



City of
Newcastle



CITY OF NEWCASTLE

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 26 November 2019

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**

20 November 2019

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ORDINARY COUNCIL MEETING 26 November 2019
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This item is excluded in accordance with clause 21.5 of the Code of Meeting Practice which provides "The CEO must not include in the Agenda for any Meeting any business of which due notice has been given if, in the opinion of the CEO, the business is (or the implementation of the business would be) unlawful. The CEO must report any such exclusion to the Meeting. This item is excluded as, in the opinion of the Chief Executive Officer, the implementation of the resolution would be unlawful because it would disclose information that would breach commercial in confidence and confidentiality obligations to third parties.

CONFIDENTIAL REPORTS

Nil

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 - PUBLIC VOICE COMMITTEE MEETING 8 OCTOBER 2019

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 191008 Public Voice Committee 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

CITY OF NEWCASTLE

Minutes of the Public Voice Committee Meeting held in the Council Chambers, 2nd Floor City Hall, 290 King Street, Newcastle on 8 October 2019 at 5.37pm.

PRESENT

The Lord Mayor (Councillor N Nelmes), Councillors M Byrne, J Church, D Clausen, K Elliott, B Luke, J Mackenzie, A Robinson, A Rufo, E White and P Winney-Baartz (*arrived 6.20pm*).

IN ATTENDANCE

J Bath (Chief Executive Officer), D Clarke (Director Governance), B Smith (Director Strategy and Engagement), F Leatham (Director People and Culture), K Liddell (Director Infrastructure and Property), A Jones (Interim Director City Wide Services), D Guest (Acting Manager Legal), M Bisson (Manager Regulatory, Planning and Assessment), J Vescio (Executive Officer, Chief Executive Office), M Murray (Policy Officer, Lord Mayor's Office), A Knowles (Council Services/Minutes) and K Sullivan (Council Services/Webcasting).

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.

MESSAGE OF ACKNOWLEDGEMENT

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

APOLOGIES

MOTION

Moved by Cr Luke, seconded by Cr Byrne

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

Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor Church

Councillor Church declared a significant pecuniary interest in Item 2 - DA2018/00693 - 90-92 Brunner Road, Adamstown as the project manager for the development was a client of his. Councillor Church stated he would leave the Chamber for discussion on the item.

PUBLIC VOICE SESSIONS

ITEM-1 PV 08/10/19 - DA2017/00789 - 9 BELFORD STREET, BROADMEADOW - ALTERATIONS TO BUILDING FOR CHANGE OF USE TO DWELLING, ERECTION OF FIVE THREE STOREY ATTACHED DWELLINGS, ASSOCIATED SITE WORKS AND ONE LOT INTO SIX LOT SUBDIVISION

Ms Amanda Hinds and Mr Paul Shearston addressed Council and outlined concerns and objections to the development application.

Mr Wade Morris and Mr Warren Haasnood on behalf of the DA applicant, addressed Council in support of the development application.

ITEM-2 PV 08/10/19 - DA 2018/00693 - 90-92 BRUNKER ROAD, BROADMEADOW - DEMOLITION OF EXISTING DWELLINGS AND OUTBUILDINGS, ERECTION OF FOUR STOREY MIXED USE DEVELOPMENT AND 16 LOT STRATA SUBDIVISION

Councillor Church left the Chamber for discussion on the item.

Ms Elissa Mead and Ms Margot Dugan addressed Council and outlined concerns and objections to the development application.

Mr Jason Harmon on behalf of the DA applicant, addressed Council in support of the development application.

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

The meeting concluded at 6.53pm.

MINUTES - ORDINARY COUNCIL MEETING 22 OCTOBER 2019

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 191022 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

CITY OF NEWCASTLE

Minutes of the Ordinary Council Meeting held in the Council Chambers, 2nd Floor City Hall, 290 King Street, Newcastle on Tuesday 22 October 2019 at 5.40pm.

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 Robinson, A Rufo, E White and P Winney-Baartz.

IN ATTENDANCE

J Bath (Chief Executive Officer), D Clarke (Director Governance), K Liddell (Director Infrastructure and Property), F Leatham (Director People and Culture), A Jones (Interim Director City Wide Services), D Guest (Acting Manager Legal), S Moore (Acting Chief Financial Officer), A Williams (Manager Corporate Finance), M Bisson (Manager Regulatory, Planning and Assessment), L Duffy (Manager Parks and Recreation), S Gately (Manager Libraries and Learning), T Uren (Manager Waste Services), D Moldrich (Manager Customer Experience), S Grierson (Manager Transport and Compliance), D O'Hara (Manager Civic Services), A Abbott (Manager Corporate and Community Planning), D Manderson (Manager Civil Construction and Maintenance), N Kaiser (Media and Stakeholder Relations Manager), E Dowsdell (Media and Communications Advisor), M Murray (Policy Officer, Lord Mayor's Office), K Sullivan (Council Services/Minutes) and A Knowles (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.

Especially remembered was former State Member for Newcastle, Bryce Gaudry, who served from 1991 to 2007. Mr Gaudry was remembered as a man of integrity, passion and advocacy for everyone in the community.

APOLOGIES

Nil.

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor Luke

Councillor Luke declared a less than significant non-pecuniary conflict of interest in Item 81 - Executive Monthly Performance Report - September as the item included the re-investment of 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 Rufo

Councillor Rufo declared a significant and pecuniary interest in Item 21 - Lord Mayoral Minute - City of Newcastle Budget Submission stating that one of the items in the submission he had a conflict with and would leave the Chamber for discussion on the item.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - PUBLIC VOICE COMMITTEE 17 SEPTEMBER 2019
MINUTES - ORDINARY COUNCIL MEETING 24 SEPTEMBER 2019

MOTION

Moved by Cr Byrne, seconded by Cr Mackenzie

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

Carried

LORD MAYORAL MINUTE

ITEM-21 LMM 22/10/19 - CITY OF NEWCASTLE BUDGET SUBMISSIONS

Councillor Rufo left the Chamber for discussion on this item.

MOTION

Moved by Cr Nelmes, Lord Mayor

That City of Newcastle:

- 1 Notes that planning for the Federal and NSW 2020-2021 Budget's has begun, with advice received recommending that organisations should prepare Budget submissions to the Federal and NSW Treasurer's no later than 30 November 2019.
- 2 Prepares detailed Budget submissions for both Commonwealth and NSW Treasurers to consider as a part of their funding allocation, with projects including, but not limited to:
 - Stockton Coastal Erosion
 - Newcastle Art Gallery expansion project
 - Lower Hunter Freight Corridor
 - Expansion of Newcastle Light Rail
 - Hunter Sports and Entertainment Precinct
 - Affordable Housing initiatives
 - Rate rebates for pensioners
 - Local sporting amenity upgrades
 - Disability inclusion upgrades for local playgrounds
 - Diversification of Port of Newcastle
 - Ferry terminal at Newcastle Interchange
 - Active Transport infrastructure improvements – Cycling and walking
 - Flood mitigation at Wallsend
 - Newcastle Airport expansion

- 3 Notes that our funding priorities have remained consistent, with the City of Newcastle advocating for funding to deliver these projects across many budget cycles, as well as recently proposing for the inclusion of the Port of Newcastle expansion and diversification; Newcastle Airport expansion; active transport – cycling and walking infrastructure; Hunter Sports and Entertainment Precinct; Lower Hunter Freight Corridor; and Newcastle Art Gallery Expansion Project, in the Infrastructure Australia *Priority List 2020*.

**Carried
unanimously**

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

**ITEM-22 LMM 22/10/19 - KICKSTARTING THE PRODUCTIVITY
CONVERSATION SUBMISSION**

MOTION

Moved by Cr Nelmes, Lord Mayor

That City of Newcastle:

- 1 Notes that the NSW Productivity Commissioner has released a Discussion Paper titled *Kickstarting the productivity conversation*, the first in a series of papers to shape the productivity reform agenda for New South Wales;
- 2 Notes that Greater Newcastle remains the economic engine room of the New South Wales economy, contributing over \$32 billion to the NSW economy, ranking above Tasmania, the Northern Territory and the Australian Capital Territory in terms of economic output;
- 3 Prepares a submission to the NSW Productivity Commissioner, providing City of Newcastle's feedback about how the NSW Government can best support continued growth in living standards for all Novocastrians, with specific reference to the *Greater Newcastle Metropolitan Plan 2036* noting that an opportunity exists for legislative reform and support that could expedite the implementation of the Plan.

**Carried
unanimously**

ITEM-23 LMM 22/10/19 - LORD MAYOR'S UNIVERSITY OF NEWCASTLE SCHOLARSHIP

MOTION

Moved by Cr Nelmes, Lord Mayor

That City of Newcastle:

- 1 Notes that *the Lord Mayor's Scholarship for Women* was established on International Women's Day 2015 to assist women facing hardship to achieve their educational goals;
- 2 Notes that University of Newcastle Vice-Chancellor, Professor Alex Zelinsky AO has written to City of Newcastle to advise that the scholarship has been an outright success noting that the scholarship now attracts the highest number of applications for a single scholarship and that there is significant opportunity to expand the program further to provide additional support for disadvantaged students;
- 3 Accepts the proposal from the University of Newcastle, by supporting the expansion of the scholarship program to create *the Lord Mayor's Scholarship*, open to all students facing disadvantage, in addition to the *Lord Mayor's Scholarship for Women*.

**Carried
unanimously**

REPORTS BY COUNCIL OFFICERS

ITEM-74 CCL 22/10/19 - TABLING OF DISCLOSURES BY DESIGNATED PERSONS - ANNUAL REPORT

MOTION

Moved by Cr Mackenzie, seconded by Cr Byrne

That Council:

- 1 Note the tabling of the annual disclosures of interest by designated persons returns (for the financial year 2018/2019) by the CEO.

Carried

ITEM-77 CCL 22/10/19 - ADOPTION OF COMMUNITY PARTICIPATION PLAN

MOTION

Moved by Cr Elliott, seconded by Cr White

That Council:

- 1 Adopt the Community Participation Plan (CPP) (**Attachment A**) and publish it on the NSW ePlanning portal by 1 December 2019.
- 2 Repeal Section 8 Public Participation of Newcastle Development Control Plan 2012 (NDCP 2012) effective on the date the CPP is published on the NSW ePlanning portal.

**Carried
unanimously**

ITEM-79 CCL 22/10/19 - ACQUISITION OF 8A ALBERT STREET AND 161 RAILWAY STREET, WICKHAM

MOTION

Moved by Cr White, seconded by Cr Byrne

That Council:

- 1 Resolves to accept the transfer of 8A Albert Street (Lot 51 DP830679) (116.4m²) and 161 Railway Street, Wickham (Lot 53 DP830679) (74.7m²) from Rail Corporation NSW for nil consideration.
- 2 Delegates to the Chief Executive Officer (CEO) authority to execute all relevant documentation to effect the transfer.

**Carried
unanimously**

ITEM-81 CCL 22/10/19 - EXECUTIVE MONTHLY PERFORMANCE REPORT

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

- 1 Receives the Executive Monthly Performance Report for September 2019.

