

29 July 2020

# **Newcastle Ocean Baths**

## **Community Reference Group**

**Focus group on Café/Kiosk and Community Spaces  
Summary report**



**City of  
Newcastle**

This report outlines discussions from an online focus group on the café/kiosk and community spaces at Newcastle Ocean Baths, held with community reference group (CRG) members on 5 – 6pm Wednesday 29 July 2020, via Zoom.

Participants included:

Amber Moncrieff, community member  
Peter Wickham, Friends of Newcastle Ocean Baths  
Mark Metrikas, National Trust  
Karen Read, Newcastle East Residents Group  
Robert Faraday, representative of the local business  
Rod See, community member  
Peter Shields, community member

Caitlin Brookes, Project Manager – Engagement, Coastal Management (Co-Facilitator)  
Natalie D'Arcy, Community Engagement Coordinator (Co-Facilitator)  
Glen Mahood, Manager Property & Facilities (Observer)  
Matthew Blandford, Senior Project Planner (Observer)  
Meaghan Bennett, Project Planning Coordinator (Observer)  
Nick Kaiser, Media & Stakeholder Relations Manager (Observer)

### **Apologies**

Joseph Popov, Access Advisory Committee representative  
Ross Taggart, community member

The session was an opportunity for CRG members to share their views and discuss the café/kiosk and community spaces at a renewed Newcastle Ocean Baths site.

The purpose of the focus group was to discuss and expand on the previous community engagement feedback where we saw an appetite to improve the existing café/kiosk offering at the Baths, and how community spaces at the Baths could be used.

The focus group broadly followed the discussion guide included in Appendix I. Notes were captured via an online whiteboard (Miro).

The whiteboards and other notes taken during the focus group are included in this report. Additional information/correspondence received from focus group participants after the session are included in Appendix II.

The feedback from the focus group will help feed into the co-design workshops later in the year, where the objective will be to develop concepts that will be put out for broad community review and feedback.

### *Speaking notes on community spaces*

When talking about community spaces, CN refers to these as bookable spaces that can be used by the broad community for a variety of purposes. The City owns and operates 15 community centres and halls in the Newcastle local government area. They are able to be booked by community groups or individuals for recurring use or by the public for one off purposes. A list of comparable venues can be found on [CN's website](#).

CN's aim is to ensure these spaces are made available to all to foster a thriving community where inclusion is embraced, everyone is valued and has the opportunity to contribute and belong.

To facilitate this, spaces are bookable and are not leased or licenced to a select group so that CN can maximise utilisation and provide fair and equitable use by the community. They're used for a range of purposes such as classes, community meetings, family or social gatherings, and craft sessions just to name a few. Bookable community spaces don't have to be just indoors. For example, shelters with BBQs and power are available to hire at Blackbutt Reserve.

The closest facility to the Newcastle CBD is about 5km away (see [CN's website](#)) and the Greater Newcastle Metropolitan Plan predicts an additional 4,000 dwellings in the City Centre by 2036. CN views the addition of a community hire facility at NOB as presenting an opportunity for interested groups to undertake social activities within a beach-side setting close to the city centre.

## Summary - What we heard about the Café/ Kiosk and Community Spaces

### General feedback

- Opinion on inclusion of community spaces was mixed. Some participants were open to the inclusion of multifunctional community spaces at the Baths, while protecting the primary use of the baths as a swimming facility to be enjoyed by all. Other participants did not support the inclusion of such spaces or felt they should only be used for purposes directly relating to swimming (i.e. swimming clubs).
- Other items raised included:
  - Questions over the definition of a café/kiosk<sup>1</sup>
  - Seeking out the perspectives of the current café/kiosk operator and patrons

### Café/ Kiosk

- The Café/Kiosk is valued for:
  - The dual frontage / open access
  - Suitable for baths users (i.e. after having a swim)
  - An attraction for walkers, cyclists and swimmers
  - The current price point
  - The current size
  - Current location protects it from the wind
  - Opportunity to takeaway food and eat on the bleachers
- Areas of improvement included:
  - Location - could be relocated to allow for parent's supervision of children bathing in the Canoe Pool, overlooking the pool and to fully enjoy the site's attractive features.
  - Some said size could be increased, however should consider the location and impact on the sites' main thoroughfares. Others were not supportive of increasing the footprint of the kiosk, though accepted the outdoor platform could be moderately expanded.
  - Consider restrictions on parking and time restrictions on parking.
  - Consideration of the café/kiosk's operator's perspective and patrons
  - Need to modernise but maintain the charm and distinctiveness of the Baths
  - Shade and additional seating

### Community Spaces

- Current community spaces are valued for:
  - Being accessible to all
  - Non-allocated seating for café/kiosk users and bathers
  - Its distinctiveness and tourist attractiveness
- A number of participants appeared supportive that the Baths should include community spaces. Some participants felt that these spaces should only be used for purposes relating to swimming (e.g. swimming clubs), others felt a range of other uses could be accommodated. All agreed any use of community spaces should not

impinge on public access for swimming. All agreed that the Baths need to remain accessible for all.

- Suggested uses of community spaces:
  - Swimming clubs
  - Functions
  - Picnics (including evening picnics)
  - An accessible gym on the first floor
  - Yoga
- Other comments about community spaces included:
  - Opportunity for a multipurpose community space, defined by use and not a permanent function space.
  - Some participants indicated they would not want people watching them from a community space while they swam.
  - Some participants indicated they were comfortable with a function space, though limit to night time so as not to impede on the primary use of the bath for swimming and bathing.
  - Limit the capacity of large-scale events
  - Consider parking impacts with the space being utilised for different uses
  - Consider the return on rates to the ratepayer
  - The 'Coldies' and 'Pirates' swimming clubs having had, until recently, access to use a community room at NOB.
  - The whole of the Baths is regarded as a community space.

