linked to the rate determined by the Australia Government and reviewed every 6 months.
- Maximum loan terms of up to 4 years, with interest only monthly repayments in the first year. Principal and interest repayments are required for years 2-4 inclusive.
- Loans must be fully repaid or refinanced with an alternative financier at the end of the agreed loan term.
- Agree to complete an application form, provide business and personal guarantees for the concessional loan and engage with your accountant / solicitor to review the prepared loan documentation and any independent advice required.
- No loan or application fees applicable to concessional loan application.
NEWCASTLE LIGHT RAIL – SMALL BUSINESS ASSISTANCE PROGRAM

How Long Will It Take?

Applications will be assessed as quickly as possible once all information is supplied to the Newcastle Business Centre for processing. It is envisaged applications will be determined within 7 days after all information is received. All applications are submitted via the Newcastle Business Centre.

The Business Centre Newcastle – Business Connect

The construction of the Newcastle Light Rail has had an impact on the way that Newcastle business operates.

The Newcastle Business Centre via the Business Connect funding can provide one-on-one support for business in need or looking at growing a business.

The Newcastle Business Centre has dedicated light rail advisors, workshops and events to provide independent and confidential business advice and information. The program includes:

- Co-ordinate the business needs/advice required specific for your business.
- 34 hours of consultation with a Business Advisor.
- Assistance to manage revenue and cash flow (if required).
- Opportunities to attend light rail workshops and / or seminars.
- Assistance in sourcing information about the Newcastle Light Rail construction plan.

To talk to an advisor, call 02 4925 7700 or submit an application visit https://www.businesscentre.com.au

Other Relevant Information

The funding support is conditional upon agreement between several parties which may limit available funding or impose further conditions. Newcastle Now has provided the above information in good faith on our understanding of the proposed offer by those bodies but does not guarantee any of the funding or business support available. Accordingly, Newcastle Now cannot be held liable for any representations made with outlining the planned program. Newcastle Now is a business improvement association and has negotiated with those external bodies to provide the direct support for the Newcastle businesses impacted by the light rail in Newcastle. Any formal arrangements will be with those bodies.
NEWCASTLE LIGHT RAIL – SMALL BUSINESS ASSISTANCE PROGRAM

Photos of CBD along Hunter Street
REPORT ON NOTICE OF MOTION - NEWCASTLE LIGHT RAIL SMALL BUSINESS ASSISTANCE - 24 JULY 2018

REPORT BY: STRATEGY AND ENGAGEMENT

CONTACT: INTERIM DIRECTOR STRATEGY AND ENGAGEMENT

DIRECTOR COMMENT

Section 495 of the Local Government Act 1993 (Act) provides that Council may levy special rates for:

“meeting the cost of any works, services, facilities or activities provided or undertaken, or proposed to be provided or undertaken, by the council within the whole or any part of the council's area, other than domestic waste management services”.

Specifically, Council’s Our Budget (which was publicly exhibited in accordance with the Act) provides that the purpose of the special rates levied in the City Centre is for:

Defraying the additional costs of promotion, beautification and development of the City Centre benefit area.

Section 409 (3) (a) of the Act provides that Council can only use money that has been received as a result of the levying of a special rate for the purpose for which the rate was levied.

Further the Funding and Service Deed of Agreement in place between Council and Newcastle Business Improvement Association (Newcastle Now) requires Council to approve the gifting of any funding which is consistent with the purpose for which the special rate was levied.

The deed also requires the following to occur:

- Newcastle Now to submit a Business Plan that details projects, events and activities on which the funds will be expended for Council approval (clause 2.3 of the deed); and
- Newcastle Now to fulfill all conditions of payment in accordance with the deed (specifically clause 5.2); and
- Newcastle Now to acquit all projects, events and activities on which funds have been spent by 30 November each financial year to Council (Schedule 2).

To meet the above requirements the following is an alternative recommendation:
RECOMMENDATION

It is recommended that Council:

Notes that many small businesses along the Light Rail route in Newcastle have suffered financial hardship as a result of construction reducing access; Approves Newcastle Now to deliver financial assistance to businesses as detailed in the small business assistance program attached as an addendum to this motion provided all payments are for and consistent with the purpose for which the special rate was levied and in accordance all conditions contained within the funding and service deed of agreement (Contract 2012/075A); and

Commits to the release of $100,000 from the restricted funds held in reserve by Council on behalf of Newcastle Business Improvement Association to be provided for and consistent with the purpose for which the special rate was levied and in accordance all conditions contained within the funding and service deed of agreement (Contract 2012/075A).
ITEM-19 NOM 24/07/18 - COMPASSIONATE COMMUNITIES

COUNCILLORS: M BYRNE, D CLAUSEN, C DUNCAN, J DUNN, E WHITE, P WINNEY-BAARTZ AND N NELMES

PURPOSE

The following Notice of Motion was received on 12 July 2018 from the abovenamed Councillors.

MOTION

That Council:

- Notes that the City of Newcastle has been nominated by the Groundswell Project to be one of eight ‘groundbreakers’ regarding the establishment of ‘Compassionate Communities’ across Australia;

- Recognises the establishment of the Newcastle Compassionate Communities Collaboration, a cross-sector collaborative aimed at supporting all sectors of our community to reduce the negative social, psychological and medical impact of serious illness, caregiving and bereavement; and

- Reviews the Compassionate Cities Charter and provides a report to Councillors at the August Ordinary Council Meeting regarding the benefits of the City of Newcastle ratifying the Charter and joining the Newcastle Compassionate Communities Collaboration.

BACKGROUND

“A city is not merely a place to work and access services but equally a place to enjoy support in the safety and protection of each other’s company, in schools, workplaces, places of worship and recreation, in cultural forums and social networks anywhere within the city’s influence, even to the end of our days”.

Allan Kellehear - The Compassionate City Charter.

The city of Newcastle has a long history of successful partnerships between community, industry, health and government.

Care of people with life threatening illness in Newcastle has long existed across the domains of health settings and community, since the first hospital was built by convicts, our Town’s health services have proudly been built on a history of fundraising, industrial action and community advocacy.
The Newcastle Palliative Care Service was established in 1983, as a community based, voluntary service, by Sister Mary Brennan and Dr Pam Harrison, to enable citizens of Newcastle to die at home, away from hospital. The service has long provided holistic care, based on integration of medical care, spiritual care and psychosocial support. The Mercy Hospice was built in 1993 as a result of a telethon, responding to the community’s strong acceptance and support of palliative care. The service has a rich history of community engagement, with a strong volunteer input, pastoral care and has engaged the first Palliative Aboriginal Health Practitioner, providing culturally safe care and bereavement support for the Indigenous community in our region.

Newcastle has been chosen by the Groundswell Project to be one of eight “Groundbreakers” groups establishing Compassionate Communities across Australia. The aging population within Australia is predicted to double by the year 2050. To meet the immense need of this aging population significant change in support structures for the community who live with life threatening or life limiting illness, their caregivers, and the bereaved are needed.

The Compassionate community global movement aims to engage communities, councils, schools, health, private enterprise, NGOs and government organisations.

The Newcastle Compassionate Communities Collaboration is a rapidly expanding cohort of interested community members involved in this project, including members of Renew Newcastle, Cancer Council NSW, University of Newcastle Faculty of Health and Medicine, Newcastle Grief Collective, End of Life Care Services, John Hunter Hospital, Department of Palliative Care, Calvary Mater Newcastle, Primary Health Care Network, NGOs and various other independent community members.

The Newcastle City Council Social Strategy identifies a range of barriers to participation in community and life activities in Newcastle, including social isolation because of ageing, work commitments, ambivalence and perceived lack of satisfaction through potential participation, lack of information, access to meeting places within local community, existing health concerns and disability.