For the Motion:

Lord Mayor, Cr Nelmes and Councillors Byrne, Clausen, Duncan, Dunn, Luke, Mackenzie, White and Winney-Baartz.

Against the Motion:

Councillors Church, Elliott, Robinson and Rufo.

Carried

ITEM-73 CCL 22/10/19 - ADOPTION OF 2018/19 ANNUAL FINANCIAL STATEMENTS

MOTION

Moved by Cr Clausen, seconded by Cr Winney-Baartz

A That Council

- 1 Receives and adopts CN's Financial Statements and accompanying notes, in respect of the year ended 30 June 2019, together with the Auditor's Report (**Attachment A**).

B That Council:

- 1 Notes that CN's Financial Reports 2018-19 were audited by the Auditor-General of New South Wales, who issued an Unmodified Audit opinion.
- 2 Notes that the Auditor-General's representative presented the financial statements to Councillors at a workshop on 15 October 2019, and told Councillors that the City's finances were in "very good nick".
- 3 Notes that Councillors Elliott, Church, and Robinson did not attend this session and did not submit an apology.
- 4 Thanks and acknowledges the substantial effort of CN's Interim Director City Wide Services, Director Governance, Interim Chief Financial Officer, Manager Corporate Finance, and the broader Finance Business Unit, and all other contributing members of CN staff, for their work to produce the annual accounts, and their preparation and support of the Independent auditing process.

For the Motion:

Lord Mayor, Councillor Nelmes and Councillors Byrne, Clausen, Duncan, Dunn, Luke, Mackenzie, Rufo, White and Winney-Baartz.

Against the Motion:

Councillors Church, Elliott and Robinson.

Carried

ITEM-75 CCL 22/10/19 - ADMINISTRATION OF 2020 COUNCIL ELECTION

MOTION

Moved by Cr Clausen, seconded by Cr Byrne

That Council:

- 1 Notes that the \$1,150,896 (\$8.21 per elector) estimate provided by the NSW Electoral Commission is more expensive than the recommendation in IPART's Final Determination (Attachment C, \$6.70 per elector, an increase of 22%), and \$250,000 more than the 2017 Local Government Election cost (\$6.41 per elector, an increase of 33%).
- 2 Note that IPART's Final Determination recommended that the cost to CN for the 2020 Local Government election be \$821,000 (equal to \$6.70 per elector). This incorporated CN's share of a recommended \$15 million NSW Government grant to the NSW Electoral Commission. Minister Hancock's media release (Attachment B) states that the NSW Government ultimately provided the NSW Electoral Commission with \$19.9 million grant (\$5m more than IPART recommended), however this additional grant has not been passed on to CN with a lower quote.
- 3 Notes the extensive recent background, including the varying costs quoted by the NSW Electoral Commission and IPART during IPART's recent Review of Local Government Election Costs (summary at Attachment A).
- 4 Writes to the NSW Electoral Commission, the Department of Planning, Industry and Environment (Office of Local Government), and IPART as a matter of urgency, requesting clarification on these costs, and querying the discrepancy in the quoted figure.
- 5 Reiterates its preference for the NSW Electoral Commission to conduct the 2020 Local Government Election, and notes that S.296(5A)(b) of the *Local Government Act 1993* provides CN until 1 January 2020 to enter into a contract with the NSW Electoral Commission to administer the 2020 Local Government Election, providing an opportunity for this matter to be resolved before the contract is finalised.
- 6 Authorises the Chief Executive Officer to negotiate with the NSW Electoral Commission to achieve an outcome at least as favourable as the current quote, and pursuant to S.296(2) and S.296(5) of the *Local Government Act 1993*, authorises an election arrangement to be entered into by contract for the NSW Electoral Commissioner to administer the 2020 ordinary election of the Council.

**Carried
unanimously**

ITEM-76 CCL 22/10/19 - SUPPLEMENTARY REPORT - EXHIBITION OF DRAFT FERN BAY AND NORTH STOCKTON STRATEGY

MOTION

Moved by Cr Winney-Baartz, seconded by Cr Mackenzie

That Council:

- 1 Places the Draft Fern Bay and North Stockton Strategy (**Attachment A**), Implementation Plan (**Attachment B**) and Background Investigations (**Attachment C**) on public exhibition for a period of 28 days.
- 2 Receive a report back to Council following the public exhibition period.

For the Motion:

Lord Mayor, Councillor Nelmes and Councillors Byrne, Church, Clausen, Duncan, Dunn, Elliott, Luke, Mackenzie, Robinson, Rufo, White and Winney-Baartz.

Against the Motion:

Nil.

Carried

ITEM-78 CCL 22/10/19 - ADOPTION OF THE JOSLIN STREET LOCAL CENTRE PUBLIC DOMAIN PLAN AND TRAFFIC PLAN

MOTION

Moved by Cr Winney-Baartz, seconded by Cr Rufo

That Council:

- 1 Adopts the Joslin Street Local Centre Public Domain and Traffic Plan as set out at **Attachment A**.

PROCEDURAL MOTION

Moved by Cr Mackenzie

The matter lay on the table pending a review by the Disability Inclusion Access Committee and the Cycleways working group, under the Liveable Cities Committee.

As no seconder for the procedural motion was forthcoming, the procedural motion lapsed.

The motion moved by Councillor Winney-Baartz and seconded by Councillor Rufo was put to the meeting.

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

Against the Motion: Councillor Mackenzie.

Carried

ITEM-80 CCL 22/10/19 - CARRINGTON GREENSPACE MASTERPLAN PUBLIC EXHIBITION

MOTION

Moved by Cr White, seconded by Cr Church

That Council:

- 1 Resolves that the draft Carrington Greenspace Masterplan (Masterplan) **Attachment A** be placed on public exhibition for a period of 60 days.
- 2 Considers a further report following the exhibition period.

**Carried
unanimously**

ITEM-82 CCL 22/10/19 - GREATER NEWCASTLE AEROTROPOLIS PTY LTD - APPOINTMENT OF COUNCIL'S SHAREHOLDER REPRESENTATIVES

MOTION

Moved by Cr Clausen, seconded by Cr Byrne

That Council:

- 1 In accordance with section 250D of the *Corporations Act 2001* (Cth) and clauses 1.1 and 1.2 of the Constitution of Greater Newcastle Aerotropolis Pty Ltd (GNAPL), in its capacity as one of the two shareholders of GNAPL, resolves to appoint Shareholder Representatives as follows:
 - i) Lord Mayor, Councillor Nuatali Nelmes, and
 - ii) Jeremy Bath, Chief Executive Officer.
- 2 In accordance with Clause 400(4) of the *Local Government (General) Regulation 2015* (NSW), approves and authorises Council's seal to be affixed to the Appointment of Shareholder Representative form on the grounds that such appointment relates to the business of Council.

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For the Motion:

Lord Mayor, Councillor Nelmes and Councillors Byrne, Clausen, Duncan, Dunn, Luke, Mackenzie, White and Winney-Baartz.

Against the Motion:

Councillors Church, Elliott, Robinson and Rufo.

Carried

NOTICES OF MOTION

ITEM-36 NOM 22/10/19 - NATIONAL PARK PLAN OF MANAGEMENT

MOTION

Moved by Cr White, seconded by Cr Duncan

That City of Newcastle:

1. Notes the importance of National Park precinct, in the heart of Newcastle's new CBD, for sporting, recreational, passive and educational uses;
2. Notes the community interest in being involved in the future planning of the National Park precinct, including the future use of the former Life Without Barriers and bowling club site; and
3. Commences the production of a site specific Plan of Management through comprehensive consultation with the community and relevant stakeholders.

AMENDMENT

Moved by Cr Mackenzie, seconded by Cr Elliott

3. Commences the production of a site specific Plan of Management with relation to Life Without Barriers, the bowling club and the tennis court sites.
4. Seek to commence in the first half of 2020 the development of the National Park POM.

Defeated

The motion moved by Councillor White and seconded by Councillor Duncan was put to the meeting.

**Carried
unanimously**

ITEM-37 NOM 22/10/19 - EMERGENCY EGRESS FOR HIGHRISE OCCUPANTS WITH A DISABILITY

MOTION

Moved by Cr Mackenzie, seconded by Cr Byrne

That City of Newcastle

- 1 Note the commencement of the review of the City of Newcastle's Disability Inclusion Action Plan 2016-2019, and the preparation of the draft revised plan for the period 2020-2024.
- 2 Note the successful pilot program of events and activities to acknowledge International Day of People with Disabilities under the title of "Count Us In Newcastle" over the past month.
- 3 Receive a report on emergency and evacuation egress for occupants or visitors with a disability in high-rise buildings, including options for amendments to City of Newcastle planning documents and advocacy opportunities, to ensure safe, dignified and independent egress for all.

**Carried
unanimously**

ITEM-38 NOM 22/10/19 - CONTRACTS WITH VALUE OF \$1 MILLION OR MORE

MOTION

Moved by Cr Church, seconded by Cr Elliott

That City of Newcastle

1. Notes that City of Newcastle has entered into numerous contracts for IT services in 2019 valued at more than \$10 million.
2. Notes that this coincides with a major restructure of the IT department and the move of council's administration staff to rented premises at 12 Stewart Avenue, Newcastle West.
3. Notes that 2 of the largest contracts are for values of \$2,050,000 and \$2,781,857 and that these contracts did not go to formal tender and were not approved by the elected council.
4. Notes The City of Newcastle's ongoing commitment to improving Corporate Governance through greater transparency and accountability.
5. Resolves that all contracts valued at \$1million or more must come to the fully elected council for approval before being awarded, regardless of the tendering process used for the procurement.

Councillor Clausen gave notice of a foreshadowed motion.

The motion moved by Councillor Church and seconded by Councillor Elliott was put to the meeting.

For the Motion: Councillors Church, Elliott, Luke, Robinson and Rufo.

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

Defeated

MOTION

Moved by Cr Clausen, seconded by Cr Duncan

That Council:

- 1 Notes the City of Newcastle's ongoing commitment to improving governance through greater transparency and accountability, in accordance with legislative and policy requirements.
- 2 Resolves that all tenders called by City of Newcastle pursuant to section 55(1) of the Act valued at \$1 million or more, are awarded by the elected Council, in accordance with legislative requirements and the CEO's Instrument of Delegation.

Carried

ITEM-39 NOM 22/10/19 - NEWCASTLE MARITIME MUSEUM SOCIETY - EXCLUDED

This item was excluded in accordance with clause 21.5 of the Code of Meeting Practice which provides "The CEO must not include in the agenda for any Meeting any business of which due notice has been given if, in the opinion of the Chief Executive Officer, the business is (or the implementation of the business would be) unlawful". This item was excluded as, in the opinion of the Chief Executive Officer, the implementation would breach the Code of Meeting Practice clause 17.1 which stipulates that any person wishing to address Council apply either to the Public Voice Committee or the Briefings Committee.