### **Focus group – whiteboards and notes.**

#### **Cafe/ Kiosk - The current offering ....**

|   |  |   |   |   |   |
|---|--|---|---|---|---|
| A major attraction for walkers/ cyclists/ swimmers                                      | Current location gives it some protection.   | Can access on the front and pool side (preferable)  | Is suitable for baths users   | Food offering (quick take-away) is good for baths users   | <ul style="list-style-type: none"> <li>○ What works / What do you like about it?</li> </ul> |
| Orientation towards the pool could be improved  | Parking should be used for bath users. Consider timed and restrictions on parking. | Current / new operator - profit factor. Winter/summer months patronage. Hours of operation, consistent with the pool operating hours. | Option to locate on the southern side. Allows families to easily supervise. | <ul style="list-style-type: none"> <li>○ What doesn't work / What could be improved?</li> </ul> |   |
| Relocate to a better location where people can enjoy to the maximum extent of the site. | Locating where main throughfare is not impeded by customers of the kiosk.          | Not against increase in size  |   |   |   |

#### Additional / expanded responses to the Miro whiteboard

- The current offering
  - What works / What do you like about it?
    - Takeaway food
    - Current elevation gives it some protection from high seas

- Dual frontage gives people an option to go to either frontage when considering weather conditions
  - Food is good for baths users
  - Quick food options
  - Smaller footprint is good
  - Can go there dripping wet
  - Serves a worthwhile function for visitors to the Baths
  - Parents and kids accessibility
  - Seasonal trade
- What doesn't work / What could be improved?
    - Consider locating the kiosk away from main thoroughfare into the baths – possibly on the southern side
    - Is there a better location where people can enjoy this amazing site? Locate at end to look over Baths and Canoe Pools
    - Changes needed to parking
    - Should be re-oriented to face pools
    - Danger in making it bigger, then it becomes a destination in itself, which could have an impact on parking
  - Other suggestions
    - Definition of a café/kiosk needs reviewing
    - Look at it from perspective of patrons and operators
    - Recommendation to engage with the current operator

## Cafe/ Kiosk - Physical elements

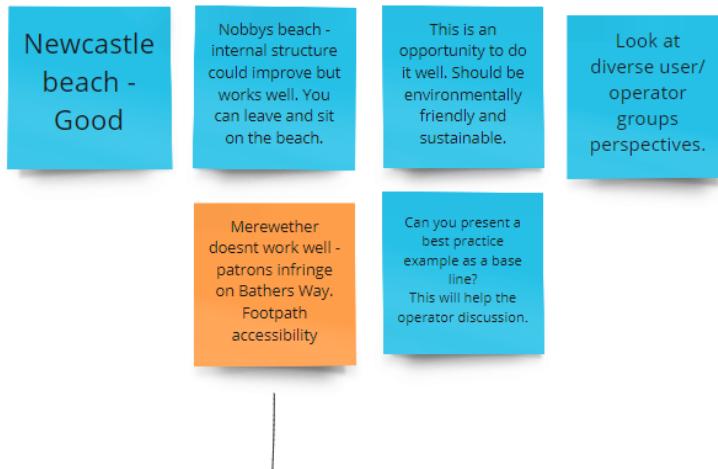
|  |  |   |  |   |
|--|--|---|--|---|
| Can be brought into the modern era.      | Dual frontage is good in COVID-19 times.   | Could increase seating on pool side, but without compromising the pool space. | Dual - frontage both cafe/kiosk tenant and patrons will benefit.                   | <ul style="list-style-type: none"> <li>○ Dual frontage - is it required?</li> <li>○ Optimal location?</li> <li>○ Size?</li> <li>○ Fixed or flexible seating / shade etc?</li> </ul> |
| Southern location suggested as an option | Location protects kiosk. If located at the southern side you need to consider high winds impact. | Prefer not to increase size, need more shade and increase seating.            | Not necessary have seating outside kiosk/cafe as patrons can eat on bleachers etc. |   |

### Additional / expanded responses to the Miro whiteboard

- The physical elements
  - Dual frontage - is it required?
    - Dual frontage been good during COVID, needed.
  - Optimal location?
    - Location protected where it is, southern side too windy

- Stay where it is, platform can be extended don't want to take away space for people who use the pool
- Away from main thoroughfare, possibly at southern end closer to Canoe Pools with dual frontage to the Baths
- Size? Fixed or flexible seating / shade etc?
  - Not really looking to increase size, but increasing platform seating OK and more shade
  - It's old, worn out and drab.

## Cafe/ Kiosk - other examples?



## What could community space at the Baths be used for?

| Acoustic music | Swimming clubs - historical use   | Rooms used by swimming clubs aren't currently available | Owe some return to the ratepayer | Night time use                        |
|----------------|---|---|----------------------------------|---------------------------------------|
| Meetings       | Multipurpose but defined in terms of use. E.g. not a permanent function space | Smaller uses - don't impinge on core use                | Function room                    | Picnic, inc evening picnics. Informal |
| Parking        | Limit bigger events   | Precedent at Empire Park                                | Needs to be accessible to all    | Gym equipment                         |

### Additional / expanded responses to the Miro whiteboard

CN opened the discussion by describing community spaces as bookable spaces that can be used by the broad community for a variety of purposes, that are not leased or licenced to a select group to provide fair and equitable use by the community. CN outlined that the closest community facility to the Newcastle CBD is about 5km away, and with population in the city centre set to grow, CN views the addition of a community hire facility at NOB as presenting an opportunity for interested groups to undertake social activities within a beach-side setting close to the city centre. CN also noted that bookable spaces could be indoors or outdoors.

- If open to yoga classes etc, consider the parking issues at expense of bath users.
- Would like to see a multipurpose facility but defined in terms of uses. Don't want to see a permanent function centre where there is a wedding on all the time. Don't think that's what intended at the site. Could have events during the day of up to 20 people, then at evening a larger no. of people so it didn't impact on daily users. Previously there was a Facon event held on the site with up to 250 staff and they had to bring in a generator, equipment etc. Needed a better facility for this purpose.
- When considering hiring out space need to consider whether it impinges on the core use of the pool. The reason families go to the Baths is to swim and the drawcard is for water activities.
- Exercise and yoga groups are good. Council owes some return to the ratepayer. If some of those spaces can be hired out.
- Once you build it, its intended to last for 100 years or more. It's important to get it right. Ground with a 1<sup>st</sup> floor level is a good scope I'd put in a function room. (*This was supported by some other participants*)

- Lots of people hold picnics at the evening at the baths. It's very informal, don't think it needs to be formalised.
- Needs to be accessible to all, Newcastle East residents, the swimming community etc. Prefer a multi-faceted/layered facility. Obligation on operator to stock and sell an affordable food offering. Can't be elitist. Don't get to claim dibs on specific seating, it's good if people eating can eat anywhere. Can put freely accessible gym equipment or a second level. It's fundamental it's a community asset. I'm lucky to be operating a community asset and doing something our City can be proud of.
- It needs to be publicly accessible.