Identifying Newcastle as a Compassionate Community through council led activities and initiatives strongly supports our social strategy policy.

For further information:

Contact person Chair of Newcastle Compassionate Communities Collaboration, Jeanette Lacey on 0408483043; or via jeanette.lacey@hnehealth.nsw.gov.au

http://www.compassionatecommunities.net.au/;
https://www.comcomhub.com/about
ATTACHMENTS

Attachment A: Compassionate Cities Charter
Attachment B: Why should we develop compassionate communities
Attachment C: Media Release: Compassionate Communities.
Attachment D: Compassionate Communities and end of life care
The Compassionate City Charter was developed by professor Allan Kellehear, a leader in the compassionate communities movement across the globe. It is a statement of purpose and intention as well as a list of social actions. Throughout the National ComCom Forum, the Charter will be used as a backbone of the movement; to inspire, activate and ground the purpose of the work, whilst being responsive to each community's individual needs and aspirations. The social actions are not compulsory, but act as inspiration for community action. The final paragraph acts as a mission statement for this project.

THE COMPASSIONATE CITY CHARTER

People who live with life-threatening or life limiting illness, their caregivers, and the bereaved are segmented social groups, forced to experience lifestyles that are commonly socially hidden and disenfranchised from the wider society. Outside of the health services that deal specifically with their immediate problems, these populations suffer from a range of other troubles that are separate but linked to their health conditions or social circumstances – loneliness, isolation, job loss, stigma, depression, anxiety and fear, or even suicide. These populations also suffer from a range of other debilitating health problems
often caused by their social and psychological troubles - insomnia, cardiac arrhythmias, chronic fatigue and headaches, hypertension, and gastric-intestinal disorders.

Compassionate Cities are communities that publicly recognize these populations, and these needs and troubles, and seek to enlist all the major sectors of a community to help support them and reduce the negative social, psychological and medical impact of serious illness, caregiving, and bereavement. A compassionate city is a community that recognizes that care for one another at times of health crisis and personal loss is not simply a task solely for health and social services but is everyone’s responsibility.

Compassionate Cities are communities that publicly encourages, facilitates, supports and celebrates care for one another during life’s most testing moments and experiences, especially those pertaining to life-threatening and life-limiting illness, chronic disability, frail ageing and dementia, grief and bereavement, and the trials and burdens of long term care. Though local government strives to maintain and strengthen quality services for the most fragile and vulnerable in our midst, those persons are not the limits of our experience of fragility and vulnerability. Serious personal crises of illness, dying, death and loss may visit any us, at any time during the normal course of our lives. A compassionate city is a community that squarely recognizes and addresses this social fact.

Through auspices of the Mayor’s office a compassionate city will - by public marketing and advertising, by use of the cities network and influences, by dint of collaboration and cooperation, in partnership with social media and its own offices – develop and support the following 13 social changes to the cities key institutions and activities.

- Our schools will have annually reviewed policies or guidance documents for dying, death, loss and care
- Our workplaces will have annually reviewed policies or guidance documents for dying, death, loss and care
- Our trade unions will have annually reviewed policies or guidance documents for dying, death, loss and care
- Our churches and temples will have at least one dedicated group for end of life care support
- Our city’s hospices and nursing homes will have a community development program involving local area citizens in end of life care activities and programs
- Our city’s major museums and art galleries will hold annual exhibitions on the experiences of ageing, dying, death, loss or care
- Our city will host an annual peacetime memorial parade representing the major sectors of human loss outside military campaigns – cancer, motor neuron disease, AIDS, child loss, suicide survivors, animal companion loss, widowhood, industrial and vehicle accidents, the loss of emergency workers and all end of life care personnel, etc.
- Our city will create an incentives scheme to celebrate and highlight the most creative compassionate organization, event, and individual/s. The scheme will take the form...
of an annual award administered by a committee drawn from the end of life care sector. A ‘Mayors Prize’ will recognize individual/s for that year those who most exemplify the city’s values of compassionate care.

Our city will publicly showcase, in print and in social media, our local government policies, services, funding opportunities, partnerships, and public events that address ‘our compassionate concerns’ with living with ageing, life-threatening and life-limiting illness, loss and bereavement, and long term caring. All end of life care-related services within the city limits will be encouraged to distribute this material or these web links including veterinarians and funeral organizations.

Our city will work with local social or print media to encourage an annual city-wide short story or art competition that helps raise awareness of ageing, dying, death, loss, or caring.

All our compassionate policies and services, and in the policies and practices of our official compassionate partners and alliances, will demonstrate an understanding of how diversity shapes the experience of ageing, dying, death, loss and care – through ethnic, religious, gendered, and sexual identity and through the social experiences of poverty, inequality, and disenfranchisement.

We will seek to encourage and to invite evidence that institutions for the homeless and the imprisoned have support plans in place for end of life care and loss and bereavement.

Our city will establish and review these targets and goals in the first two years and thereafter will add one more sector annually to our action plans for a compassionate city – e.g. hospitals, further & higher education, charities, community & voluntary organizations, police & emergency services, and so on.

This charter represents a commitment by the city to embrace a view of health and wellbeing that embraces community empathy, directly supporting its inhabitants to address the negative health impacts of social inequality and marginalization attributable to dying, death and loss.

A city is not merely a place to work and access services but equally a place to enjoy support in the safety and protection of each other’s company, in schools, workplaces, places of worship and recreation, in cultural forums and social networks anywhere within the city’s influence, even to the end of our days.
This project is an initiative by The GroundSwell Project

The founding supporter of this initiative is Bupa Health & Care
Why should we develop compassionate communities?

As a society we need to talk more about dying, death and bereavement which is why the Dying Matters Coalition, led by the National Council for Palliative Care, was set up. Around 70 per cent of people would prefer to die at home, but around 60 per cent of us die in hospital. Many of us have specific wishes about how we would like to die, or what we would like to happen after our death, but unless we discuss these with family, friends and health professionals our wishes will not be met.

It is in communities that the taboo of talking about dying and death needs to be tackled. To be effective we need to work together with everyone who has an interest in raising awareness on end of life issues. This pack provides information and tips from some of these groups on how best to engage their sector on raising awareness in your community.
Potential Partners to engage:
- General Practitioner (GP) Consortia and Primary Care
- Local Authorities and Public Health
- Health & Wellbeing Boards
- Bereavement Groups
- Mental Health and Dementia Groups
- Hospices and Specialist Palliative Care Teams
- Funeral Directors
- Legal and financial organisations
- Hospitals
- Spiritual groups
- Community services and emergency care providers
- Social and community care
- Children and young people’s services
- Nursing and care homes

Don’t forget to include:
- Older people
- People who are well and ill
- Carers, families and friends
- Schools, colleges and universities
- Workplaces
- Trades Unions
- Meaning, faith and belief groups
- Marginal and hard-to-reach groups

Tips for engaging communities
- Identify potential partners - use contacts, networks and organisations you know, including the statutory agencies
- Investigate how you could work more closely together
- Agree a common purpose and aims - this could include developing an agreed common set of local principles in good end of life care
- Engage local influential community gatekeepers at the outset
- Promotion of the concept of ‘community champions’. These are both people and organisations that are fully committed and empowered to promoting and developing awareness around Dying Matters
- Identify and agree target groups - including the aged, well and the ill, carers and their families, children and young people with their parents, marginalised groups, SME communities, physically disabled groups, pensioners forums
- Publicise the activities that you are doing and promote positive personal stories in the media - see the Media insert in this pack for details

Idea for activities and events
- Poster and Painting Competition linked to loss
- Arrange a quiz evening using the Dying Matters Quiz
- Promote local debate as to how you can help disadvantaged communities
- Arrange open days with funeral directors, crematoria and hospices
- Run a remembrance day about loss
- Organise a Positive Grieving Art Exhibition
- Run some public forums on dying, death and bereavement and involve local speakers
- Performance of a play followed by discussions
- Hold an event at a museum
- Host a General Practitioner (GP) evening on End of Life Care
- Leaflet large groups such as attendees at a football game
- Sculpture or art exhibition around dying and bereavement
- Hold drop-in sessions at local venues, including religious centres
- Stalls at hospitals
- Poster campaign in the community and work settings
- Put a link to the Dying Matters website on home page
- Produce a video to be shown in community settings, doctors’ surgeries and on YouTube

Case Study - Dying Matters in Devon: a ‘whole systems approach’

Awareness raising on dying, death and bereavement in Devon has been led by NH-S Devon and Devon County Council using a joint approach to engage patients, the public, health and social care professionals and partners in improving end of life care.