ITEM-40 NOM 22/10/19 - CBRE BUSINESS CASE FOR MOVE INTO RENTED PREMISES AT 12 STEWART AVENUE, NEWCASTLE WEST - EXCLUDED

This item was excluded in accordance with clause 21.5 of the Code of Meeting Practice which provides “The CEO must not include in the agenda for any Meeting any business of which due notice has been given if, in the opinion of the Chief Executive Officer, the business is (or the implementation of the business would be) unlawful”. This item was excluded as, in the opinion of the Chief Executive Officer, the implementation would be unlawful because it would disclose information that would breach commercial in confidence and confidentiality obligations to third parties. As communicated in regard to previous similar requests to make the lease details public, third party consultation is necessary under the Government Information (Public Access) Act 2009. This was previously undertaken in February 2019 with the lessor unwilling to waive his right to commercial in confidence.

CONFIDENTIAL REPORTS

Nil

The meeting concluded at 7.50pm.

REPORTS BY COUNCIL OFFICERS

ITEM-83 **CCL 26/11/19 - ADOPTION OF WARD BOUNDARY PLAN AMENDMENTS FOLLOWING PUBLIC EXHIBITION**

REPORT BY: **CHIEF EXECUTIVE OFFICE**
CONTACT: **CHIEF EXECUTIVE OFFICER / EXECUTIVE OFFICER**

PURPOSE

To adopt the proposed Ward Boundary Plan.

RECOMMENDATION

That Council:

- 1 Notes the submissions received during the public exhibition period (Attachment B);
- 2 Notes the Ward Boundary Plan as exhibited (Attachment A) has been amended in response to public submissions with the boundaries between Wards 1 and 2 and Wards 2 and 3 being amended as per the plan (Attachment C);
- 3 Adopts the amended Ward Boundary Plan as per the plan (Attachment C).

KEY ISSUES

- 4 The current ward boundaries for the City of Newcastle (CN) Local Government Area (LGA) were ratified by Council in 1993/94 following the commencement of the Local Government Act 1993 (the Act).
- 5 The ward boundaries were reviewed in 2018 and as there was a variance greater than 10% between Ward 4 and Wards 2 & 3 the Ward Boundaries must be adjusted to reduce the variance in elector numbers between wards to less than 10%.
- 6 During the public exhibition period 30 submissions were received. These submissions have been reviewed. Attachment B summarises the submissions received and the response to the issues raised.
- 7 The issues raised during the public exhibition are addressed in Attachment B with the main issue being the splitting of suburbs between wards mainly Cooks Hill (22 submissions) but also Hamilton (1 submission).
- 8 Although the methodology in determining ward boundaries includes keeping suburbs wholly within a ward “wherever possible” split suburbs are a fact of most ward systems.

- 9 The table below indicates the current number of electors within the existing wards and the number of electors within the proposed ward boundaries as per the recommended option.

	Current electors in each ward	% difference to Ward 4	Proposed electors in each ward	% difference to Ward 2
Ward 1	31,733	-1.86%	29,254	-7.89%
Ward 2	28,611	-11.52%	31,761	
Ward 3	27,785	-14.07%	30,100	-5.23%
Ward 4	32,336		29,350	-7.59%
	120,465		120,465	

Note: Nov 2019, sourced from NSW Electoral Commission

- 10 The recommended option (Attachment C) in terms of addressing community feedback, compliance with the Act and ability to absorb forecast population growth is:
- move the Ward 2 boundary west from Beaumont Street to the railway line;
 - amend the splitting of Cooks Hill to be along Parry Street rather than Darby Street, providing a clearer boundary with Ward 1;
 - move the part of Bar Beach currently in Ward 1 into Ward 2 (to align with the Parry Street boundary).
- 11 The recommended option prevents Darby Street and Beaumont Street from becoming ward boundaries, which would have had the unintended effect of ward councillors representing the business interests of one side of a street rather than the entire business district.

FINANCIAL IMPACT

- 12 Provision has been made in the current 2019/20 budget for statutory costs arising from the exhibition period so there is no financial impact from adoption of this report.

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 13 Open and Collaborative Leadership**
- 7.2.1 Conduct CN business in an open, transparent and accountable manner
 - 7.3.1 Provide opportunities for genuine engagement with the community to inform CN's decision-making.

IMPLEMENTATION PLAN/IMPLICATIONS

- 14 Once Council considers the submissions received and makes a final determination on the Ward Boundary Plan it will be forwarded to the NSW Electoral Commissioner (NSWEC) and the Office of Local Government.
- 15 The adopted Ward Boundary Plan will apply for the Local Government Elections to be held in September 2020.

RISK ASSESSMENT AND MITIGATION

- 16 Reviewing ward boundaries so that the variance between wards is less than 10% ensures CN's reputation as well as compliance with Section 211 of the Local Government Act 1993. The adoption of the revised Ward Boundary Plan, to be used for the September 2020 Local Government Elections, will enable it to be lodged with the NSW Electoral Commissioner before its deadline of 9 December 2019.

RELATED PREVIOUS DECISIONS

- 17 The current ward boundaries were ratified in 1993/94 following commencement of the Local Government Act 1993.
- 18 Council considered a report regarding the proposed Ward Boundary Plan at its meeting on 27 August 2019 and resolved as follows:

That Council:

- 1 *Place the Proposed Ward Boundary Plan (Attachment A) together with the Review of Ward Boundaries Community Discussion Paper (Attachment B) on public exhibition for a period of 42 days*
- 2 *Receives a report back to Council following the public exhibition period.*

CONSULTATION

- 19 The Ward Boundary Plan together with a Community Discussion Paper and Frequently Asked Questions was placed on public exhibition from 27 August 2019 until 10 October 2019. Notice of the public exhibition was advertised via local newspapers, CN's website and social media. Copies of the Ward Boundary Plan, Discussion Paper and Frequently Asked Questions were available at CN's libraries, customer service centres and was also available electronically via its website: www.newcastle.nsw.gov.au/Have-Your-Say/Projects/Wards
- 20 At the close of the exhibition period a total of 30 submissions (Attachment B) were received. However, two of the submissions were forwarded in identical terms and another two consisted of a submission and a second submission from the same person providing further clarification, so there were 28 actual submissions.
- 21 Consultation has occurred with the NSWEC and the Australian Statistician as required under the Act.

BACKGROUND

- 22 The current ward boundaries were ratified in 1993/94 and consist of four wards which elect three Councillors each plus a popularly elected Lord Mayor resulting in 13 Councillors. Section 211 of the Act requires that CN must keep the ward boundaries under review.
- 23 In January 2019 Council was advised that the current electors in its wards have a variance of more than 10%. As such Council is required to amend the ward boundaries so that the resultant number of electors in each ward differ by less than 10%.
- 24 In arriving at the proposed ward boundaries the following guidelines were used:
- Natural boundaries – wherever possible natural boundaries such as main roads, rail lines etc, were used to arrive at a ward boundary.
 - Statistical Area Boundaries – wherever possible whole Statistical Area Level 1 Boundaries as used by the Australian Bureau of Statistics, were transferred from one ward to another.
 - Future Growth – as the higher growth in Wards 1 & 4 is expected to continue it was necessary to reduce both these wards and increase Wards 2 & 3 to ensure that the new boundaries are able to be used for more than one election cycle.
 - Suburb boundaries – wherever possible, suburbs remain wholly within a ward.
- 25 Once the revised Ward Boundary Plan is adopted it will apply for the Local Government Elections in the City of Newcastle Local Government Area to be held in September 2020.
- 26 The existing ward boundaries have 14 split suburbs: Adamstown Heights, Bar Beach, Birmingham Gardens, Black Hill, Broadmeadow, Callaghan, Elernmore Vale, Kotara, Newcastle West, New Lambton Heights, Rankin Park, The Junction, Wallsend and Waratah West.
- 27 The recommended option reduces the number of split suburbs from 14 to 12 with Hamilton and Bar Beach no longer split.
- 28 These adjustments in ward boundaries have taken into consideration potential local growth areas and urban renewal corridors as identified in the Greater Newcastle Metropolitan Plan 2036 (NSW Dept of Planning & Environment 2018) and allow for future population growth for approximately a decade. The ward boundaries will require regular review and probable future adjustments.
- 29 As a result of the submissions eleven alternatives were considered by staff to address issues raised from the public submissions.
- 30 The majority did not ensure equitable voter numbers across all wards and therefore would not be compliant with the Local Government Act nor NSWEC requirements.

Option 1

31 Amend the proposed ward boundaries as exhibited by moving the Ward 2 boundary with Ward 3 to the railway line rather than Beaumont Street, retain Cooks Hill split between Wards 1 and 2 however move the boundary from Darby Street to follow Parry Street and also move the part of Bar Beach currently in Ward 1 into Ward 2 in an attempt to address concerns raised during the public exhibition period. This is the recommended option.

Option 2

32 Adopts the ward boundary plan as exhibited without any changes. This is not the recommended option.

Option 3

33 Not amend the ward boundaries retaining the current boundaries resulting in Council not being compliant with the Local Government Act. This is not the recommended option.

REFERENCES

ATTACHMENTS

- Item 83 Attachment A:** Ward Boundary Plan
- Item 83 Attachment B:** Submissions received during Public Exhibition
- Item 83 Attachment C:** Map of Proposed amendment to Ward Boundary Plan as result of Public Submissions

Item 83 Attachments A to C distributed under separate cover

ITEM-84 CCL 26/11/19 - TABLING OF DISCLOSURES BY DESIGNATED PERSONS - 1 AUGUST 2019 TO 31 OCTOBER 2019

REPORT BY: GOVERNANCE
CONTACT: DIRECTOR GOVERNANCE / MANAGER LEGAL

PURPOSE

For the Chief Executive Officer (CEO) to table the pecuniary interest returns received from designated persons between 1 August 2019 and 31 October 2019 in accordance with the City of Newcastle's (CN) Code of Conduct for Staff.

RECOMMENDATION

That Council:

- 1 Note the tabling of the pecuniary interest returns (for the period 1 August 2019 to 31 October 2019) by the CEO.

KEY ISSUES

- 2 The Code of Conduct for staff requires:
 - i) Designated persons to lodge a disclosure of interest return (Return) in the prescribed form within three months of becoming a designated officer;
 - ii) The CEO to table the Returns lodged at the first Ordinary Council Meeting held after the lodgment of Returns; and
 - iii) The CEO to keep a register of Returns which may be accessed in accordance with the *Government Information (Public Access) Act 2009* (GIPA Act).
- 3 The Code of Conduct for CN staff was adopted by Council at its Ordinary Council Meeting held on 25 June 2019 and is consistent with the *Model Code of Conduct for Staff and Delegates* (Model Code) prescribed by the Office of Local Government pursuant to section 440 of the *Local Government Act 1993* (the Act) and clause 180 of the *Local Government (General) Regulation 2005* (the Regulation).
- 4 Designated persons are:
 - i) CEO (General Manager);
 - ii) Senior staff;
 - iii) CN officers designated because of the exercise of Council functions; and

- iv) Committee members because of the exercise of Council functions.
- 5 In accordance with s739 of the Act, CN has amended the register of Returns to omit information that discloses a designated person's place of living where:
- i) The designated person requested that such information be deleted on the grounds that it would place their personal safety or their family's safety at risk; and
 - ii) The CEO was satisfied that disclosing the information would place the designated person's safety or their family's safety at risk.