**Other discussion/comments**

- Can the discussion notes be sent out earlier. Need to talk to other community members and I can't get feedback from the group quickly so need these points in advance so I can discuss it with people.  
*CN - agreed discussion guides will be circulated earlier in advance of meetings.*
- Can you update us where exactly Council is at this point in time? Don't doubt Council has a view on likely outcome and budget? Read somewhere project likely to be funded by the sale of other assets? Is it contingent on the sale of those assets?  
*CN - Proceeds from the recent sale of other CN assets have been flagged to partly fund the baths renewal project. CN has committed to fully fund the upgrade. It's a long consultation process. The CRG was established just as COVID hit so we had to pivot. Pools and stage 1 are progressing and we envisage by the end of this year, co-design will be well underway for Stage 2 (Pavilions). Information gained from focus groups is very valuable in preparing for co-design.*
- Is it not in scope for project parking? Can you look at smart parking?  
*CN- The car park is included and we can look at ways to improve car parking as part of this project.*
- Will there be input from structural engineers who know this site, know the constraints? E.g. extreme weather constraints make it impossible.  
*CN - There will be input from structural engineers and architectural experts during the codesign process.*

**The next CRG meeting is to be held in mid-August**

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## Appendix I – Discussion guide

### Café/Kiosk (20mins)

The current offering

- o What works / What do you like about it?
- o What doesn't work / What could be improved?

The physical elements

- o Dual frontage - is it required?
- o Optimal location?
- o Size?
- o Fixed or flexible seating / shade etc?

Other examples

- o Good examples
- o Not so good examples

### Community spaces (20mins)

CN to open discussion with description of community space and outline community space currently at the Baths and how it's used

What could community space at the Baths be used for?

- o Think about how people use the baths currently – top three uses are swimming, family or social outing and getting something to eat

Other examples?

## **Appendix II – Submissions and feedback for focus group**

Email from Rod See (29/07/2020)

Hunter Regional Committee National Trust (Mark Metrikas, 11 August 2020)

Newcastle East Residents Group (Karen Read):

28 July 2020

12 August 2020

Friends of Newcastle Ocean Baths Inc. (Peter Wickham)

26 July 2020

11 August 2020

Email from Rod See (29/07/2020)

# Café / Kiosk, Community Meeting 29 July 2020

## Notes & Comments from Rod See

### **What Works**

- 1) I think the Café Kiosk provided a very worthwhile function and is a major part of the leisure pursuits for many of the visitors to the Ocean baths. From my experience it's a major attraction for the many groups that I bring to the baths for a cycle / swim then breakfast and / or coffee, it really is a social outing.
- 2) The ambiance and view over the pool areas from the Cafe create a tranquil and peaceful setting for visitors.

### **What Doesn't work**

- 1) On many occasions the kiosk has a long que for orders and needs to be redesigned with an increased service and seating area.
- 2) There is insufficient sit down eating facilities externally to cater for demand. The external table and seating areas need to be increased in size

### Physical Element

#### **Dual Frontage**

- 1) Access both external and internal to the kiosk area with the dual frontage is needed as it better serves not just the swimming fraternity but also external patrons. It also makes the kiosk rental more viable for a tenant. The dual access to the Newcastle Beach kiosk seems to work well.

#### **Location**

- 1) I don't have an major issue with the location of the existing kiosk, however I suggest a potential site to be looked at is the southern section of the building where clear views over Newcastle beach could be obtained. Parking would need to be short term & increased.

#### **Size**

- 1) As mentioned I would like to see more seating and table facilities provided.

#### **Seating & Shade**

- 1) Flexible seating would be desirable as it gives options to demand, safe storage of flexible seating should also be considered.
- 2) Shaded areas for seated eating is necessary for comfort and health reasons.

#### **Community Spaces**

- 1) Possible internal multi purpose community spaces for Exercise, Social & Yoga groups.
- 2) Safe cycle racks needed within view of pool areas.

**NB – I'm in favour of other commercial development occurring on site such as a function centre. I think Council owe some return to its ratepayers for the dollars spent on this project.**

**Rod See 29/7/2020.**

Hunter Regional Committee National Trust (Mark Metrikas, 11 August 2020)

Hunter Regional Committee  
PO Box 791  
HAMILTON NSW 2303  
[metrikas1@gmail.com](mailto:metrikas1@gmail.com)

11 August 2020

City of Newcastle

**Attn:** [oceanbaths@ncc.nsw.gov.au](mailto:oceanbaths@ncc.nsw.gov.au)

#### OCEAN BATHS CRG FOCUS GROUP – ‘COMMUNITY SPACES & KIOSK’

The Hunter Regional Committee of the National Trust (HRCNT) is committed to advocating for the restoration of the Newcastle Ocean Baths in accordance with the *Ocean Baths, Newcastle: Conservation Management Plan* (CMP), 2002, underpinned by the conservation principles laid out in the *Burra Charter*.

Our feedback below responds to the proceedings of the Community Reference Group (CRG) focus meeting held 29 July 2020.

#### Community rooms/spaces-for-hire

There appears to be no demonstrable need for a dedicated community room/s. The CN Ocean Baths community engagement surveys and polling indicated low support for ‘community rooms’: in the range of 37-51%. In part, this might reflect limited common understanding of the scope and rationale for these rooms. Had the question been posed in terms of ‘function rooms for hire’: respondent support may have dipped below 10%. Our Committee is disappointed that the discussion guide for the focus group session, switched the focus from ‘community rooms’ to ‘hire-able community spaces’ only on 29 July: hours before the meeting. CN’s interest in hire-able rooms is not shared by the Community. Our Committee consider ‘community rooms’ to be modest spaces suitable for community group committee meetings.

CN has never indicated what such facilities could be used for, but Council’s earlier intentions – revealed in the November 2019 EOI – remain a source of concern. The GWD-Woodhead first-floor concept plan shows two rooms, with **112** seats around 14 tables in ‘Community Room 2’. The adjacent ‘Community Room 1’ is conveniently situated as a wedding reception dancefloor, with commanding views over the baths and coastline to the south. The concept plan also indicates the position of: a bar/kitchen, table store, toilets for function guests and two outdoor decks.