Devon has a population of over 755,000 and rising. Within the next ten years, one in four people are predicted to be over 65. The county also has a high percentage of people with long term conditions and dementia living in a broadly rural community with small cities, market towns and villages. Devon currently has about 8,000 deaths each year, 49% of which occur in...
hospitals, 23.5% in nursing care homes, 5% in hospices and 20% at home.

In Devon, a range of activities have been undertaken to bring different sectors together and engage the public. These have included:

**Understanding public perceptions**
Listening to complaints, feedback from surveys, consultation with citizens panels, pensioners forums, carer groups, disease reference groups, feedback from care providers and voluntary sector agencies and conference evaluation.

**Engaging people in developing the Devon Strategic Commissioning Plan**
Led by the Devon Palliative Care Strategic Multi-Agency Strategic Commissioning Group, this group came together in 2008 to implement recommendations in the national End of Life Care Strategy. The development process included ‘big conversations’ with local stakeholders plus further events to ask specific questions about which services to focus on. Representatives from the council, local NHS trusts, practice-based commissioners, hospices, voluntary organisations, independent sector and health and social professionals discussed the vision for key services and the main challenges facing the local communities. The outcomes informed the development of a local end of life care strategy and a ‘good death charter’, which set out the principles by which people wished to be treated. This included their right to privacy, dignity and respect.

**Wider public engagement informing community development**
These activities are part of a well-established engagement programme which supports service commissioning and development. They include:
- Awareness raising using local media
- Holding three ‘Dying Matters’ themed conferences
- Ongoing dying awareness events in local communities, building upon existing work in local groups
- Collaboration with voluntary sector agencies including Age UK with plans to create a Devon Retirement Pack for older people including Dying Matters materials
- Promoting the development of Community Ambassador/Champions across Devon
- Awareness raising in schools – introducing Dying Matters principles and materials to the Health and Social Care curriculum for 14-16 year olds
- Dedicated work with Devon Young People (14-19 year olds) with palliative care needs, around life planning, crisis management and wishes planning tools
- Work with Learning Disabilities and Physically Disabled groups to ensure advance care planning tools are developed into ‘read easy’ options
- Working with Church of England Clergy and spiritual centres to explore how Dying Matters discussions can become widely accessible through preaching and local awareness events in schools, parishes and communities
- Working with Macmillan and the Citizens Advice Bureau to ensure people with life limiting disease have access to appropriate advice and benefits
- Collaboration with local solicitors, financial advisers and funeral directors in awareness raising initiatives.

- Undertaking a Bereavement Services Review and developing an electronic Bereavement Services directory for linking with End of Life Registers

**Working with health and social care professionals in community development and engagement**
Local governance arrangements promote and encourage local health and social care professionals to play a central role in the delivery of high quality and efficient improvement priorities. Locality GP Commissioning Consortia are actively involved in supporting and developing local approaches so that the end of life needs of the local population are best met.

Initiatives include:
- Roll out of 24/7 community nursing and personal care / domiciliary services and 24/7 access to Specialist Palliative care advice
- Universal advance care planning tools, DNACPR guidelines, just in case medicines, locality registers
- Introduction of clinical champions in end of life care - appointment of five GP Gold Standard Framework (GSF) practice trainers and four GSF Care Home facilitators to work with hospices and other academic providers to champion good end of life care training
- Introduction of the Dying Matters Coalition Care to Learn Pack to Care Homes
- Dying Matters GP Communication Sils Pilot – 25 practices are participating
- Development of a Dementia and Carers Strategy informed by local people

Further information can be obtained from Devon County Council, email acscomms@devon.gov.uk

Lorna Potter, Community Development Advisor, Dying Matters Coalition

www.dyingmatters.org
Engaging with our community
MEDIA Release: Announcing the Compassionate Communities Forum and Digital Hub

A NEW NATIONAL PROJECT BRINGING COMPASSIONATE COMMUNITIES TO LIFE ACROSS AUSTRALIA.

The GroundSwell Project is pleased to announce the launch of a national practice forum to support the development and practice of Compassionate Communities in Australia. With Australia’s ageing population set to double by 2050, the end of life system in Australia requires collaborative action from health organisations, NGO’s, community groups and individuals in order to see sustainable change. Compassionate Communities (ComCom) is a global movement for public health practice, a way to engage communities to think about how care is provided to people who are dying.

Learnings from the Compassionate Communities movement internationally show that a collective, community approach to end of life acts to amplify existing services, empower communities to action and has the power to transform the end of life experience for individuals and their loved ones.

Over the past seven years The GroundSwell Project has worked with partners on developing, implementing and evaluating Compassionate Communities projects in Australia. This has included working with schools, arts organisations, workplaces, community centres, hospitals and health organisations. Building upon the Compassionate Communities Symposium earlier this year, The GroundSwell Project is now proud to announce their own contribution to the movement in Australia, by launching the first Compassionate Communities Practice Forum and Digital Hub with the support of Bupa.

The practice forum will comprise of eight communities around the country, engaging in the compassionate communities model in their local area. The GroundSwell Project will support these communities by offering on the ground community development expertise, a digital resource hub plus access to a national and international network of leading Compassionate Communities practitioners and researchers.

The GroundSwell Project has worked closely with Bupa’s senior executive to present a plan that will build bridges, and is proud to form an official partnership with Bupa to implement the National Compassionate Communities Forum. Through this innovative work, coupled with extensive research and unique community development approach, The
GroundSwell Project is looking forward to working with you to share learnings and support Compassionate Communities in Australia.

“Bupa is very pleased to be working with GroundSwell to help bring a community approach to supporting people at the end of life. We believe that the focus on encouraging early conversations, providing access to the right information at the right time, as well as coordinating services across the community, can only add to peoples’ feelings of dignity, respect and choice.”

Dwayne Crombie, Managing Director, Bupa Health Insurance said.

Community groups, organisations and services who want to see the Compassionate Communities model come to life in their local area will be invited to submit an expression of interest in March.
Compassionate communities and end-of-life care

Author: Julian Abel

Compassionate communities as part of the public health approach to end-of-life care (EoLC) offers the possibility of solving the inequity of the difference in provision of care for those people with incurable cancer and those with non-cancer terminal illnesses. The naturally occurring supportive network surrounding the patient is the starting point for EoLC. The network can provide both hands-on care and support to those providing hands-on care. Health care professionals can build much stronger partnerships with these supportive networks and transform EoLC at home. Further possibilities of support can be developed through communities, with implementation of the Compassionate City Charter.