FINANCIAL IMPACT

- 6 CN's adopted Our Budget 2019/20 provides for arrangements for Council meetings. There is no budget implication in adopting the tabled annual Returns.

COMMUNITY STRATEGIC PLAN ALIGNMENT

7 Open and Collaborative Leadership

7.2a Conduct Council business in an open, transparent and accountable manner.

7.3b Provide clear, consistent, accessible and relevant information to the community.

8 Open and Transparent Governance Strategy

3.5 Open and Transparent Disclosures.

IMPLEMENTATION PLAN/IMPLICATIONS

- 9 On the day following the meeting, the register of Returns may be accessed by members of the public (at CN's City Administration Centre) during business hours without an appointment.
- 10 Alternatively, the register of Returns is available for inspection in accordance with the GIPA Act. CN's procedure requires a person to make an appointment to view the register during business hours.

RISK ASSESSMENT AND MITIGATION

- 11 Compliance with legislative requirements for tabling of disclosures of interest is a key process supporting CN's Open and Transparent Governance Strategy and ensures CN complies with the Model Code.

RELATED PREVIOUS DECISIONS

12 At its meeting on 22 October 2019, Council noted the tabling of the annual disclosures of interest by designated persons returns (for the financial year 2018/2019) by the CEO.

CONSULTATION

13 No consultation was required as this is a statutory process under the Code.

BACKGROUND

14 Not Applicable.

OPTIONS

Option 1

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

Option 2

16 Council does not adopt the recommendation. The Code requires the Returns to be tabled at a Council meeting. Failure to do so would constitute a breach of the Code and the Act. This is not the recommended option.

REFERENCES

17 Code of Conduct for Staff

<https://www.newcastle.nsw.gov.au/Council/Our-Responsibilities/Code-of-Conduct>

18 Model Code of Conduct for Local Councils in NSW: A Guide to Completing Returns of Interest

<https://www.olg.nsw.gov.au/sites/default/files/Model%20Code%20of%20Conduct%20-%20Completing%20returns%20of%20interest.pdf>

ATTACHMENTS

Nil

ITEM-85 CCL 26/11/19 - ADOPTION OF THE 2020 COUNCIL MEETING CYCLE

REPORT BY: GOVERNANCE
CONTACT: DIRECTOR GOVERNANCE / MANAGER LEGAL

PURPOSE

To adopt a Council meeting schedule for 2020.

RECOMMENDATION

That Council adopts the following meeting schedule for 2020:

- 1 i) For the period February 2020 to May 2020 with meetings commencing at 5.30pm:

Week 1	Advisory Committee (Quarterly as scheduled)
Week 2 – Tuesday	Councillor Workshops
Week 3 – Tuesday	Committee Meetings (as required): <ul style="list-style-type: none"> • Public Voice Committee • Briefings Committee • Development Applications Committee
Week 4 – Tuesday	Ordinary Council Meeting
Week 5 – Tuesday	No scheduled meetings

- ii) For June 2020 with meetings commencing at 5.30pm:

Week 1	Advisory Committee (Quarterly as scheduled)
Week 2 – Tuesday	Councillor Workshops Committee Meetings (as required): <ul style="list-style-type: none"> • Public Voice Committee • Briefings Committee • Development Applications Committee
Week 3 – Tuesday	No scheduled meeting due to National General Assembly Conference
Week 4 – Tuesday	Ordinary Council Meeting
Week 5 – Tuesday	No scheduled meetings

CITY OF NEWCASTLE

Ordinary Council Meeting 26 November 2019

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- iii) For the period July 2020 to August 2020 with meetings commencing at 5.30pm:

Week 1	Advisory Committee (Quarterly as scheduled)
Week 2 – Tuesday	Councillor Workshops
Week 3 – Tuesday	Committee Meetings (as required): <ul style="list-style-type: none"> • Public Voice Committee • Briefings Committee • Development Applications Committee
Week 4 – Tuesday	Ordinary Council Meeting
Week 5 – Tuesday	No scheduled meetings

- iv) For September 2020 with the meeting commencing at 5.30pm:

Weeks 1 to 4 - Tuesday	No scheduled meetings due to Council Election
Week 5 – Tuesday (29 September 2020)	Ordinary Council Meeting

- v) For the period October 2020 to November 2020 with meetings commencing at 5.30pm:

Week 1 – Tuesday	No scheduled meetings
Week 2 – Tuesday	Councillor Workshops
Week 3 – Tuesday	Committee Meetings (as required): <ul style="list-style-type: none"> • Public Voice Committee • Briefings Committee • Development Applications Committee
Week 4 – Tuesday	Ordinary Council Meeting
Week 5 – Tuesday	No scheduled meetings

- vi) For December 2020 with meetings commencing at 5.30pm:

Week 1 – Tuesday (1 December 2020)	Committee Meetings (as required): <ul style="list-style-type: none"> • Public Voice Committee • Briefings Committee • Development Applications Committee
Week 2 – Tuesday (8 December 2020)	Ordinary Council Meeting
Weeks 3 to 5 - Tuesday	No scheduled meetings

- 2 The location of all meetings will be City Hall until the completion of works at the City Administration Centre, 12 Stewart Avenue Newcastle West.
- 3 For the purposes of the Instruments of Delegation to the Lord Mayor and Chief Executive Officer, Council's 'Recess Period' commences at midnight on Tuesday 10 December 2019 and ceases at midnight Monday 10 February 2020.

KEY ISSUES

- 4 Section 365 of the Local Government Act 1993 (NSW) (Act) provides that Council must meet at least ten times per year, with each meeting being in a different month. The recommended meeting schedules at Paragraph 1 is consistent with section 365 of the Act.
- 5 The Code of Meeting Practice provides that Council must adopt a meeting cycle by the first Council meeting of each calendar year.
- 6 It should be noted that Local Government elections will be held on 12 September 2020. As such, Council will be required to assume a caretaker arrangement as of Friday 14 August 2020. In accordance with cl.393B Local Government (General) Regulation 2005, during a caretaker period Council cannot perform the following functions:
 - i) Entering into any contract or undertaking involving an expenditure or receipt by the City of Newcastle (CN) of an amount equal to or greater than \$150,000 or 1% of the CN's revenue from rates in the preceding financial year (whichever is the larger).
 - ii) Determining a controversial development application, except where:
 - a) a failure to make such a determination would give rise to a deemed refusal, or
 - b) such a deemed refusal arose before the commencement of the caretaker period
 - iii) Appointing or reappointing the CN's General Manager (except for temporary appointments).
- 7 A link to the OLG Circular 17-11 dated 14 June 2017 is provided to demonstrate Council decision-making prior to the September 2017 Local Government elections: <https://www.olg.nsw.gov.au/news/17-11-council-decision-making-prior-september-2017-local-government-elections>

- 8 At its meeting on 11 December 2018, Council resolved to:
- i) Establish the following Advisory Committees with effect from 1 July 2019 until the day prior to the Ordinary Council election in 2020:
 - Infrastructure
 - Strategy and Innovation
 - Community and Culture
 - Livable Cities
 - ii) Continue with the Asset Advisory Committee and Audit and Risk Committee until the day prior to the ordinary Council election in 2020.
 - iii) Therefore, the listed Committees will dissolve on 11 September 2020.
- 9 The Guraki Aboriginal and Disability Inclusion Advisory Committees and the Youth Council will continue to operate as standing committees.

FINANCIAL IMPACT

- 10 The 2019/20 budget for Council meetings was allocated based on the recommended meeting schedule. The 2020/21 budget will similarly include an allocation for Council meetings in accordance with the recommended meeting schedule.

COMMUNITY STRATEGIC PLAN ALIGNMENT

11 Open and Collaborative Leadership

- 7.2a Conduct Council business in an open, transparent and accountable manner.
- 7.2b Provide timely and effective advocacy and leadership on key community issues.
- 7.3a Provide opportunities for genuine engagement with the community to inform Council's decision-making.

12 Open and Transparent Governance Strategy

- 8a Clear line of communications between members of the public and Councillors.
- 8b Established system for the efficient, effective and orderly conduct of meetings.

IMPLEMENTATION PLAN/IMPLICATIONS

- 13 This report ensures that members of the public are advised in advance of Council meetings and have an opportunity to apply to present to Councillors under our Public Voice and Public Briefing Policy.
- 14 In accordance with the requirements in the Act and the Code of Meeting Practice, Council meeting dates and times are advertised in the Newcastle Herald and on CN website on a regular, monthly basis.

RISK ASSESSMENT AND MITIGATION

- 15 Appropriately scheduled Council meetings are required by legislation and are a crucial component of the Code of Meeting Practice.

RELATED PREVIOUS DECISIONS

- 16 On 27 November 2018, Council endorsed the Council meeting schedule for 2019.
- 17 On 11 December 2018, Council endorsed the establishment of Advisory Committees and adoption of Advisory Committee Charters.

CONSULTATION

- 18 Not applicable.

BACKGROUND

- 19 Not applicable.

OPTIONS

Option 1

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

Option 2

- 21 Council does not adopt the recommendation. An alternative meeting schedule proposal for 2020 may be put forward by Councillors provided that it allows for at least ten Council meetings, with each meeting being in a different month. An increase in the number of meetings is not the recommended option and any significant change to the proposed meeting cycle would need to be considered in light of resourcing requirements. This is not the recommended option.

REFERENCES

ATTACHMENTS

Nil

**ITEM-86 CCL 26/11/19 - MOREHEAD STREET, LAMBTON - UPGRADE
OF PEDESTRIAN CROSSING SOUTH OF ELDER STREET**

REPORT BY: GOVERNANCE
**CONTACT: DIRECTOR GOVERNANCE / MANAGER TRANSPORT AND
COMPLIANCE**

PURPOSE

To approve the upgrade of the existing pedestrian crossing on Morehead Street south of Elder Street, Lambton, to a raised pedestrian crossing with kerb extensions.

RECOMMENDATION

That Council:

- 1 Approve the proposed upgrade of the existing pedestrian crossing on Morehead Street Lambton near Elder Street to a raised crossing with kerb extensions, as shown at **Attachment A**.

KEY ISSUES

- 2 The existing pedestrian crossing on Morehead Street, south of Elder Street Lambton is well-utilised as it connects Lambton Park and Lambton Library with the local centre.
- 3 Residents have raised concerns about pedestrian safety at this location, noting repeated incidences of drivers approaching the crossing failing to observe the 'Stop' sign and of cars undertaking (coming up on the left) of stationary vehicles at the crossing.
- 4 The proposal for kerb extensions, repositioning of signage and a raised pedestrian crossing, aims to improve pedestrian safety and driver behavior in this area by providing greater visibility of pedestrians and signage for oncoming traffic and reducing the crossing distance.
- 5 The Newcastle City Traffic Committee (NCTC) endorsed the proposal at its meeting of 19 August 2019 (Item 108).
- 6 The proposal was publicly exhibited from 20 September 2019 to 21 October 2019. 92 per cent of responses were in favour of upgrading the existing pedestrian crossing to a raised pedestrian crossing. No significant issues were raised against the proposal.