It is inconceivable that *GWD-Woodhead* developed these concept plans without some guidance from CN. However, CN’s guidance to potential proponents was considerably more modest, indeed at odds with *GWD-Woodhead*’s vision. CN’s *Ocean Baths EOI* (p 23) only specified that the proponent had to include a ‘community space/meeting room at least **100m<sup>2</sup>** including: sink with hot water & cupboard storage’. This could easily be satisfied by the adaptive re-use of extant spaces such as the vacant and spacious Managers’ Apartment, or the 2-storey southern swimming clubrooms.

A community space of the size (>300m<sup>2</sup>) and amenity depicted in the *GWD-Woodhead* renders and concept plan, is far beyond the hiring price-point and need of most not-for-profit community groups. There is also a surfeit of Council and private hire-able rooms in the City Centre.

We are vehemently opposed to the inclusion of hire-able ‘community room/s’ that would, by design, serve primarily as an event/function centre. The erection of purpose-built ‘community rooms’ would compromise the cultural heritage values of the Ocean Baths.

The Reserve Purpose of the Ocean Baths Crown Reserve (Reserve No 570019) – gazetted in 1910 – is ‘public baths and public recreation’. As such, the entire Reserve is a ‘community space’, which should

not be alienated or monetised for commercial purposes. All facilities at the Ocean Baths should provide – first and foremost – for the amenity and inclusive benefit of patrons. If you can use the amenity wrapped in a towel, wearing dripping wet ‘swimmers’ – the amenity is probably fit-for-purpose!

The Ocean Baths CMP, 2002 (pp 20-21) identifies the enduring cultural heritage association between the Ocean Baths and swimming clubs. As such, it is fully appropriate that community rooms should be retained for use by swimming clubs, or a triathlon club. It is vital to the community’s cultural capital and pride that an embedded community organisation feels a ‘sense of ownership’ at the Baths. This is no different to the situation at Newcastle’s beach pavilions with embedded surf lifesaving clubs. Given that the northern swimming clubrooms were demolished in 2017, our Committee considers it appropriate to re-use the long-vacant Manager’s Apartment as a club-room.

**Definitions under NLEP 12.** CN staff will be familiar with these legal definitions from the LGA Act and the Interpretation Act 1997:

*community facility* means a building or place—

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

Our Committee fails to see how the hire of community rooms for private functions contributes to the development and welfare of the community. Further, ‘function centres’ are not permissible developments on Crown Reserves zoned RE1 – as demonstrated recently in the Land and Environment Court case: *Friends of King Edward Park Inc v Newcastle City*.

Given the broad definition of function rooms under the Act:

*function centre* means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

it could be argued that ‘community facilities’ designed with an intent of being hired for events and functions, are by definition, a ‘function centre’ and thus not permissible.

#### **Kiosk – re-use, re-orient and refresh**

Consistent with community engagement surveys, and the 2002 Ocean Baths CMP, there is scope to improve the appeal and functionality (‘offering’?) of the kiosk on its current footprint within the central building. This adaptive re-use could be achieved by reorientation of the kiosk to address the eastern upper concourse – providing better and safer access for patrons of the baths, Canoe Pool and the four picnic shelters.<sup>1</sup> A western serving window ‘hole in the wall’ could also cater for users of *Bathers Way* (walkers, cyclists, skaters). There is also scope to widen the raised outdoor ‘terrace’. Again, from NLEP12:

*kiosk* means premises that are used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, films and the like.

**Note.** See clause 5.4 for controls relating to the gross floor area of a kiosk.

Fundamentally, kiosks offer take-away service, without dedicated on-premise spaces to serve and consume food or drinks (see the NLEP 12 definition of ‘cafes’, which may also serve alcohol). The kiosk at the Ocean Baths primarily provides take-away amenity to pool patrons and thus is wholly consistent with the Reserve Purpose and the RE1 zoning. NLEP 5.4(6) notes that the Ground Floor Area (GFA) of a kiosk should not exceed 20m<sup>2</sup>.

<sup>1</sup> Given the carpark and narrow western footpath, the potential for conflict between cars, cyclists, and families using the Canoe Pool and picnic shelters, would be reduced if the primary kiosk service counter faces the poolside.

A refreshed and re-orientated kiosk should remain *in situ* on its current footprint for the following reasons:

- Adaptively re-uses the ground floor space of the central building, consistent with the conservation management plan and CN's Heritage Strategy. Retains the cultural heritage of the Ocean Baths pavilion. A central kiosk has existed since 1922.
- Reduces carbon emissions arising from the erection of a new facility.
- Offers considerable savings to CN and ratepayers compared to a new build kiosk or café in another location such as the northern or southern ends of the two pavilions.
- Central access is convenient to all pool patrons and users of *Bathers Way*. The shared *Bathers Way* diverges upwards alongside Shortland Esplanade, well away from any kiosk or café sited at the southern end of the pavilion.
- Does not reduce the current floorspace, siting and open-air amenity of the changerooms, and conserves the cultural significance of the pavilions through minimal impact of the current built form and fabric (consistent with the 2002 CMP). Does not reduce public outdoor space.
- The current location has no south-facing weather exposure (EOI p 23 required proponents to show how they would address weather protection from 'south-westerly winds in winter').

### Café proposition

We are resolutely opposed to the development of a café: anywhere across the Ocean Baths curtilage. A café introduces amenity beyond the needs of pool patrons and passers-by. The provision of an on-premise dining service, reduces the inclusive nature of the Ocean Baths, and the floor-space of the public domain. Outdoor café seating sited to 'capture views' to the north or south, further reduces the public domain (the promenade space enjoyed by pool patrons). Iconic views can be enjoyed from anywhere on the upper concourse and pool promenade – a fact appreciated by kiosk patrons. The need to 'reserve' views exclusively for café patrons is ridiculous. In NSW, no one can 'own a view' – views are to be shared, particularly at a community facility.

The development of a café at either end of the pavilion, or above the open-air enclosures, would have a detrimental impact on the cultural heritage of the Ocean Baths by introducing new materials, built-form, openings and uses. Such development would also reduce internal space for changing (including additional privacy changerooms) and enhanced operational spaces (staff room, patrol room, storerooms).