KEYWORDS: End of life care, compassionate communities, public health approach to end of life care, Compassionate City Charter

Introduction

The historical development of the modern palliative care movement, from its inception in 1967 with the formation of St. Christopher’s Hospice, has largely focused on those people with a diagnosis of incurable cancer. Care has been increasingly professionalised and attempts to address the inequity of end-of-life care (EoLC) for those with a cancer diagnosis compared to those with non-cancer terminal illnesses, has been largely unsuccessful.

Addressing the needs of patients who have terminal illness is often complex and covers multiple domains of symptom control, social environment and care, psychological and emotional distress and spiritual care. A variety of ways exist to elicit which areas are important to patients with multiple quality of life scores available. It is when exploring what was most important with carers after bereavement, the most valued help is the care and support of family, friends and neighbours. This frequently does not relate to physical care or emotional support given to patients, but to the strength of the caring network. These networks fill a wide variety of functions, ranging from managing the daily necessities of life such as shopping, cooking, cleaning and gardening, to emotional support and friendship which forms the natural spectrum of relationships that surround our lives. Bonds of friendship formed through being part of a caring network may be strong and last for years.

Health professionals can struggle to conceptualise and make best use of caring networks. Circles of care (Fig 1) is a way of viewing the overall networks that focus not just on the patient, but on the main carer and the caring network. Failure to engage with and trust the caring network not only misses an important opportunity for enriching life for patient and carers, it may actually cause significant harm which can exacerbate bereavement reactions.

The public health approach to EoLC and development of compassionate communities offers an opportunity to address the inequity of EoLC irrespective of age, diagnosis or cause of death. This approach also has a practically based continuity between chronic disease, EoLC and bereavement. It has been gaining increasing international interest since the publication of Health promoting palliative care by Professor Allan Kellehear. Despite the relatively short history of this area, there is increasing evidence for the effectiveness of this approach. Through building networks of support in a proactive way, whether among family or friends, neighbours, workplaces or educational institutions, means
that much of the work currently done by professionalised services can be done through social support. End-of-life care is everyone’s business as all of us, at some point in our life, will have to care for those closest to us who will die. Through realisation of roles and redefining of job plans, we can restructure services inclusive of all of EoLC.

Building compassionate networks of support

A common misperception from health and social care professionals about networks of support is that the centre of activity is around the patient. Typically, an inner network of support contains two to five people. The person who is unwell may not want to interact with large numbers of people, whether they are family, friends, neighbours, community members or caring professionals. A central focus is therefore looking to build resilient networks of support for the people who fulfil the function of the inner network. These may be physical care, accompaniment, emotional support or attention to symptom control issues. The outer network is usually more to do with the tasks of life that we all have to complete – the washing, cooking, cleaning, walking the dog and working on the garden. While these tasks seem mundane, support from a number of people can make an enormous difference when building resilient networks. Having someone drop a meal round not only helps in a very practical way, the kindness shown can have a profound impact on patient and carers. In particular, the person with the illness often experiences a sense of burden and the support given by a caring network is a great source of comfort, knowing that those closest to them are cared for as well.

Commonly, when people offer help, the first reaction from patients and carers is “No, we are managing fine at the moment.” This is the opposite of network building. Caring for someone is more akin to a marathon than a sprint. Carers often need some encouragement and explanation about why it is important to say yes to offers of support. In addition, learning the skills of how to ask for help and how to organise a network makes a big difference in building support. Use of electronic software such as Facebook, WhatsApp or Jointly App are useful ways of organising a network through web-based coordination. This can help to keep people informed as to what is happening without having to ring round everyone individually. It is also a method of requesting help from a group without having to ask an individual to do a specific task.

Supportive networks exist wherever there are people, which is everywhere. Building networks of support can therefore happen across the whole spectrum of society, including workplaces, educational institutions, churches and temples, neighbourhoods, community centres and in health and social care organisations. The succinct essence of this approach is contained in Professor Kelleher’s Compassionate City Charter.7 Joining together healthcare initiatives with civic action helps to create community capacity for caring at end of life, which can be accessed by health and social care organisations. The charter is a way geographical areas can focus on systematically stimulating community resource for end of life at the same time as providing civic incentives and supporting this with policy change. A number of cities within the UK and internationally have started the process of becoming compassionate cities. Although the ward cities is taken to mean urban living, in the context of the charter the derivation is from citizen with reference to civic responsibility. This is applicable to anyone and is not limited to urban dwelling.

The strategic direction for EoLC in the UK is contained in the Ambitions for Palliative and End of Life Care 2015–2020.10 Ambition 6 in this document is ‘communities are prepared to help’. The guidance document contains practical ideas for health and social care organisations on how they can develop resilient networks of support for patients and carers.11 The basis of any such intervention is to explore existing networks through a process of reconstituting. In the context of hospital care, the guidance recommends fitting in with the ‘Safer care bundle’.12 Setting an expected date of discharge early in the patient’s stay in hospital is an opportunity to explore supportive networks to enable to get people home as early as possible. At the same time, it is also an opportunity to begin advance care planning discussions for end of life. These discussions are a formal network building, as it gives the chance for family, friends and relatives to consider what needs to be done should someone choose to die at home. The challenge for hospitals is to ensure that all who have terminal illness have the same care irrespective of diagnosis.

Recommendations

In order to set a path of change which addresses the historical inequity of care between those people with cancer and non-cancer terminal diagnoses, services should aim to provide EoLC for all, irrespective of age, diagnosis or cause of death. Supportive networks are the backbone of care outside of hospital. Use of eaccompanying and network enhancement as routine in care of chronic illness and end of life. Their use should be built into standard clinical practice, including hospital care.

Although the public health approach to EoLC has been developing over the last 20 years, there is still a need to increase health and social care professionals with familiarity concepts and practice. The guidance document Community Development in End of Life Care – Guidance to Ambition is a basis for developing a programme of adoption of this approach. Included in the guidance are recommendations of how to brief organisational silos, bring together professionals and communities across an area. Leading local initiatives across organisational boundaries and into communities through implementation of the Compassionate City Charter is a practical way of achieving this.

Summary

Development of compassionate communities is part of the broader initiative of the public health approach to palliative and end of life care. ‘Communities are prepared to help’ is ambition 6 of the national guidance document for end of life care. Hospital teams can participate in this approach, making best use of the enormous resource of community support, which is in keeping with principles of good care and efficient patient flow.

References

ITEM-20  NOM 24/07/18 - REDUCING VIOLENCE AGAINST WOMEN AND CHILDREN - A CITY POSITION

COUNCILLORS:  C DUNCAN, N NELMES, D CLAUSEN, E WHITE, P WINNEY-BAARTZ, J DUNN AND M BYRNE

PURPOSE

The following Notice of Motion was received on 17 July 2018 from the abovenamed Councillors.

MOTION

• That council notes that violence against women and their children is a significant issue in Australia and that local government has a genuine role to play in reducing it.

• That Council develops a policy for the City of Newcastle which states that Newcastle strives to be a safe place for all women and children and takes a pro-active leadership role in preventing violence against women and children including urban design, development processes and staff and community education.

• That Council implements relevant initiatives of the National Plan to Reduce Violence Against Women and their Children.

• That Council further support, promote and encourage adoption of relevant initiatives from the Plan across our community.

BACKGROUND

From the Newcastle Herald, 14 July 2018:

Every day in the Hunter eleven females are victims of assaults reported to police.

In the past five years to March, almost 21,000 women and girls in the Hunter were victims of reported violent attacks. More than half were domestic violence.