FINANCIAL IMPACT

- 7 The project is part of City of Newcastle's (CN) 2019/2020 Pedestrian Access and Mobility Plan (PAMP) program. Design work is funded through the approved 2019/20 budget. Construction costs are estimated at \$300,000 to be funded via an approved grant of up to \$280,000 under the NSW Government Safer Roads Program with the balance to be provided by CN.

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 8 The project aligns with the following Newcastle 2030 Community Strategic Plan Directions:

Integrated and Accessible Transport

1.2a Continue to upgrade, extend and promote cycle and pedestrian networks;
and

1.3a Ensure safe road networks through effective planning and maintenance.

Liveable Built Environment

5.2b Plan for an urban environment that promotes active and healthy communities.

IMPLEMENTATION PLAN/IMPLICATIONS

- 9 The proposal is consistent with policy positions outlined in the Newcastle Transport Strategy to prioritise the needs of pedestrians and cyclists and reduce traffic speeds.
- 10 Approval of the raised crossing is not delegated to CN officers or the NCTC and must be referred to Council for determination.

RISK ASSESSMENT AND MITIGATION

- 11 The proposed works will reduce the crossing width at the intersection and improve sight lines for oncoming traffic. The work will be undertaken in accordance with the relevant Austroads and Transport for NSW (Roads and Maritime Services) guidelines.

RELATED PREVIOUS DECISIONS

- 12 Nil.

CONSULTATION

- 13 CN officers met on site with residents and Councillors in January 2018 to discuss issues and potential solutions, following representations by the Lambton Residents Group.

- 14 The proposal was exhibited on CN's website from 20 September 2019 to 21 October 2019. Leaflets were distributed to residents and businesses in the immediate area. Overall the response to the proposal was positive with social media comments and submitted responses overwhelmingly in favour of the proposal.
- 15 38 responses were made on the proposal during the exhibition period with 92 per cent (35 responses) in favour of upgrading the existing pedestrian crossing to a raised pedestrian crossing. No significant issues were raised against the proposal.
- 16 The proposal has not been considered by the Infrastructure Advisory Committee. The project is considered routine and is like many undertaken previously by CN.

BACKGROUND

- 17 Morehead Street functions as a collector road connecting Howe Street (sub-arterial road) and Newcastle Road (arterial road), as it carries a traffic volume of approximately 3,500 vehicles per day. Elder Street functions as a local road. The intersection has had three injury crashes in the past five years, including two cross traffic crashes and one pedestrian nearside crash. Surveys undertaken in early 2018 indicated that drivers were generally observing the posted speed limits, however, failure to observe the 'Stop' sign may have been a factor in a reported crash. The Elder Street crossing, west of Morehead Street, is raised and has kerb extensions, and is located within the 40km/h High Pedestrian Activity (HPA) area.
- 18 The proposal for a raised crossing was considered by NCTC at its meeting of 19 March 2018 (Item 31). NCTC provided in-principle support for the proposal and recommended its listing on the PAMP program.
- 19 The project rates highly in CN's PAMP database. The project was scheduled for design in 2018/19 in the PAMP program and for construction in 2019/20.
- 20 Officers submitted a grant application under the Black Spot Program in mid-2018 and were advised of its success in March 2019. Installation of a raised threshold with pedestrian crossing (wombat crossing), with associated street lighting and drainage improvements, is funded to a limit of \$280,000 under the NSW Government Safer Roads Program in 2019/20.

OPTIONS

Option 1

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

Option 2

- 22 Do not approve the proposed upgrade of the pedestrian crossing. Significant delays in the design and approval process will jeopardise CN's ability to expend approved grant funds. This is not the recommended option.

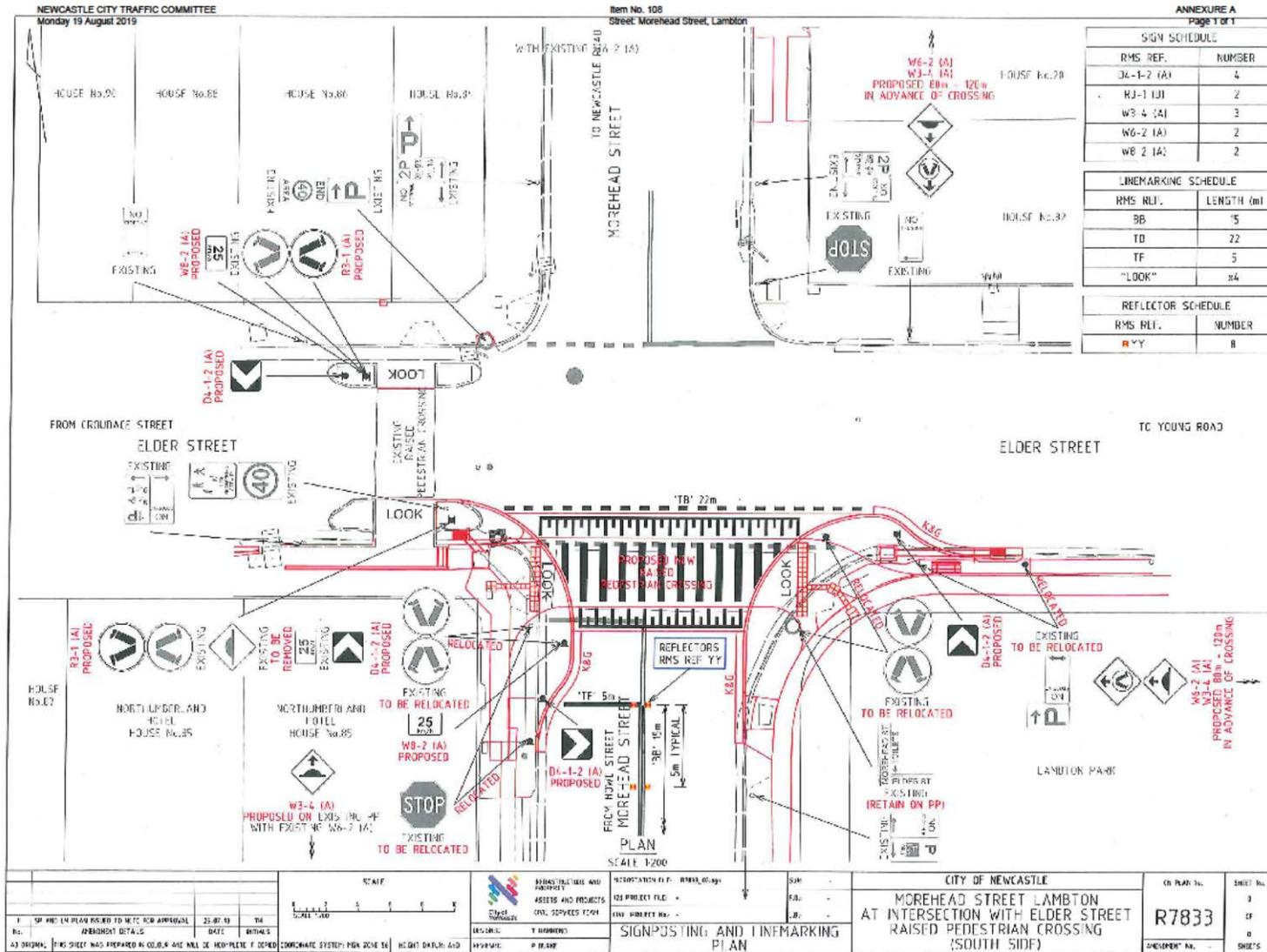
REFERENCES

ATTACHMENTS

Item 86 Attachment A: Signposting and Line Marking Plan

Item 86 Attachment B: Location Diagram

Item 86 Attachment A



Item 86 Attachment B

Attachment B

Locality Sketch

Morehead Street Proposed Raised Crossing



**ITEM-87 CCL 26/11/19 - ENDORSEMENT OF AMENDMENT TO
NEWCASTLE LEP 2012 - CREATE NEW HERITAGE ITEM FOR
PARKWAY AVENUE, NEWCASTLE**

REPORT BY: GOVERNANCE
**CONTACT: DIRECTOR GOVERNANCE / MANAGER REGULATORY,
PLANNING AND ASSESSMENT**

PURPOSE

To endorse a Planning Proposal to commence the statutory process to prepare an amendment to the Newcastle Local Environmental Plan 2012 (NLEP 2012) to list Parkway Avenue from Denison Street, Hamilton East to Memorial Drive, Bar Beach as a Heritage Item of Local Significance.

RECOMMENDATION

- 1 That Council:
 - i) Endorses 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 NLEP 2012 to create a new heritage item for Parkway Avenue, Newcastle.
 - ii) Forwards the Planning Proposal to the Minister for Planning for Gateway determination pursuant to Section 3.34 of the EP&A Act.
 - iii) Consults with the community and relevant government agencies as instructed by the Gateway Determination.
 - iv) Receives a report on the Planning Proposal following the close of the exhibition period.

KEY ISSUES

- 2 The Review of Heritage Conservation Areas Report adopted by Council at the Ordinary Council Meeting held on 28 June 2016 recommended preparation of a Planning Proposal to create a landscape heritage item for Parkway Avenue from Hamilton East to Bar Beach. See site map at **Attachment B**.
- 3 The objectives or intended outcomes of the planning proposal are to include Parkway Avenue as a landscape heritage item of local significance to ensure the heritage significance of the site will be protected. In particular, the avenue with its central median, is protected by its listing as a heritage item, to minimise any loss of intactness, or changes to street design, layout or form that could impact on the heritage integrity of this important street.

- 4 The planning proposal only relates to the public domain elements of Parkway Avenue (being the avenue itself and its central median). It does not apply to private property along Parkway Avenue, noting that the northern end of Parkway Avenue is already included in the Hamilton South 'Garden Suburb' Heritage Conservation Area.

FINANCIAL IMPACT

- 5 Work will be undertaken by CN within current allocated work programs and budget.

COMMUNITY STRATEGIC PLAN ALIGNMENT

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

Vibrant and Activated Public Spaces

- 3.2a Celebrate Newcastle's cultural heritage and diversity.
- 3.2b Celebrate Newcastle's identity by sharing local stories, both historical and contemporary, through arts and cultural programs.

Liveable and Distinctive Built Environment

- 5.1a Protect and promote our unique built and cultural heritage.
- 5.1b Ensure our suburbs are preserved, enhanced and promoted, while also creating opportunities for growth.
- 5.1c Facilitate well designed and appropriate scale development that complements Newcastle's unique character.

IMPLEMENTATION PLAN/IMPLICATIONS

- 7 The preparation of the Planning Proposal was undertaken in accordance with CN's Local Environmental Plan – Request for Amendment Policy (2012). This policy identifies CN's processes and responsibilities in applying the requirements of Part 3 of the EP&A Act 1979 for amending an LEP.
- 8 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 amendment being finalised and reported to Council for determination.

RISK ASSESSMENT AND MITIGATION

- 9 The process of amending an LEP is prescribed by Part 3 of the EP&A Act. Adherence to the legislative framework reduces the risk by ensuring that a Planning Proposal is considered with regard to relevant strategic planning documents and is determined in an appropriate timeframe.
- 10 Justification has been provided for the formal LEP amendment request within the Planning Proposal.
- 11 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 prior to it being reported back to Council for final consideration of the proposed amendment.