### CRG Summary report – 29 July 2020

We welcome the opportunity to comment on the draft meeting summary, which generally, is a concise record of discussion. However, we refute the assertion that there was '*broad agreement to consider the inclusion of multifunctional community spaces.*' No consensus was reached, nor asked for by a meeting resolution. In fact, the meeting summary, including submissions lodged by CRG members, seems to indicate little support for hireable indoor spaces. We also challenge CN's assertion that the '*closest community facilities are at least 5km away from the CBD*'. This 5km catchment (roughly out to Brunker Road) has an abundance of hire-able indoor and outdoor spaces, owned and operated by CN, local hotel/function centre operators or community organisations. These include parks, church halls, community halls, sporting and social clubs, libraries, City Hall, the Art Gallery, and CN-owned beach pavilions. Noting some confusion regarding the definition of cafes, kiosks and community facilities, we recommend that these terms - defined in the NLEP 12 'Dictionary' - be circulated to CRG members.

Yours sincerely,

Mark Metrikas  
BA UNSW, Grad Dip Heritage Studies, UNE  
**Co-chair, Hunter Regional Committee**  
National Trust of Australia (NSW)  
0415 144 355

Newcastle East Residents Group (Karen Read, 28 July 2020)

## **Newcastle East Residents Group Submission for Focus Group Meeting: Kiosk/Community Space**

NERG understands ‘community space’ to be **readily and freely accessible** to the wider community for recreation and enjoyment. What makes the baths space so valuable is its shared use for a range of activities by a range of different people. This sharing of space creates a powerful **community connection** between users. Although patterns of use differ throughout the day or seasons, the common enjoyment of the site provides opportunities for **social interaction, social mixing and social inclusion**.

NERG has reservations about the term ‘community space’ in the context of Newcastle Ocean Baths. Council has never provided its definition for the term. NERG considers that the **entire** site is community space.

In the EOI document, the proposed first floor restaurant areas were called Community Room 1 and Community Room 2. This appears ambiguous and misleading. NERG believes a community space is freely open to the public – for example a park, a plaza, a beach. By its very nature, a restaurant is not a community space, because it is only accessible to patrons paying for the use of the restaurant facility.

NERG would oppose any attempt to close sections of the ocean baths to the public for private use such as a restaurant, even if it is labelled a “Community Room”.

Commercial enterprises favour those with spending power, with the result that **some people are excluded**. One of the most valuable aspects of Newcastle Baths is its free availability to all, no matter what a person’s socio-economic status might be. This **inclusiveness** has been cited over and over again as one of the baths’ most valuable qualities.

There was **little support** for commercialisation of spaces (apart from the existing kiosk) in the surveys and broad consultation conducted by Council. NERG supports the retention of an upgraded kiosk, with the possibility of expanding the seating area/shade facilities on the concourse overlooking the pools. Entry to the kiosk needs to be improved to accommodate patrons with **mobility issues and wheelchairs**.

Because there are other cafes and restaurants close by, there is no need to expand the role of the kiosk. Any expansion of commercial premises on site would impact negatively on the patronage of nearby businesses.

At present, the current kiosk complements **several nearby cafes**, and provides adequately for the needs of the bathing public. Neighbouring cafes have a stronger focus on indoor and outdoor seated dining. With its emphasis on **take-away service**, the baths kiosk preserves traditional beachside kiosk characteristics, providing a range of snacks, frozen treats, hot food, healthy options and a variety of hot and cold drinks. It offers some limited short-term

seating. NERG members have stated that the kiosk is affordable for seniors and families, and is well patronised by locals and visitors.

In line with broader community opinion, NERG does not support the inclusion of a restaurant complex, which would require a **reduction in community space** as we understand the term to mean.

Any restaurant/commercialisation would necessitate a significant reduction in the size of the change rooms, and the loss of the open-air change space. As stated previously, NERG **opposes any reduction to the already reduced change rooms**, and advocates strongly for the reinstatement of the separate male/female changerooms (north and south pavilions) that were integral to the original baths complex. Storms and tide surges would be detrimental to an expanded footprint for commercial businesses. The kiosk's present location offers some protection from severe weather conditions. This would need to be taken into account if the kiosk was to be relocated.

Because parking is an issue here, parking spaces would be in critical short supply if they had to accommodate baths users along with restaurant patrons.

NERG believes that the ocean baths are one of the most highly patronised public spaces in Newcastle. Their value as a passive recreational location cannot be underestimated. NERG supports the continued use of the ocean baths for **community swimming clubs**, underpinning the primary purpose of the baths – bathing, swimming, recreation. In true community spirit, the Saturday swimming club has been an ongoing institution at the ocean baths, providing generations of children with free swimming lessons and the opportunity to improve their aquatic skills by competing in family-friendly competition. **Club meeting rooms and storage of equipment** would be an essential upgrade requirement for the swimming clubs.

**Many other community groups** utilise the baths. In rough surf conditions, the ocean baths are used by Newcastle Surf Club juniors for their lifesaving activities. Candidates preparing for their Bronze Medallion use the baths for training. The baths are regularly used by a range of sporting teams and triathletes to complement training schedules. Basic scuba diving skills are also taught in the safety of the baths. Schools host carnivals and swimming activities in the warmer months.

**Informal recreational use** includes daily lap swimming, wading and water based exercise by patrons of all ages, exercising by patrons with mobility or disability issues and family swimming activities.

Due to the **pandemic** and the need for **social distancing**, there is a world-wide renewed awareness of the importance of open space. It is vital that we protect and value our open spaces for the future, in particular, the wide open spaces of our coastal pools.

Covid 19 has reinvigorated the exploration of **destinations close to home**. The last school holidays saw a huge surge in **local** activity in and around our coastal environs. What locals and visitors came for, were the beaches, pools, coastal walks and parks.

The ocean baths can **stand alone** as a popular destination without the ‘enhancement’ of restaurants, gyms etc.

Newcastle Ocean Baths are unique, not just to NSW, but also **nationally**. They are highly utilised by locals, they are a tourist destination and they are valued by Newcastle residents for their heritage and recreational value. The baths are the setting for wedding photos, fashion shoots, family picnics, swimming lessons, heritage walks, whale and dolphin watching, and a myriad of other small-scale, passive recreational activities. This is part of their charm and their **point-of-difference**. NERG believes that any upgrades/refurbishment of the baths must protect this distinctive and much-loved feature of the Newcastle coastal environment. It is one of Newcastle’s most important assets now and into the future.