Australia has a disturbingly high rate of violence against women. The recent abduction and rape of a young girl in our LGA has rightly distressed our community and follows just days after the murder of a 22 year old woman in Melbourne who was walking home after work. Yet these are simply the latest incidents that have garnered media attention.
The latest research indicates that the 2012 figure that one woman is killed every week in Australia by a current or former partner is increasing and is now an average of nearly two women each week. Indigenous women are 34 times more likely than non-Indigenous females to be hospitalized due to family violence.

The 2012 Personal Safety Survey conducted by the Australian Bureau of Statistics shows that since the age of 15:

- 1 in 3 Australian women has experienced physical violence.
- 1 in 5 Australian women has experienced sexual violence.
- 1 in 6 Australian women has experienced physical or sexual violence from a current or former partner.
- 1 in 4 Australian women has experienced emotional abuse by a current or former partner.
- Australian women are most likely to experience physical and sexual violence in their home, at the hands of a male current or ex-partner.
- Of women who had experienced violence from an ex-partner, 61 per cent had children in their care when the violence occurred.

ATTACHMENTS

Attachment A: Australian Human Rights Commission Submission to the Special Rapporteur on Violence Against Women
Attachment B: A Woman’s Worst Nightmare – PBS Documentary
1 Introduction

1. The Australian Human Rights Commission makes this submission to inform the country visit to Australia of the Special Rapporteur on violence against women, its causes and consequences.

2. The Commission is established by the Australian Human Rights Commission Act 1986 (Cth) and is Australia’s national human rights institution with ‘A’ status.

2 Summary

3. This submission provides an overview of violence against women in Australia. It includes background information about the nature and prevalence of violence against women in Australia; a summary of recent policy developments relating to violence against women; and an outline of the Commission’s recent work on violence against women.

4. The Commission looks forward to providing further information to the Special Rapporteur during her visit to Australia in February 2017.

3 Recommendations

5. This submission references a range of documents produced by the Commission which include recommendations relating to violence against women in Australia. These include:

   - Submission to the Senate Finance and Public Administration References Committee, inquiry into domestic violence and gender inequality
   - Submission to the Joint Committee on Law Enforcement inquiry into human trafficking
   - Submission to the Fair Work Commission four yearly review of AM2015/1 Family and domestic violence clause
   - Collaboration for Cultural Reform in Defence project reports
   - Children’s Rights Report 2015

6. The Commission also refers the Special Rapporteur to the recommendations of the Victorian Royal Commission into Family Violence.

4 Background information

7. Australia has a disturbingly high rate of violence against women. In recent times, policy and public discussions on violence against women in Australia have had a strong focus on family and domestic violence, in particular intimate partner violence. However, consultations conducted by the Commission indicate that violence against women can take many forms, including family and domestic violence, sexual assault, sexual harassment, violence in residential settings and online violence and harassment.

8. A Personal Safety Survey conducted in 2012 by the Australian Bureau of Statistics found that 5.3% of women had experienced some form of violence in the last 12 months, and 40.8% had experienced some form of violence since the age of 15. The Survey indicated that most
instances of violence against women were perpetrated by someone known to them: around 74% of women who had experienced violence in the last 12 months, and 87% of women who had experienced violence since the age of 15, reported that the perpetrator was someone they know. This compares to 45% of men who had experienced violence in past 12 months, and 54% of men who had experience violence since the age of 15.

9. Intimate partner violence is one of the most common forms of violence against women, with 1.5% of women reporting violence by a current or former partner in the past 12 months, and 16.9% reporting intimate partner violence since the age of 15 (compared to 0.6% of men in the past 12 months and 5.3% of men since the age of 15). A more recent study has estimated that 27.5% of Australian women have experienced violence or emotional abuse by a current or previous partner.

10. A 2016 study by Australia’s National Research Organisation for Women’s Safety (ANROWS) found that intimate partner violence accounted for 5.1% of the disease burden amongst women aged 18 to 44 years — more than other any other risk factor. Research has also demonstrated that victims/survivors often experience enduring mental health problems as a result of such violence. Between 2002–03 and 2011–12, 488 women were killed by a current or former partner, often after a history of domestic violence. Women represented 75% of intimate partner homicide victims over this period.

11. Sexual harassment, particularly in the workplace, remains a significant problem in Australia. Research conducted by the Commission has found that one-third of women have been sexually harassed since the age of 15. Further information about the Commission’s work on sexual harassment in the workplace can be found in Section 6.1 of this submission.

12. Consultations conducted by the Commission indicate that women, especially young women, also experience violence and harassment online. This can include the dissemination of private images or materials without consent, and violent, sexualised abuse and harassment. Women who advocate on women’s rights issues, including family and domestic violence, appear to be at particular risk of this latter form of online harassment. In his end-of-mission statement following a country visit to Australia in October 2016, the Special Rapporteur on the situation of human rights defenders, Mr Michel Forst, drew specific attention to the online abuse and harassment faced by women human rights defenders: During my mission, I have heard testimonies of women human rights defenders who have received threats on social media as a result of their advocacy in support of women who are exposed to vulnerabilities as single mothers, living in poverty or survivors of domestic violence ... It appears the most horrifying digital abuse is reserved for women with high visibility, who speak out or those deemed to be feminist. The remedies have lagged behind the abuse and the process of triggering follow up by police is often ineffective.

13. Women who experience greater intersectional inequality due to race, disability, age, sexual orientation, gender identity or socio-economic status often experience higher rates of domestic violence and face additional barriers to seeking help and support. In 2014–15 survey, for example, Aboriginal and Torres Strait Islander women reported experiencing physical or threatened violence in the previous 12 months at 3.1 times the rate of non-Indigenous women. The 2016 ANROWS study found that intimate partner violence accounted for 10.9% of the disease burden amongst Indigenous women aged 18 to 44 years — a rate of burden more than six times higher than amongst non-Indigenous women. Aboriginal and Torres Strait Islander women are also 32 times more likely to be hospitalised as a result of family violence-related assault than non-Indigenous women.

14. A 2006 report by the Commission identified ten key challenges in addressing family violence and abuse in Aboriginal and Torres Strait Islander communities: turning stated government commitments into concerted, long-term action; developing genuine partnerships with Indigenous people and ensuring their full participation in initiatives to address family violence; ensuring support for Indigenous community initiatives and networks which are already responding to family violence; providing human rights education to Indigenous communities; engaging
Indigenous men, including through avoiding harmful stereotypes; celebrating positive achievements and progress; reasserting Indigenous cultural norms and community structures to rebuild respect; ensuring robust accountability and monitoring mechanisms; changing the mindset of government from an approach which manages dysfunction to one that supports functional communities; and targeting program interventions to address need and overcome disadvantage. The Commission considers that these challenges remain relevant in the current context.

15. As noted in a recent report by Women With Disabilities Australia, ‘compared to their peers, women with disability experience significantly higher levels of all forms of violence more intensely and frequently and are subjected to such violence by a greater number of perpetrators. Their experiences of violence last over a longer period of time, and more severe injuries result from the violence.’ The report also observed that the lack of a clear definition and conceptual understanding of violence against women with disability has hampered effective responses to the issue. Women with disabilities are 40% more likely than women without disabilities to be the victims of domestic violence, and more than 70% of women with disabilities have been victims of violent sexual encounters at some time in their lives.

16. For women from migrant and refugee backgrounds, cultural values and immigration status can enhance the complexities of family and domestic violence. Women from migrant and refugee backgrounds are generally less likely than other groups of women to report family and domestic violence, and may face additional barriers to safety for these women (for example, due to limited support networks in Australia or lack of knowledge of Australian law).