RELATED PREVIOUS DECISIONS

- 12 Council resolved to endorse the Review of Heritage Conservation Areas Report at the Ordinary Council Meeting held on 28 June 2016.

CONSULTATION

- 13 Consultation with stakeholders (including the community) will occur in accordance with the Minister's requirements following Gateway Determination.
- 14 In accordance with the DPIE'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.
- 15 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 CN web page and letters to owners of adjoining and nearby properties and notice to CN's Heritage Working Party.

BACKGROUND

- 16 The Review of Conservation Areas Report of June 2016 reviewed the boundaries of existing HCAs and the need to establish new HCAs. In the chapter concerning the Hamilton South 'Garden Suburb' HCA, it discussed the heritage significance of Parkway Avenue and recommended that this avenue with its central median, be protected by listing as a heritage item, to minimise any loss of intactness, or changes to street design, layout or form that impacts on the heritage integrity of this important street.

- 17 The site to be included within the heritage item is almost the entire length of Parkway Avenue. That being from Denison Street in Hamilton East to Memorial Drive in Bar Beach. The northern section of Parkway Avenue in Hamilton East between Tudor Street and Denison Street is excluded from the planning proposal site, as although planned as part of the main avenue, it is incomplete and has remained as a narrow suburban street. A map showing the section of Parkway Avenue proposed to be heritage listed is included in the Planning Proposal.
- 18 Parkway Avenue is culturally significant on a number of levels and is suitable for inclusion in Schedule 5 of the NLEP 2012. The draft Statement of Significance is:

'Parkway Avenue, Denison Street to Union Street

Parkway Avenue, between Denison Street and Union Street, marks the northern boundary of the first subdivision of Hamilton and records the development of suburban Newcastle on land sold by the Australian Agricultural Company (A.A.Co) in May 1914. It records both the sale of A.A.Co land as the company closed coal mining interests in Newcastle and Hamilton and the economic and urban growth of Newcastle as other industries and the port developed. Worters Pulver, appointed in 1913 as Chief Surveyor of the A.A.Co, was a timely influence having an interest in planning and commissioned the architect, John Sulman of Sulman and Hennessy to design the suburb of Hamilton including Parkway Avenue.

Parkway Avenue between Denison Street and Union Street and the surrounding suburban area of Hamilton was influenced by the Garden Suburb Movement and the ideals of the English philosopher planner Ebenezer Howard. John Sulman designed Parkway Avenue and the suburb of Hamilton based on the principles of the Garden Suburb Movement. It is however a record of John Sulman's planning and his diversion from the ideals of the English Garden City Movement with its attention to the grid pattern, linear avenues as opposed to the curvilinear streets and increased density without small park areas. This early section of Parkway Avenue is representative of garden suburb planning in Australia in the early 20th century and it is typical of other city plans at the time including Daceyville, Sydney and the 1920s suburbs of Canberra (both designed by John Sulman) with axial avenues lined with trees. Typical qualities of this Garden Suburb Planning movement in Australia included wide grassed areas allowing for avenues of trees, a hierarchy of streets including grand linear avenues intersected with wide arced and narrower curvilinear streets, a consistency of house type (which in Australia was the detached bungalow type), and this consistency included the detail of fences, driveways, pathways and street signs. Changes to Parkway Avenue including alterations to detached bungalows, roadway, intersections, median strip, road verges, driveways, pathways and fences have diminished this significance to an extent and further alterations will have a cumulative effect on the consistent detail of the garden suburb planning, vistas, axial qualities and ability to interpret the garden suburb planning.

Parkway Avenue, Denison Street to Memorial Drive

The whole of Parkway Avenue between Denison Street to Memorial Drive, is important as a main axis between Bar Beach and Denison Street, Hamilton. Its aesthetic qualities include the vistas along the grand open avenue enhanced by the mature Norfolk Island Pines. The extension of Parkway Avenue is consistent in design and detail and continues the linear form of the earlier section of Parkway Avenue and the recent planting of Norfolk Island Pines has the potential to enhance this part of the avenue.

Parkway Avenue when viewed as a whole from Denison Street to Memorial Drive is aesthetically significant. Its qualities include the vistas along the grand open avenue enhanced by the mature Norfolk Island Pines. The extension of Parkway Avenue is consistent in design and detail and continues the linear form of the earlier section of Parkway Avenue and the Norfolk Island Pines have the potential to enhance this part of the avenue. Other significant details of Parkway Avenue include the concrete kerbs and the curved plan form of the median strips and verges intersections. The inter-War and post WWII houses and residential flats provide an important historical and aesthetic context for the extension of Parkway Avenue between Union Street and Memorial Drive. Changes to these buildings and demolition will cumulatively diminish the significance of the vistas and axial qualities of Parkway Avenue.

The whole of Parkway Avenue, Denison Street to Memorial Drive is held in high esteem by the current residents of this avenue and the local community of Newcastle.'

- 19 A draft State Heritage Inventory for the proposed item including the Statement of Significance and Assessment of Significance is provided in the Planning Proposal.
- 20 The Planning Proposal includes the site as a heritage item in Schedule 5 of the NLEP 2012. The heritage listing of Parkway Avenue will complement the identified heritage significance of the Hamilton South 'Garden Suburb' HCA within which it partly sits. The suburb is one of Newcastle's earliest and largest examples of a planned garden suburb, and the evidence of Sir John Sulman's original design is reflected in the road layout, allotment shape and pattern, and form of housing – with a strong symmetrical and hierarchical pattern of streets including Parkway, Gordon and Stewart Avenues.
- 21 The Review of Heritage Conservation Areas Report includes a list of recommendations, including preparation of this Planning Proposal. Council adopted the report at the Ordinary Council Meeting held on 28 June 2016.

OPTIONS

Option 1

- 22 The recommendation as at paragraph 1. This is the recommended option.

Option 2

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

REFERENCES

ATTACHMENTS

Item 87 Attachment A: Planning Proposal - new heritage item for Parkway Avenue, Newcastle

Item 87 Attachment B: Site Map

Item 87 Attachments A and B distributed under separate cover

ITEM-88 CCL 26/11/19 - ENDORSEMENT OF 2018/19 ANNUAL REPORT

REPORT BY: STRATEGY AND ENGAGEMENT
CONTACT: DIRECTOR STRATEGY AND ENGAGEMENT / MANAGER CORPORATE AND COMMUNITY PLANNING

PURPOSE

To endorse City of Newcastle's (CN) 2018/19 Annual Report (Report) in accordance with the provisions of section 428 of the Local Government Act 1993 (Act) and clause 217 of the Local Government (General) Regulation 2005 (Regulation).

RECOMMENDATION

That Council:

- 1 Endorses CN's 2018/19 Annual Report, in respect of the year ended 30 June 2019 and notes the submission of the Report to the NSW Minister for Local Government by 30 November 2019.

KEY ISSUES

- 2 To comply with s. 428 of the Act and cl. 217 of the Regulation, CN is required to complete the Report by 30 November 2019; provide a copy to the Minister for Local Government; and place a copy on CN's website. CN is also required to report on achievements against its Delivery Program in the Report.
- 3 The Report has been prepared to report our achievements against the strategic objectives and performance measures outlined in the 2018-2022 Delivery Program and 2018/19 Operational Plan, as required by the Act.
- 4 The Report addresses the seven key focus areas identified in the Community Strategic Plan: Integrated and Accessible Transport, Protected Environment, Vibrant, Safe and Active Public Places, Inclusive Community, Liveable Built Environment, Smart and Innovative and Open and Collaborative Leadership.

FINANCIAL IMPACT

- 5 Staff resourcing associated with the preparation of the Report was met from existing operational budgets. There are no other direct financial implications arising from the report.

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 6 The Report outlines CN's performance against the seven strategic directions documented within the Newcastle 2030 Community Strategic Plan.

IMPLEMENTATION PLAN/IMPLICATIONS

- 7 This report aligns to the Community Strategic Plan under the strategic direction of 'Open and collaborative leadership' action:
 - 7.4a 'Continuous improvement in service delivery based on accountability, transparency and good governance'.

RISK ASSESSMENT AND MITIGATION

- 8 To ensure CN meets all statutory reporting requirements under s. 428 of the Act and cl. 217 of the Regulation, a compliance matrix listing all relevant reporting areas was followed.

RELATED PREVIOUS DECISIONS

- 9 Adoption of the 2018/19 Our Budget (2018-2022 Delivery Program and 2018/19 Operational Plan) at the Council meeting held on 26 June 2018.
- 10 Adoption of the audited 2018/19 Annual Financial Statements at the Council meeting held on 22 October 2019.

CONSULTATION

- 11 Relevant staff from across CN have provided input into the Report, as required.
- 12 The Division of Local Government's checklist was distributed to key staff to ensure that all required statutory reporting has been included.

BACKGROUND

- 13 The Report addresses all other statutory requirements as outlined in the Act and the Regulations.
- 14 The 2018/19 Annual Financial Statements will be submitted as an attachment with the 2018/19 Annual Report to the Minister for Local Government.

OPTIONS

Option 1

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

Option 2

- 16 Council resolves not to endorse the 2018/19 Annual Report. This is not the recommended option.

REFERENCES

ATTACHMENTS

Item 88 Attachment A: City of Newcastle's 2018/19 Annual Report

Item 88 Attachment A distributed under separate cover

ITEM-89 CCL 26/11/19 - DIGITAL LIBRARY, NEWCASTLE

REPORT BY: CITY WIDE SERVICES
CONTACT: INTERIM DIRECTOR CITY WIDE SERVICES / MANAGER LIBRARIES AND LEARNING

PURPOSE

To resolve to build a Digital Library within the City Administration Centre (CAC) at 12 Stewart Avenue, Newcastle West.

RECOMMENDATION

That Council:

- 1 Resolves to build the Digital Library as shown in the Level 1 plan and renders as at **Attachment A**.

KEY ISSUES

- 2 Newcastle Libraries are critical to the delivery of City of Newcastle's (CN) vision of being a smart city by supporting digital inclusion, creativity and innovation as outlined in The Library Strategy 2019-2029 (Strategy) at **Attachment B**.
- 3 The provision of a Digital Library aligns with the Strategy's priorities of Digital Inclusion by providing digital experiences, improving digital literacy skillsets, promoting digital collections and showcasing smart city initiatives and technologies.
- 4 The Digital Library will provide a hybrid array of library services supported by a unique schedule of programs targeting digital and information literacy. It will deliver a contemporary library experience utilising modern library facilities as well as offering high quality technology and digital services.
- 5 Providing a Digital Library within Newcastle's public library network bridges the digital divide within the community through programs, learning, technology and humanising how to operate in a smart city and technological society.
- 6 Digital literacy and easily accessible technology are integral to effective participation in contemporary society. Increasingly, the only way to access government or business services is online which requires easy access to fast, reliable technology and connectivity. Skills to navigate the digital environment are integral to bridging the digital divide and achieving a cohesive society.