Karen Read  
NERG

Newcastle East Residents Group (Karen Read, 12 August 2020)

## Comments on baths minutes

NERG understands that the notes from our last CRG focus meeting are an attempt to summarise the discussion, but there are aspects we challenge. We are also concerned that the agenda questions and headings had a preconceived bias in favour of the inclusion of a function centre. At the first CRG meeting Council made it clear that it has no agenda, and will take its lead from the community group. At that meeting, it appeared that the majority of participants wanted restoration and upgrading of existing facilities, an effective maintenance plan, shade and seating provisions, the retention of the Art Deco façade, an improved kiosk, new pavement surfaces and better facilities in the change rooms. There was little support for commercialisation of spaces (apart from the existing kiosk) in the surveys and broad consultation conducted by Council. NERG supports the retention of an upgraded kiosk, with the possibility of expanding the seating area/shade facilities on the concourse overlooking the pools. Entry to the kiosk needs to be improved to accommodate patrons with mobility issues and wheelchairs. Any restaurant/commercialisation would necessitate a significant reduction in the size of the change rooms, and the loss of the open-air change space. NERG opposes any reduction in the size of the changerooms and advocates strongly for them to remain open-air or part open-air facilities. NERG strongly opposes the inclusion of a function centre within the Ocean Baths complex. Our position has always been to upgrade the existing facilities, maintain the current footprint of the pavilions and allow the Baths to continue their historic role of providing passive public recreation associated with swimming activities.

NERG does not agree that there was ‘broad agreement to consider the inclusion of a multifunction community space’ or that there was ‘General consensus that the Baths should include community spaces’. Until the meeting, Council had not defined what ‘community space’ actually meant to them. Council defined it as a space that could be hired and booked, therefore excluding others from that space. Our definition up until the meeting was very different, and was reflected in our written submission that we considered the whole of the baths site as community space. NERG had sent an email in the week before the meeting asking what Council meant by the term. We received **no response** to that email.

My recollection is that two members spoke in favour of multifunctional community space, and other members made the comment that it should not restrict any aspect of public use of the baths.

In terms of the kiosk, the green ‘sticky’ note labelled ‘Southern location preferred’ is somewhat misleading. There was discussion that questioned the suitability of a southern location because of daily prevailing winds, shadows and frequent wild weather conditions. Being able to view children in the Canoe Pool is an ineffectual reason for the kiosk’s location there. The Canoe Pool caters for babies, toddlers and pre-schoolers. The Kiosk is very removed from the pool and parents attending the kiosk could not supervise their children from there. It would also result in parents at the kiosk having a reduced view of the ocean baths which caters for an older demographic than the Canoe Pool.

*CN outlined that the closest community facility to the Newcastle CBD is about 5km away*

CN seems to be using this statement as proof that community space needs to be included in the baths restoration. What community facility was being referred to as 5km away? There are

multiple spaces and rooms available for community bookings in Foreshore Park, Pacific Park, the new building next to Fort Scratchley, the picnic tables overlooking the Canoe Pool, Nobbys and Newcastle Surf Clubs, the Joy Cummings Centre, Plankways Community room, King Edward Park and The Station, to name some. All of these sites provide *an opportunity for interested groups to undertake social activities within a beach-side setting close to the city centre.*

These spaces are all within 1 km of the Baths: some merely metres from the site. Most are owned and managed by Council, so it is disappointing to see misinformation being promoted as fact. If you extend the area to a 5km radius, there are at least a hundred public, religious and private rooms/spaces available for hire.

NERG disagrees that 'several other members supported' a first floor function room. Rod, Peter and Amber (with some qualification) agreed with it as a proposal.

There is no reference in your notes to the statement that the entire site is a community space. I recall that it was reiterated several times during the meeting by CRG members.

Your summary makes no mention of the Council representative's statement that 'whatever the group asks for, Council will make happen' or words to that effect. This is contrary to the original Terms of Reference which stated that the CRG was not a decision making body. This ambiguity needs to be examined and resolved.

Rob Faraday spoke at length about Council being evasive in relation to their preconceived plans for the NOB site. He asked for Council representatives to be more honest and open about what Council wants to see on the site, what would be the non-negotiables, how much money is available etc. In hindsight, the way the agenda was worded, should have given us some indication of the way Council is heading in relation to its plans for the Baths!

In relation to the last point raised by Rob, NERG wrote to Council conveners with some queries prior to the kiosk meeting. That email has been ignored and the questions we raised remain unanswered. So, whilst CRG members are asked to be open and honest, it is disappointing that there does not seem to be the same obligation applied to Council.

The email was sent to Kristy (who has been replaced) and Matthew. Here is the email again.

**As you know, I represent a large number of residents and baths users. As such, I like to get as many views/ideas as possible before each CRG meeting so that I can represent NERG effectively.**

**I circulated your last email to the NERG community, since there isn't much time for feedback before the meeting, and a number of issues were raised. You may be able to address them for us.**

**Could you explain what is meant by "community spaces at the site". Several members have pointed out that the whole site is a community space. How do you envisage "more space could be available for other community uses" and how would this finite site be able to**

**provide "additional space"? Are you pre-empting the use of the caretaker's residence as community rooms? Our members have stated often that restoring the caretaker's role would be a positive step in protecting security and amenity on the site.**

**Concerns were also raised by the following statement:** To help ensure a diverse range of views on the CRG, we are welcoming an additional female community member to the group who was shortlisted from the expression of interest applications – Amber Moncrieff.

**Have there been concerns that the current CRG group are not representing a diverse range of views? Is the CRG an evolving group, where new members can be added by Council or by member nomination? Our understanding was that the group was a cross section of community representation and stakeholders, chosen specifically for this reason. Some members commented that inviting a new member because of "having a passion for Newcastle beaches" was irregular and somewhat unconvincing. Can you explain to us why it was necessary to add Amber Moncrieff (or anyone at all) to the group at this late stage, and why it has never previously been mentioned that new members could be invited? In the interests of transparency, can you tell us who instigated and authorised this change to the CRG membership?**

You mentioned that terms of reference for the group are still being finalised. This is also irregular, since the group is well established now and has operated quite successfully to date without terms of reference. We would hope that the terms of reference will include guarantees of openness and transparency in all aspects of the CRG including selection criteria, Council representation, obligations of all personnel, policy development regarding the baths site and unrestricted publication of relevant reports and data used to guide Council decisions. We also hope that the terms reflect the value of combined depth of knowledge displayed by the group.

Other members of the CRG will, no doubt, also be interested in your responses to our queries. To that end, we trust you will see the benefits of sharing them with the other members. Once again, thank you for your input into planning for the future of this important Newcastle icon.