17. Whilst there are limits to current data on elder abuse, including physical violence and other forms of abuse against older women, available evidence suggests that older women are significantly more likely than older men to be victims of abuse. For some older women, experiences of family violence and sexual assault can represent ‘the continuation of a lifelong pattern of spousal abuse’. A recent study by researchers at La Trobe University found that the sexual assault of women over 65 occurs in a wide range of contexts and that older women can face violence from partners, family members and service providers on whom they may rely on for general care, health care and intimate care. The Federal Government has recently allocated funding for a prevalence study on violence against older women.

18. There is a lack of comprehensive data about the prevalence of family and domestic violence amongst in lesbian, gay, bisexual, transgender and intersex (LGBTI) communities in Australia; however, available research suggests that incidence rates are comparable to the general population. During a national consultation on sexual orientation, gender identity and intersex rights conducted by the Commission in 2014 and 2015, a number of participants in the Consultation raised concerns about the rates of family and domestic violence in LGBTI communities and the lack of inclusive services for LGBTI people.

19. Children are also victims of family and domestic violence. A 2008 study noted that 23% of all children had disclosed witnessing violence against their mother or stepmother. In the Personal Safety Survey, 31.1% of women who had experienced violence by their current partner and 47.6% who had experienced violence by a previous partner reported that children had seen or heard the violence. The Family Court and Federal Circuit Court of Australia report that ‘children who are exposed to family and domestic violence have higher levels of emotional and behavioural problems than children who have not’ and that ‘children who are in violent homes are also at a greater risk of physical abuse or having their physical and emotional needs neglected’.

5 Recent developments in Australia

5.1 National Plan to Reduce Violence Against Women and their Children
20. The National Plan to Reduce Violence Against Women and their Children 2010-2022 is a twelve-year plan which aims to coordinate actions across Australian jurisdictions to reduce levels of violence against women. The Plan seeks to achieve six national outcomes:

1. Communities are safe and free from violence
2. Relationships are respectful
3. Indigenous communities are strengthened
4. Services meet the needs of women and their children experiencing violence
5. Justice responses are effective
6. Perpetrators stop their violence and are held to account.

21. The National Plan sets out a framework for implementation through four three-year action plans. The Third Action Plan, for the period 2016–19, was released in October 2016. The Action Plan focuses on six priority areas: prevention and early intervention; Aboriginal and Torres Strait Islander women and their children; greater support and choice; sexual violence; responding to children living with violence; and keeping perpetrators accountable across all systems.

22. The Commission provided input during the development of the Third Action Plan, putting forward a number of suggestions for advancing and strengthening the National Plan:

- grounding the National Plan in a human rights framework which recognises that gender equality is the key to addressing violence against women and that gender inequality, discrimination, harassment and violence are all serious human rights violations
- implementing the National Prevention Framework developed by Our Watch (an independent organisation established under the National Plan to drive nationwide change in the culture, behaviours and power imbalances that lead to violence against women and their children) and continuing to resource the organisation’s capacity-building and coordination work
- extending successful school-based prevention initiatives, such as respectful relationships programs
- supporting and encouraging workplaces to introduce policies and programs and workplace entitlements for family and domestic violence leave
- resourcing the Commission’s national sexual harassment in the workplace survey (see Section 6.1 of this submission)
- building the evidence based to inform policy development on violence against women, including through funding the Australian Bureau of Statistics to gather data that supports policy on economic security for women and effectively resourcing ANROWS
- implementing the recommendations from the Commission’s Children’s Rights Report 2015, which focused on the impact of family and domestic violence on the human rights of children and young people
- supporting the development of mechanisms for better recording, monitoring and making recommendations on family violence deaths (see also Section 6.4 of this submission)
- strengthening independent monitoring and evaluation systems of the National Plan
- incorporating into the National Action Plan lessons from the comprehensive Victorian Royal Commission into Family Violence (see Section 5.3 of this submission)

The Third Action Plan included specific actions relating to the implementation of the National Prevention Framework, respectful relationships education and ANROWS’ research on perpetrator interventions. The Action Plan also stipulates that working groups will be
established to progress and monitor key actions, and that an external evaluation of the achievements and outcomes of the Action Plan will be undertaken in 2019. 

5.2 Relevant Federal Government inquiries

24. In November 2015, the Senate Finance and Public Administration References Committee commenced an inquiry into domestic violence and gender inequality in Australia. The terms of reference of the inquiry focused on:

- the role of gender inequality in all spheres of life in contributing to the prevalence of domestic violence
- the role of gender stereotypes in contributing to cultural conditions which support domestic violence
- the role of government initiatives at every level in addressing the underlying causes of domestic violence.

25. In its submission to the inquiry, the Commission highlighted the following issues:

- strategies and programs to prevent violence against women through addressing behaviours, attitudes and negative stereotypes of women and girls
- the need for specific protections against adverse treatment resulting from experiences of family and domestic violence
- the need to address the intersectional causes of domestic violence as it affects at-risk groups, including lesbian, gay, bisexual, transgender, gender diverse and intersex (LGBTI) people, people from migrant and refugee backgrounds, children, people with disabilities and Aboriginal and Torres Strait Islander people
- the specific impacts of family and domestic violence on children and the implementation of recommendations made in the Commission’s Children’s Rights Report 2015 (see Section 6.5 of this submission)
- the manifestation of domestic violence and gender inequality in a workplace context and the need for workplace entitlements, policies and programs to support victims/survivors of domestic violence (including the introduction of paid family and domestic violence leave)
- coronial approaches to family and domestic violence homicides.

26. The Committee was due to report its findings in August 2016. However, due to the calling of a Federal election in May 2016 and subsequent dissolution of both houses of Parliament, the inquiry lapsed and has not been re-established. The Committee is currently undertaking a new inquiry into gender segregation in the workplace and its impact on women’s economic equality, which is due to be completed in March 2017.

27. In December 2015, Joint Committee on Law Enforcement initiated an inquiry into human trafficking. The terms of reference of the inquiry focused on:

- the prevalence of human trafficking in Australia
- the role and effectiveness of Commonwealth law enforcement agencies in responding to human trafficking
- practical measures and policies that would address human trafficking
- the involvement of organised crime in human trafficking
- the extent to which human trafficking is facilitated by migration visas, technology and false identities
28. In its submission to the inquiry, the Commission highlighted the following issues:

- the importance of a human rights-based approach to addressing trafficking and slavery, including the ratification of relevant international Conventions and Protocols
- the need for independent oversight mechanism to monitor and review the implementation of the National Action Plan to Combat Human Trafficking and Slavery
- support for survivors to trafficking and slavery, including the development of a federal compensation scheme, the extension of preventative and protective orders to adults at risk of forced marriage and the implementation of specific measures to support child survivors
- the regulation of trafficking and slavery within supply chains and the development of a National Action Plan on business and human rights
- the exploitation of migrant workers and the need to establish a national licensing regime for labour hire businesses in specific industries with a high risk of people on temporary work visas being subjected to trafficking and slavery

29. The trafficking inquiry also lapsed at the dissolution of Parliament in May 2016, but was re-initiated in October 2016. At the time of writing, the Joint Committee on Law Enforcement was accepting submissions to the inquiry with a closing date of 27 January 2017.

5.3 Relevant state government inquiries

30. In 2014, the Queensland Government established the Special Taskforce on Domestic and Family Violence in Queensland. The Taskforce was requested to ‘examine Queensland’s domestic and family violence support systems and make recommendations to the Premier on how the system could be improved and future incidents of domestic violence could be prevented’.

31. The Taskforce’s report, submitted to the Premier in February 2015, included 140 recommendations relating to the protection of at-risk groups, prevention of violence, improvement of service response and enhancement of the law and justice framework. In August, the Queensland Government issued a response to the report accepting all 121 recommendations directed at government and supporting the remaining 19 recommendations directed at non-government bodies. The Taskforce’s recommendations informed the development of the Queensland Government’s Domestic and Family Violence Prevention Strategy.