- 7 The Digital Library will become the City's 11th service point, and first new library since 2006 (Wallsend). The location in Newcastle West aligns with location requirements within the Strategy to meet the needs and service natural population clusters within the City's new CBD, Wickham and Honeysuckle residential areas.
- 8 The Strategy highlights the opportunity for libraries to be collocated with Council or community services. A Digital Library co-located on Level 1, CAC will maximise operational efficiencies through collocation with the Council Chambers and Customer Service areas supporting the delivery of integrated services and the key objectives of digital inclusion.
- 9 The Digital Library will be located immediately opposite the Newcastle Interchange, providing walking distance access to train, light rail, bus, bicycle and kiss-and-ride transport modes. It is within walking distance of Hamilton TAFE and St Francis Xavier's College, who share a target demographic as well as being educational institutions. The location is also adjacent to major shopping precincts and provides accessibility and convenient public access, including for those with mobility issues.
- 10 While 12 Stewart Avenue itself doesn't provide parking to the general public, ample untimed parking exists within 250 metres along Parry, Dennison, Station and Warrah Streets. There is also timed 2P parking in the neighbouring Wood Street, which ensures reliable parking access.
- 11 The Digital Library location addresses service gaps for high population growth areas and over servicing and under servicing of communities as shown in **Attachment C**.
- 12 Surveys conducted in the development of the Library Strategy identified community activity centres such as transport or shopping centres as being ideal as library locations. Survey responses of more than 1,300 people also highlighted that libraries need to provide attractive welcoming spaces for different users; that can be used for different purposes, are flexible, and provide fast, reliable connectivity and technology. Community conversations with over 30 organisations encouraged the library to "aim high and be bold" in developing future services.
- 13 The Digital Library has been designed according to survey feedback providing flexibility and capacity to continuously adapt and innovate to meet rapidly changing expectations of the community.
- 14 Service points or libraries of a similar size will typically generate visitor numbers of approximately 40,000 - 50,000 customers per year. With the specialised programs on offer, CN would expect to meet or exceed this level of visitation. At 510sqm the Digital Library will be CN's third largest library, behind the City and Wallsend branches.

- 15 The Digital Library is also part of a suite of projects demonstrating CN's investment in libraries such as Lambton OPENPlus Library and the Heritage Digitisation Lab aimed at supporting new ways for the community to learn and engage with Library services. This includes afterhours access to the Library.

FINANCIAL IMPACT

- 16 The Digital Library project includes all design, project management, and construction fit out costs associated with the Digital Library as well as the inclusion of digital technologies. A budget of \$2.8 million will be allocated in the Building, Structures and Places Portfolio for adoption at the December Quarterly Review.
- 17 Funding of \$2,128,835 of the required \$2.8 million will be made available from the Works Programs Specific Projects Reserve.
- 18 On 6 April 1964 the Trustees for the Newcastle School of Arts gifted the building to Newcastle City Council on "condition that the proceeds thereof are applied to the development of the Council's Public Library System." On 28 April 2015, Council permitted the sale of the former School of Arts building for \$1,971,486 on the condition that the funds from the sale will be restricted within the Land and Property Reserve. Subsequent interest of \$157,349 has been earned on the sale proceeds.
- 19 The remaining \$671,165 of the Digital Library will be allocated within the works program. The utilisation of \$2.1 million from reserves will require a forecast change in the transfer to reserves to support this commitment, however minimal operational expenditure will be generated from the project given a large majority of the costs can be capitalised.
- 20 A Digital Library within CN's CAC at 12 Stewart Avenue provides a cost-effective delivery model compared to the cost associated with design and construction of a new purpose-built standalone facility. A standalone facility of similar size within the Newcastle West area has been estimated to exceed \$6 million.
- 21 A 2017 refurbishment of the already fitted out Newcastle Central Library cost \$1.4 million. This cost did not include AV or IT equipment or materials for use or borrowing. The refurbished Newcastle Library has increased visitors and programming in the two years since by 30% and loans by 10%.

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 22 The Digital Library aligns with the following Newcastle 2030 Strategic Plan (Plan) directions:

Vibrant, Safe and Active Public Places

- 3.2a Celebrate Newcastle's cultural heritage and diversity.
- 3.2b Celebrate Newcastle's identity by sharing local stories, both historical and contemporary through arts and culture programs.

Inclusive Community

- 4.1b Support initiatives and facilities that encourage social inclusion and community connections.
- 4.1c Improve, promote and facilitate equitable access to services and facilities.
- 4.2b Improve access to formal and informal lifelong learning opportunities, facilities and services.

Smart and Innovative

- 6.2a Support and advocate for innovation in business research activities, education and creative industries

IMPLEMENTATION PLAN/IMPLICATIONS

- 23 The Digital Library meets key objectives of the Plan and the strategic priorities of the Strategy by presenting inclusive digital experiences, improving digital skills, and promoting digital collections.
- 24 The Digital Library supports the achievement of Sustainable Development Goals SDG 4 (Quality Education) and 10 (Reduced Inequalities) adopted by Council in 2018 and achieves the core outcomes of the Australian Library and Information Association (ALIA) National Framework and Standards for Australian Libraries including Stronger and more creative communities, informed and connected citizens and Digital Inc.

RISK ASSESSMENT AND MITIGATION

- 25 Management of the interrelationships between CN administration and Digital Library visitors on a day to day basis will be managed through effective staff training and resourcing.

RELATED PREVIOUS DECISIONS

- 26 On 16 April 2019 Council adopted The Library Strategy 2019-2029 setting strategic objectives to support digital inclusion and lifelong learning.
- 27 On 28 April 2015 Council approved the sale of the former Newcastle School of Arts building with the specific recommendation that “the funds from the sale will be restricted within the Land and Property Reserve”. On 6 April 1964 the Trustees for the Newcastle School of Arts gifted the building to Newcastle City Council on “condition that the proceeds thereof are applied to the development of the Council’s Public Library System”.

CONSULTATION

- 28 The directions of the Strategy were informed by extensive community consultation involving over 1,300 participants, over 30 community group conversations and three Councillor Workshops in late 2018 and early 2019.

- 29 The recommended Digital Library at 12 Stewart Avenue was presented to a Councillor Workshop on 13 August 2019.
- 30 The Digital Library was presented to the Community and Culture Advisory Committee on 3 September 2019 as part of the overview of the directions of the Strategy.

BACKGROUND

- 31 CN has an opportunity to effectively accommodate an accessible technology focused digital library within the CAC. Cost efficiencies can be achieved, while providing the community an enhanced facility adjacent to the city's transport interchange.
- 32 The design of the Digital Library has changed considerably since the Design Services Tender was issued in early 2019. At that time, the cost of the smaller separate project was estimated to be \$580,000 exc GST for a 40sqm area. The Graphite Projects' tender did not include costs for a Digital Library as this is a separate project to the fitout for staff office accommodation.
- 33 The early concept for Level 1 included a Digital Library, a mobile Council Chamber and a community space for hire. Instead the later will now be located on Level 6, allowing the Digital Library to be expanded to 510sqm, approximately double the size of CN's existing libraries with the exception of the City and Wallsend branches.
- 34 The Digital Library experience provides a hybrid library function with cutting edge digital experiences unique to the location. It aims to create opportunities to experience emerging technologies, spark future innovation, whilst still being a flexible place for people to learn, relax and collaborate.
- 35 Major elements of the Digital Library include:
 - i) A digital 'Magic Box' that replicates pages from any of the digitised items from the City's Rare Book collection
 - ii) A Robot to create a unique user experience and participate as the source of community coding workshops
 - iii) Hublets – tablets available to borrow in the library – useful for those without devices
 - iv) VR - virtual reality equipment to showcase new technologies
 - v) An Interactive digital story wall – inspired by the Christchurch City Library, telling stories of Newcastle's heritage, inviting customers to explore online exhibitions and displaying vision from key city attractions such as Blackbutt Reserve and the Anzac Memorial Walk
 - vi) A digital "green" room with podcast equipment will be bookable by the public
 - vii) Access to thousands of digital collection titles to complement the modest collection for adults and children

- viii) A dedicated Pressreader table with access to 6,000 newspaper and magazine titles
 - ix) Ereaders for loan
 - x) A 3D printer alongside a multifunction print and scan device for public use
 - xi) The ability to borrow from the retail styled collections of the latest bestsellers through the self-loan kiosk and return your items on the self-return shelves
 - xii) Programming activities for all ages focussed on science and technology, such as coding, podcast or VR workshops
 - xiii) Targeted digital inclusion support for eGov services
 - xiv) Automated print and payment system, which allows members to pay for printing, copying, fines and services both online and onsite by using credit on their library cards.
- 36 A service model focused on large library edifices, designed for 100-year usage in standalone library branches will not meet the future needs of the City. Most service points in the Newcastle network were built more than fifty years ago before the advent of modern technology and when populations, shopping habits and transport modes and routes were vastly different.
- 37 With library services needing to be flexible, co-located and integrated - the Digital Library is an example of taking the community focus of the traditional library and enhancing the user experience with digital technology. Importantly, the Digital Library enables the service to be flexible in its offerings by blending the traditional book lending with curated digital content and a strong customer service focus.
- 38 The Digital Library will provide a space that is fully integrated with customer service in the main welcome area. The aim is to create a combined community space that fosters interactions between the users of the library and for visitors who have a different purpose for visiting the CAC. The Digital Library is an alternative day time use to the space's original intentional which was to provide community venue hire.
- 39 The Digital Library will be designed so that it can be quickly placed into onsite storage to allow the space to act as the Council Chamber when required two evenings per month.
- 40 The Digital Library creates digital experiences different from all other library service locations in the LGA and region, whilst still meeting the core principles of connecting communities through sharing knowledge and information.