Kind regards  
Karen Read  
(NERG)

Rob's assertion that Council is being somewhat elusive in their dealings with the group is supported by the non-response to our (reasonable) questions put to the conveners. Before the meeting

It is disappointing that dialogue between the members of the group and Council representatives is not in the spirit of genuine consultation. At the first meeting, community representatives lectured the group, setting out Council's expectations of them. Codes of conduct were also laid out, and the Terms of Reference explained. The selection of CRG members was described as 'via an Expression of Interest process and by invitation from City of Newcastle to provide a 50-50 split of community members to stakeholder members.' Even that statement needs clarification. It was not explained to us that the membership was variable. With the addition of another community member, there are now 10 individual community members not representing nor reporting back

to a wider community group. Ostensibly, they are representing their individual interests. Those individuals outnumber members who represent and are accountable to wider groups.

It is clear that community members are diligent in their preparation for each meeting, and that they take their responsibilities seriously. Community representatives share their ideas and views very publicly and candidly. I feel that there is a need for more transparency and diligence from Council representatives to build mutual respect and to ensure the process bears credibility.

We also ask that future agendas be compiled in such a way that they do not pre-suppose a particular outcome.

NERG reminds Council of its failures to deliver genuine community consultation for Supercars, Nobbys' changerooms and Newcastle South skatepark. The outcomes of each of these would have been far more appealing to communities and less costly for Council in terms of financial and reputational standpoints. The Ocean Baths CRG program is a potential opportunity for Council to restore some confidence in its consultation process.

I am happy for you to share NERG's concerns openly with the other members of the CRG. I ask that you amend the summary to include the above information, and I ask that you respond to the CRG with answers to the questions put to you in our previous email.

Regards

Karen Read

NERG

Friends of Newcastle Ocean Baths Inc. (Peter Wickham, 26 July 2020)

## **Friends of Newcastle Ocean Baths Incorporated (FONOB Inc)**

### **Submission on key points for discussion at Focus Group- Café/Kiosk and Community Spaces.**

Reference is made in this submission to the Community Strategic Plan Newcastle 2030 (CSP) as well as the Sustainable Development Plan 2015 (SDP) and New Urban Agenda 2016 (NUA) developed by the United Nations; the goals of which Newcastle Council has adopted as cornerstones for their planning, in particular for their ten community values.

FONOB Inc. believe that our recommendations contribute to all four of the guiding principles underpinning the CSP (page 9). Our recommendations also align with 6 out the 10 stated values (CSP page 10) namely Community Spirit, Resilience, Active Lifestyle, Engaged Citizens, Inclusion and Diversity.

#### **Community Rooms:**

- CNs community engagement polls and surveys indicated little support (37-51%) from respondents for 'community rooms'. In part, this could suggest the purpose or need for 'community rooms' was not understood by some respondents (or defined by CN).

#### **Community space/facilities:**

- FONOB Inc considers that the entire Ocean Baths complex (including the Canoe Pool) is an inclusive community space/facility.
- FONOB Inc consider that any community spaces should align with the primary purpose of the Ocean Baths (bathing, swimming, recreation). As such, we consider that the community spaces used by the winter swimming clubs are compatible with the primary purpose of the site. Currently, the Dixon Park

Coldies occupy the southern swim clubrooms, while the Pirates, temporarily occupy the former attendants flat.

*CSP Goals*

**Goal 3:** *Vibrant, Safe and Active Public Spaces (3.1 Public spaces that provide for diverse activity and strengthen our social connections)*

**Goal 4:** *Inclusive Community (4.1 A welcoming community that cares and looks after each other and 4.2 Active and healthy communities with physical mental and spiritual wellbeing)*

- FONOB Inc see no justification or demand for any new multi-function community spaces within the pavilion. As the attendants flat has been unoccupied for 14 years, it should be refurbished as the second swimming club room.

*CSP Goals*

**Goal 3:** *Vibrant, Safe and Active Public Spaces (3.1 Public spaces that provide for diverse activity and strengthen our social connections)*

**Goal 4:** *Inclusive Community (4.1 A welcoming community that cares and looks after each other and 4.2 Active and healthy communities with physical mental and spiritual wellbeing)*

**Goal 5:** *Liveable Built Environment - (5.1 A built environment that maintains our sense of identity)*

- Access to both of the swimming clubs first floor club rooms could be improved by lift access. (disability friendly)
- FONOB Inc. note that the EOI “*Redevelopment and use of the Newcastle Ocean Baths site*” released October 2019 contained text reference to dining areas, bars and a function centre

*(Potential site uses point 3 and Lease Operating Models point 4 pages 21-24).* We remain vehemently opposed to any commercialisation of the OB, and are wary of the possibility that a community space could be hired for functions.

### *CSP Goals*

**Goal 3:** *Vibrant, Safe and Active Public Spaces (3.1 Public spaces that provide for diverse activity and strengthen our social connections)*

**Goal 4:** *Inclusive Community (4.1 A welcoming community that cares and looks after each other and 4.2 Active and healthy communities with physical mental and spiritual wellbeing)*

**Goal 5:** *Liveable Built Environment - (5.1 A built environment that maintains our sense of identity)*

### **Kiosk:**

- FONOB Inc emphasise that any facilities at the Ocean Baths complex should primarily provide amenity to patrons of the salt water pool, and adjacent Canoe Pool. With its takeaway format, low-key design, and basic range of food and refreshments, the Kiosk is family friendly and inclusive.

### *CSP Goals*

**Goal 3:** *Vibrant, Safe and Active Public Spaces (3.1 Public spaces that provide for diverse activity and strengthen our social connections)*

**Goal 4:** *Inclusive Community (4.1 A welcoming community that cares and looks after each other and 4.2 Active and healthy communities with physical mental and spiritual wellbeing)*

**Goal 5:** *Liveable Built Environment - (5.1 A built environment that maintains our sense of identity)*

- FONOB Inc believes that the amenity of the kiosk can be improved within its current footprint by a re-orientation toward

the pool and upper concourse. This is consistent with all other Newcastle kiosks within surf clubs or along the harbour front. A 'hole in the wall' opening to the western side would also provide easy access to joggers, walkers, cyclists and tourists.