32. Also in February 2015, the Victorian Government established a Royal Commission into Family Violence. The Royal Commission was requested to inquire into and report on how Victoria’s response to family violence can be improved and to provide practical recommendations to stop family violence.

33. The Royal Commission delivered a comprehensive report in 2016, including 227 recommendations across a wide range of areas: risk assessment and management, information sharing, specialist family violence services, safe accommodation, children and young people’s experiences of family violence, the child protection system, sexual assault, pathways to services, the role of the police, court-based responses, offences and sentencing, perpetrators, the role of the health system, recovery from violence, restorative justice, adolescents who use family violence, the family law system, family violence-related deaths, measures for addressing the diverse needs of specific groups, prevention, the workplace, governance, data, research and evaluation, industry planning, and resource and policy investment.

34. The Commission has recommended that the lessons from the Royal Commission be incorporated into the National Plan to Reduce Violence Against Women and their Children.
5.4 Family and domestic violence leave

35. Women who experience family or domestic violence may face adverse treatment in the workplace that is specifically related to their experiences of violence. For example, they may be denied leave or flexible work arrangements to attend violence-related matters, such as moving into a shelter; they may have their employment terminated for violence-related reasons; or they may be transferred or demoted for reasons related to violence.[5] This treatment can exacerbate the costs and consequences of family and domestic violence.[6]

36. As of 2013, over one million employees could access leave and other protections made available through domestic violence clauses in the agreement or award conditions.[7] All Australian governments (except for Western Australia), have introduced domestic violence protections for their public servants, some of which include paid leave.[8] Many Australian businesses also provide for family and domestic violence leave within company policy.[9]

37. Australia’s Fair Work Commission is required to review all modern awards every four years.[10] As part of a review currently underway, the Australian Council of Trade Unions is seeking variations to all modern awards to insert specific provisions relating to family and domestic violence leave.[11] The Commission made a submission to the review in October 2016, supporting the introduction of paid family and domestic violence leave in all modern awards.[12]

6 The Commission’s work on violence against women

6.1 Sexual harassment surveys and resources

38. Since 2003, the Commission has conducted three national telephone surveys on workplace sexual harassment. The aim of these surveys is to provide robust evidence on the prevalence, nature and extent of sexual harassment in Australian workplaces.

39. The most recent of the Commission’s sexual harassment surveys was conducted in 2012. The survey found that just over one in five (21%) people in Australia had been sexually harassed since the age of 15, with the majority (68%) experiencing this harassment in the workplace.[13] Just over one in five (21%) people aged 15 years and older had experienced sexual harassment in the workplace in the past five years.[14]

40. The survey also found that sexual harassment affects more women than men. One-third of women (33%) had been sexually harassed since the age of 15, compared to fewer than one in ten (9%) men.[15] A quarter of women (25%) and one in six men (16%) aged 15 years and older had experienced sexual harassment in the workplace in the past five years.[16] Nearly four out of five (79%) harassers were men, and most women (90%) said that their harasser was male.[17]

41. The most common types of behaviours reported were sexually suggestive comments or offensive jokes (55%), intrusive questions (50%) and inappropriate staring or leering (31%).[18] Harassers were most likely to be a co-worker (52%) of the person harassed, followed by their boss or employer (11%) and their supervisor or manager (11%).[19]

42. The results of the survey indicated that awareness of sexual harassment remains limited, and many people who are sexually harassed do not report it or seek support or advice. Almost one in five (18%) respondents indicated that they had not been sexually harassed based on the legal definition, but went on to report experiencing behaviours that are likely to constitute unlawful sexual harassment.[20] Only one in five (20%) respondents who were sexually harassed made a formal report or complaint, and just one-third (29%) sought support or advice.[21]

43. In 2014, the Commission – in partnership with the Australian Council of Trade Unions and the Australian Chamber of Commerce and Industry – jointly launched a national strategy designed to raise awareness about sexual harassment in the workplace. The strategy, *Know Where the Line Is*, aims to increase understanding about the types of behaviour that can constitute sexual harassment; inform Australian employers of their legal obligations around preventing and
responding to sexual harassment in the workplace; and encourage bystanders to support colleagues who experience sexual harassment.

44. The Commission developed a range of resources for the Know Where the Line Is strategy, including information packs for employees and employers, posters, infographics, promotional artwork, and videos for use in workplace training and information sessions. These resources are freely available for download from a dedicated strategy website. [44]

45. The next national workplace sexual harassment survey is due to be conducted in 2017.

6.2 Collaboration for Cultural Reform in Defence

46. In 2011, the Commission was engaged by the Australian Government to conduct a review of the treatment of women in the Australian Defence Force (ADF) Academy. [45] The review was announced following a widely-publicised incident of inappropriate behaviour, which ultimately led to the conviction of two Australian Defence Force cadets for criminal offences. [46] The review was led by then Sex Discrimination Commissioner Elizabeth Broderick.

47. The Commission published four reports as part of the review. The first report focused on the treatment of women at the ADF Academy. [47] The second report focused on the treatment of women across the entire ADF, including the effectiveness of cultural change strategies and initiatives required to improve leadership pathways for women. [48] Both reports made a series of recommendations to provide a safe, supportive environment for women and increase the participation of women in the ADF. The final two reports audited the implementation of recommendations. [49]

48. Since 2014, the Commission has been working in a collaboration relationship with the ADF, to encourage cultural reform and enhance the participation of women. This builds on cultural reform initiatives in Pathway to Change, an implementation strategy for cultural change across the Australian Defence Force. [50] Specifically, the Commission examines issues around gender, race and diversity, sexual orientation and gender identity and the impact of alcohol and social media on the cultural reform process.

49. In consultation with Defence, the Commission has developed a work program which includes a range of visits to bases and some extended research projects. Visits to bases include discussions with Command, interviews and focus groups with personnel, analysis of data and some observation of activities. The Commission has consulted with around 2,000 Defence personnel about their experiences since the collaboration commenced in 2014.

6.3 University sexual assault and sexual harassment project

50. In 2015, the National Union of Students conducted a survey of the experiences of women university students in Australia, focusing on a range of issues including accommodation, safety, student services, sexual assault, harassment and economic issues. [51] The survey revealed concerning evidence about the prevalence of experiences of sexual harassment and physical and sexual assault by female university students.

51. Over 70% of respondents to the survey reported experiencing some form of sexual harassment or unwelcome sexual behaviour, 15.7% reported experiencing some form of physical mistreatment, and 27% had reported experiencing some form of sexual assault while enrolled at their current university. [52] The vast majority of respondents who had experienced harassment or assault did not report the incident to their university or the police. [53]

52. In 2016, Australia’s 39 universities launched a campaign – Respect. Now. Always. – to prevent and address sexual assault and harassment. The campaign aims to raise awareness of sexual assault, sexual harassment and support services for students; obtain data to guide further improvement in university policies and services; and assist universities in sharing global best practice resources across the sector. [54]
As part of this campaign, the Commission has been asked to conduct an independent survey of sexual assault and sexual harassment of university students. The survey aims to provide clear data and evidence on the prevalence, nature and reporting of sexual assault and sexual harassment at Australian universities, and examine the effectiveness of services and policies aimed at addressing sexual assault and sexual harassment on campus.

The national survey was conducted in 2016, with a representative sample of students from all 39 Australian universities selected to participate via their student email. The Commission also issued a call for submissions from anyone who wished to express a view about sexual assault or sexual harassment at university, including current and former students, staff and parents. It is expected that the Commission will present a report on the findings of the survey and submissions in early 2017.