### *CSP Goals*

***Goal 3: Vibrant, Safe and Active Public Spaces (3.1 Public spaces that provide for diverse activity and strengthen our social connections)***

***Goal 4: Inclusive Community (4.1 A welcoming community that cares and looks after each other and 4.2 Active and healthy communities with physical mental and spiritual wellbeing)***

***Goal 5: Liveable Built Environment - (5.1 A built environment that maintains our sense of identity)***

- FONOB Inc are opposed to any development which creates internal dining space, or table service, which in effect, converts a humble kiosk into a cafe. The current footprint within the current 'central building' remains the best location for a kiosk.
- FONOB Inc also recommend improvements to the small raised forecourt adjacent the kiosk. This space could be enlarged by widening. Access also needs improvement, currently access is too narrow and too steep for mobility devices. It must meet sun safe shading standards). Permanent seating is recommended. Given the inclusive nature of the Ocean Baths, use of this raised platform, should not be restricted to kiosk patrons. It is not our intention in recommending improvements for this area to become a de facto café.

### **Upper concourse improvements:**

FONOB Inc note with disappointment, that no CRG focus group has been scheduled to discuss the amenities on the upper concourse, apart from outdoor showers. We note that the upper concourse is included in the Stage 2 project area. We strongly recommend the convening of

a separate CRG focus group on the upper concourse. We will soon identify issues, and suggest options for improving the seating, family friendliness, shading, security and inclusivity of the upper concourse.

Regards

Peter J Wickham

Committee member of Friends of Newcastle Ocean Baths Incorporated  
(FONOB Inc.)

26<sup>th</sup> July 2020

#### *Appendix*

*Goals consistent with the restoration of Newcastle Ocean Baths as listed in the Community Strategic Plan Newcastle 2030 (CPS) that align with the SDP and NUA. (pages 13-27)*

**Goal 2:** *Protected Environment (2.3 Environment and climate change risks and impacts are understood and managed)*

**Goal 3:** *Vibrant, Safe and Active Public Spaces (3.1 Public spaces that provide for diverse activity and strengthen our social connections)*

**Goal 4:** *Inclusive Community (4.1 A welcoming community that cares and looks after each other and 4.2 Active and healthy communities with physical mental and spiritual wellbeing)*

**Goal 5:** *Liveable Built Environment - (5.1 A built environment that maintains our sense of identity)*

**Goal 7:** *Open and Collaborative Leadership - (7.2 Considered decision making based on collaborative transparent and accountable leadership and 7.3 Active citizen engagement in local planning and decision-making processes and a shared responsibility for achieving our goals)*

Friends of Newcastle Ocean Baths Inc. (Peter Wickham, 11 August 2020)



## ***Making a splash – Wave of Community Support***

### **FONOB Inc response to Summary report Focus group on café/Kiosk and Community spaces**

We refer to the Council report of the Community Reference Group (CRG) meeting on Newcastle Ocean Baths held via Zoom on 29 July 2020.

Please note it is our view that the report does not represent a full and accurate account of the meeting and representation of our group's position in relation to the controversial issues of the proposed new uses and design of the baths. This includes the proposed alternative location and prominence of a kiosk, so called 'community/function spaces' and their specific uses likely supportive of private commercial interests inconsistent with the purposes of our iconic public ocean baths.

These issues were exacerbated by the insufficient notice we had to consider the circulated material just prior to the meeting and fully consult with our own constituency.

The meeting also raises a number of governance issues that appear to be inconsistent with Council's [Open and Transparent Governance Strategy](#) 2017. This includes the requirement to establish governance procedures and declarations of conflicts of interests and associated exclusion from meetings were such conflicts arise and have already arisen.

We encourage these governance issues be collaboratively addressed as a matter of urgency.

#### **Response to specific issues within the report**

1. We do not agree with the statement page 3 titled General feedback "*Broad agreement to consider the inclusion of multifunctional community spaces at the Baths, while protecting the primary use of the baths as a swimming facility to be enjoyed by all*". The words "broad agreement" implies there was consensus to consider the inclusion of multifunctional community spaces.

We note that such a broad statement does not reflect our concerns and we understand, those of Newcastle East Residents Group (NERG) or National Trust (NT). Considering that community spaces were not described by CN as "bookable spaces" till the commencement of the discussion, we suggest the above statement is incorrect and should be adjusted.

2. In reference to CN statement page 7 Additional / expanded responses to the Miro whiteboard "*CN outlined that the closest community facility to the Newcastle CBD is about 5km away...*". This assertion is inaccurate and would you please provide your source of information. We understand there are numerous community facilities nearby the baths including Fort Scratchley Function centre, City Hall, Nobby's SLSC, Newcastle SLSC, Joy

Cummings Centre, Art Gallery, plus many private facilities. We consider that the discussion became blurred between small community rooms and larger event hires due to this lack of information at the time of the meeting. Such information needs to be available when points of discussion are listed so that discussion can be informed by facts.

We also note the lack of support for such spaces in the initial community survey work undertaken by Council and the apparent absence of any objective and impartial needs analysis.

3. The report fails to mention our correction of the CN statement re the current status of the rooms allocated to the 'Coldies' and 'Pirates'. We made the statement that the rooms were not currently available due to recent actions involving Donna McGovern from Council.

Given our concerns of a lack of consideration and balance of presentations and discussions focusing on the commercialisation, potential privatisation aspects of the kiosk and bookable spaces strongly opposed by the baths' many supporters, we request the opportunity to unequivocally present our position on these issues to the CRG and Council.

In addition to the above we raise the following concerns and questions in reference to the CRG zoom meetings:

- i. Inability of all voices to be heard in a 60-90-minute virtual meeting environment.
- ii. Domination of agenda by a representative of "Local businesses" at CRG 29<sup>th</sup> July 2020.
- iii. Insufficient debate to establish and record a non-binding consensus or majority views
- iv. Failure to keep discussion aligned with community expectations established prior to commencement
- v. Council setting and restraining the agenda by asking leading questions. e.g. "bookable spaces/community spaces for hire". Further, the community support for "better offerings" at the kiosk was not explained or quantified. What were those offerings? Was there wide support for a new kiosk? What percentage wanted "better offerings"
- vi. The opportunity to share and rotate the role of the Chair of the CRG.

We also note there has been no response to our email of 24/07/20 in regards to CRG structure outlined in an email from Kristy Simpson on 21/07/20 announcing a new community member. We had requested clarification re Terms of Reference, guidelines re new appointments of CRG and addressing Conflicts of Interest etc. Please find attached the pdf file that was sent with the email on 24 July 2020.

We would be pleased to resolve the above matters at your earliest convenience.

Regards

Peter J Wickham

On behalf of FONOB Inc. 11<sup>th</sup> August 2020

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