6.4 Domestic and family violence death review mechanisms

Australia does not have national data on domestic and family violence deaths because not all jurisdictions have Domestic and Family Violence Death Review Teams. The Commission will soon release a new report which highlights the importance of the domestic and family violence death review process, identifies the steps needed to expand this function to jurisdictions which currently lack it, and proposes measures to ensure national coherence of data on domestic and family violence deaths.

The report also outlines work that the Commission will undertake in coming months to identify mechanisms for addressing the national data collection needs identified in the report, and for ensuring that death review processes exist in all states and territories. The Commission would be happy to provide a copy of this report to the Rapporteur after it has been publicly released.

6.5 Children’s Rights Report 2015

As part of her statutory obligations, the National Children's Commissioner is required to submit a report to federal Parliament each year on the enjoyment and exercise of human rights by children and young people in Australia. The 2015 Children’s Rights Report focused on the impact of family and domestic violence on the human rights of children and young people.

The Report presented the findings of a national investigation involving a series of expert roundtables, individual consultations and a submissions process. It made 14 recommendations on children and family violence, relating to data collection and research, the inclusion of children in policy frameworks for responses to family and domestic violence affecting children, and support provided by the Family Court system for children who been affected by family violence.

In the Report, the National Children’s Commissioner provided custom data obtained from the Australian Bureau of Statistics, based on the 2012 Personal Safety Survey and the Recorded Crime – Victims publication. Much of this data was previously unpublished and provides insights into how certain subpopulations of children, such as girls, experience family and domestic violence.

The custom data from the Personal Safety Survey provided prevalence estimates about the number of Australian men and women aged over 18 years who first experienced physical abuse and sexual abuse before the age of 15. It was estimated there were 839,400 adult women who first experienced physical abuse by a family member as a child aged between zero and 14 years; and 515,200 adult women who first experienced sexual abuse by a family member as a child aged between zero and 14 years.

The Personal Safety Survey data highlighted the vulnerability of young girls aged between four and nine years to experiences of family and domestic violence, particularly from male perpetrators. For example, of the 431,900 female children aged zero to 14 years whose first incident of physical abuse was perpetrated by their father, 246,900 (57.2%) were aged between four and nine years when the incident occurred. Similarly, of the 150,700 female children aged
zero to 14 years whose first incident of sexual abuse was perpetrated by their father or stepfather, 62,700 (41.6%) were aged between four and nine years when the incident occurred.

62. The custom data obtained from Australian Bureau of Statistics’ Recorded Crime – Victims publication revealed that female children aged 15 to 17 years accounted for a significant proportion of child victims of physical assault and sexual assault who reported the offender was their partner.[91] Evidence gathered by the National Children’s Commissioner through roundtables and written submissions also indicated that an increasing number of female children aged 15 to 17 years are experiencing and seeking help for violence perpetrated by their partners.[92]

63. In the Report, the National Children’s Commissioner recommended that the Australian Bureau of Statistics Personal Safety Survey should extend its collection of information from men and women aged 18 years and over about their experiences of abuse from the ages of zero to 15 years to the ages of zero to 17 years.[93] The Commissioner also recommended that the next ANROWS Research Program should include research into female children aged 15 to 17 years affected by family and domestic violence.[94]
A Woman’s Worst Nightmare – PBS Documentary

http://www.pbs.org/kued/nosafeplace/about/program.html

Margaret Atwood: “Men are afraid women will laugh at them. Women are afraid men will kill them.”

Senator Joseph Biden: "The single greatest danger to a woman's health is violence from men. Something is sick in our society."

Each year in the United States two million women are beaten by their partners, and more than half a million women report being raped or sexually assaulted. For more than a year KUED-Channel 7 producer/director Colleen Casto and writer Mary Dickson went behind the headlines to explore the roots of violence against women. Their powerful documentary film tells the moving stories of women who have been battered, assaulted, and raped, as well as the stories of men who commit these crimes. Also featured are interviews with several nationally recognized experts who look at causes and solutions.

The film, which has already won several prestigious awards including a Gold Award from the Houston Worldfest International Film Festival, stresses that while women may be afraid of strangers, it is the most intimate of strangers -- a husband, a lover, a boyfriend -- who is likely to hurt them. According to a U.S. Justice Department study, two-thirds of violent attacks against women are committed by someone the woman knows, and three-fourths of rapes and sexual assaults are committed by a man the woman knows.

Because of the intimate nature of these crimes, many people fail to realize how widespread they are. As the program’s producers conducted research, they were disturbed by how many women they met -- and knew -- who had been touched in some way by violence. “It was so disturbing,” says No Safe Place writer and co-producer Mary Dickson. “It seemed that everyone had a story to tell. Co-workers, relatives, friends, and acquaintances who had never told their stories to anyone started sharing their experiences with us. We kept a file of clippings about the abuse women suffer at the hands of men. Sometimes stories appeared daily, often with two or more in the same paper. Our files so soon started to bulge that we soon gave up adding any more disheartening evidence.”

More than a recitation of the grim statistics, however, No Safe Place offers a thoughtful examination of the origins of violence against women, looking at the biological, sociological, cultural, and historical factors involved. The program includes interviews with feminists such as writer Gloria Steinem and Patricia Ireland, director of the National Organization of Women, who show how violence against women has been allowed and accepted throughout history. They argue that violence against women can be traced to a 2,000-year-old culture that encourages male domination. Biological anthropologists such as Michael Ghighieri, on the other hand, say that testosterone acts as a kick-starter for male aggression, and that
violence is universal from species to species and culture to culture as a "male strategy." Jane Caputi, professor of American Studies at Florida Atlantic University and author of The Age of Sex Crimes, explores the media's role in perpetuating violence against by portraying it as normal.

The documentary also features an element that is often missing in explorations of violence against women -- interviews with perpetrators who give insights into why individual men hurt women. The answers are as complicated as the men themselves, although most violent men seem to be driven by anger and a need to control.

"We were very careful in our representation of men," says Dickson. "Almost all violence committed against women is at the hands of men. But we wanted to stress that the vast majority of men -- honorable men -- don't hurt women."

Michael Kimmel, professor of men's studies at the State University of New York, author Robert Bly, and Denise Brown, sister of the late Nicole Brown Simpson, are among those discussing possible solutions.

"We don't pretend to have the answers," says No Safe Place producer/director Colleen Casto. "The answer lies within each of us. It's a matter of what we will or will not tolerate as individuals, as communities, and as a nation to allow our daughters, our sisters, our mothers, and all the women in our lives to walk alone without fear."
CONFIDENTIAL REPORTS

ITEM-14  CON 24/07/18 - RELOCATION OF COUNCIL CHAMBER TO 12 STEWART AVENUE

REPORT BY: INFRASTRUCTURE AND PROPERTY
CONTACT: DIRECTOR INFRASTRUCTURE AND PROPERTY / INTERIM MANAGER ASSETS AND PROJECTS

REASON 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)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

- 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) 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:

- Section 10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
B The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.

C The matter relates to estimated fit-out costs which are contained in the report. The release of such information would prejudice a good commercial outcome from a fit-out tender.
ITEM-15 CON 24/07/18 - TENDER FOR STOCKTON BEACH HOLIDAY PARK MANAGEMENT SERVICES

REPORT BY: INFRASTRUCTURE AND PROPERTY
CONTACT: DIRECTOR INFRASTRUCTURE AND PROPERTY / INTERIM MANAGER PROPERTY

REASON 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.

GROUND FOR CLOSING PART OF THE MEETING

In respect to Section 10D(2) 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 Management & Operation of Stockton Beach Holiday Park for Contract No. 2018/380T.

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.