OPTIONS

Option 1

41 The recommendation at Paragraph 1 is the recommended option.

Option 2

42 Not proceed with endorsing the delivery of the Digital Library. This is not the recommended option.

REFERENCES

ATTACHMENTS

- Item 89 Attachment A:** Level 1 Plan and Renders
Item 89 Attachment B: [The Library Strategy 2019-2029](#)
Item 89 Attachment C: Population Gap Analysis

Item 89 Attachment A: Level 1 Plan and Renders

design development
customer service and digital library floor plan



- LEGEND**
- 1. Airlock
 - 2. Engraved CN Crest on floor
 - 3. Book return Bibliotheca kiosk
 - 4. Bibliotheca return shelving and resources
 - 5. Library Podcast room - 4 seater
 - 6. Outward facing library digital signage
 - 7. Library printer facility
 - 8. 2x Concierge Desks - Triage Base
 - 9. Lockable library storage and recharge
 - 10. Waiting and chat area
 - 11. Library self borrowing counter
 - 12. Public PC Counter
 - 13. Accessible Customer Service Desk
 - 14. Modular library and waiting area seating
 - 15. Modular library and children's zone
 - 16. High back library lounge chairs
 - 17. Library mobile book shelving & planter
 - 18. Library feature wall with touch screens
 - 19. Library shelving with touch screens
 - 20. Library press reader table
 - 21. Council Chambers raised podium
 - 22. Council Chambers feature wall
 - 23. Library modular reading lounge
 - 24. Library public study tables
 - 25. Library Magic box
 - 26. Councilor room
 - 27. Chambers media / viewing room
 - 28. Furniture Storage
 - 29. Staff kitchenette
 - 30. Accessible Staff bathroom
 - 31. Staff lockers
 - 32. Staff back of house
 - 33. Staff utility area
 - 34. Private meeting room

DIGITAL LIBRARY PROJECT (NEWCASTLE/WICKHAM)

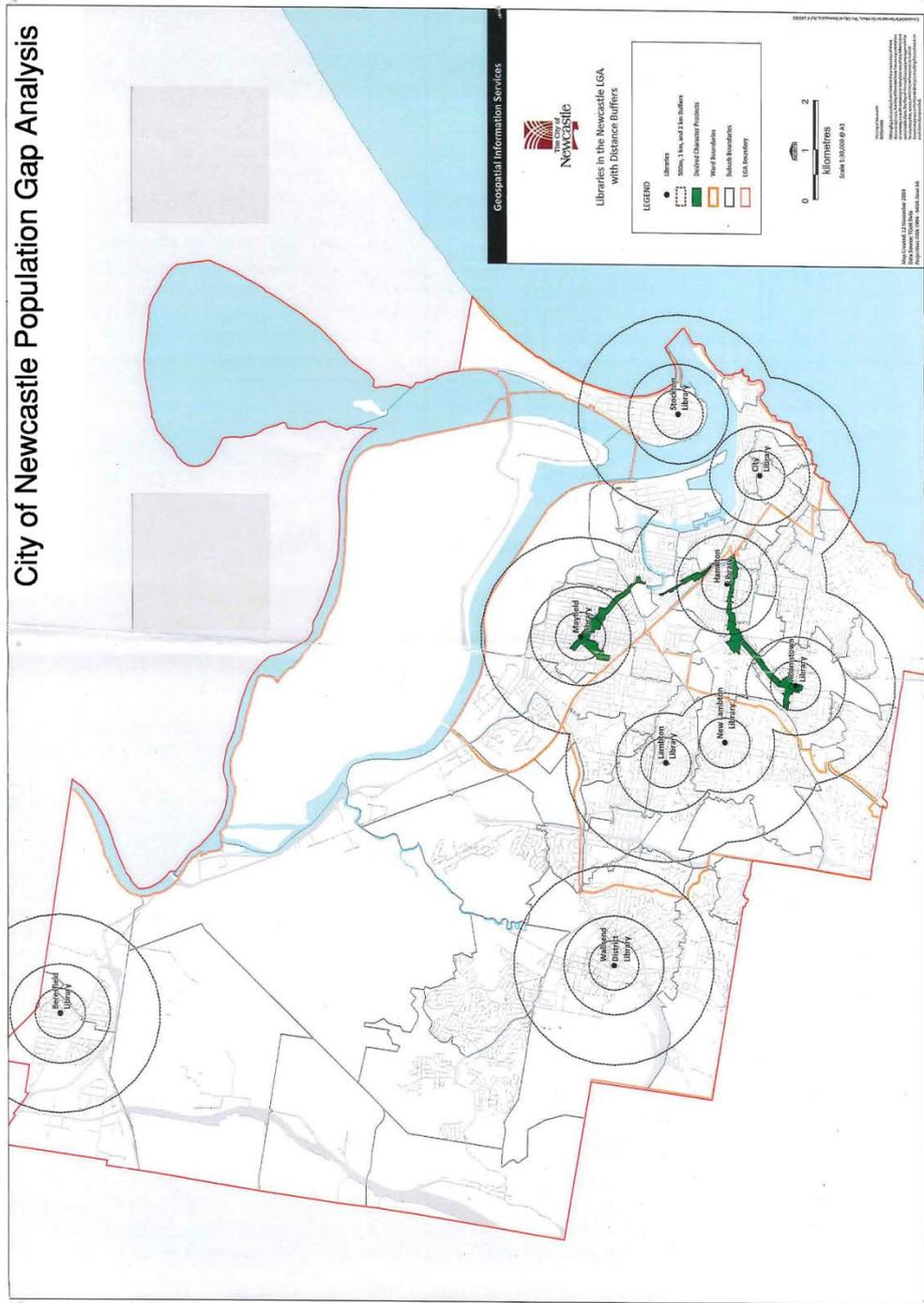
Location: Level 1, 12 Stewart Avenue, Newcastle, NSW 2300
October 2019 | Issue 01

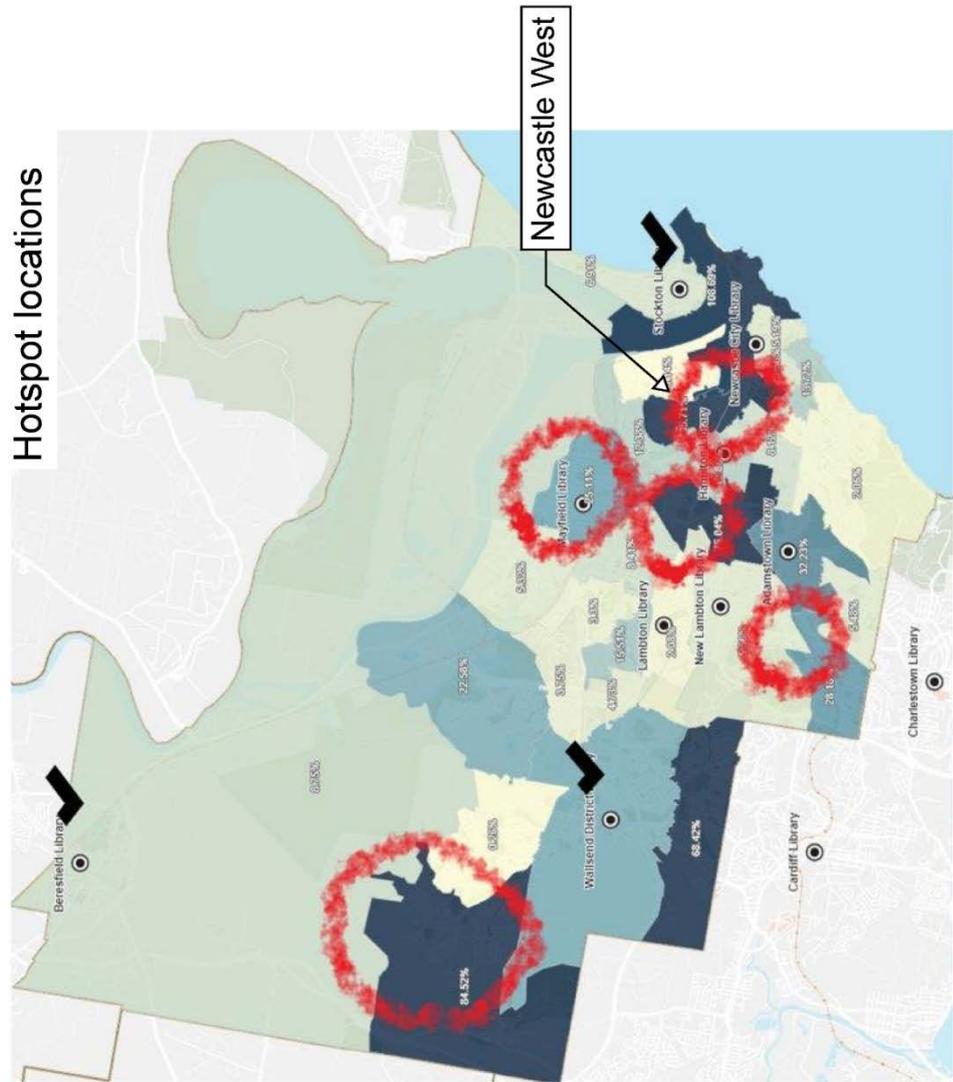


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Version: 1, Version Date: 19/11/2019

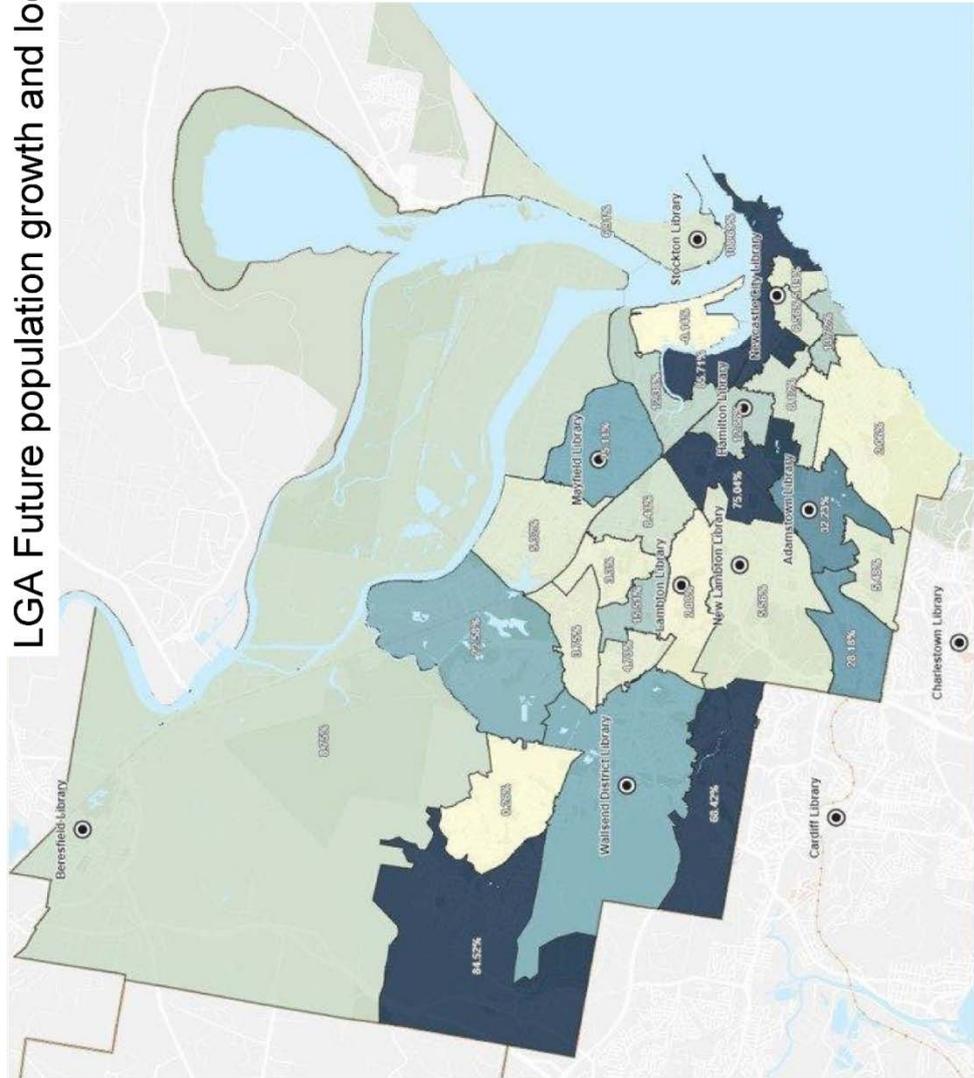


Item 89 Attachment C: Population Gap Analysis

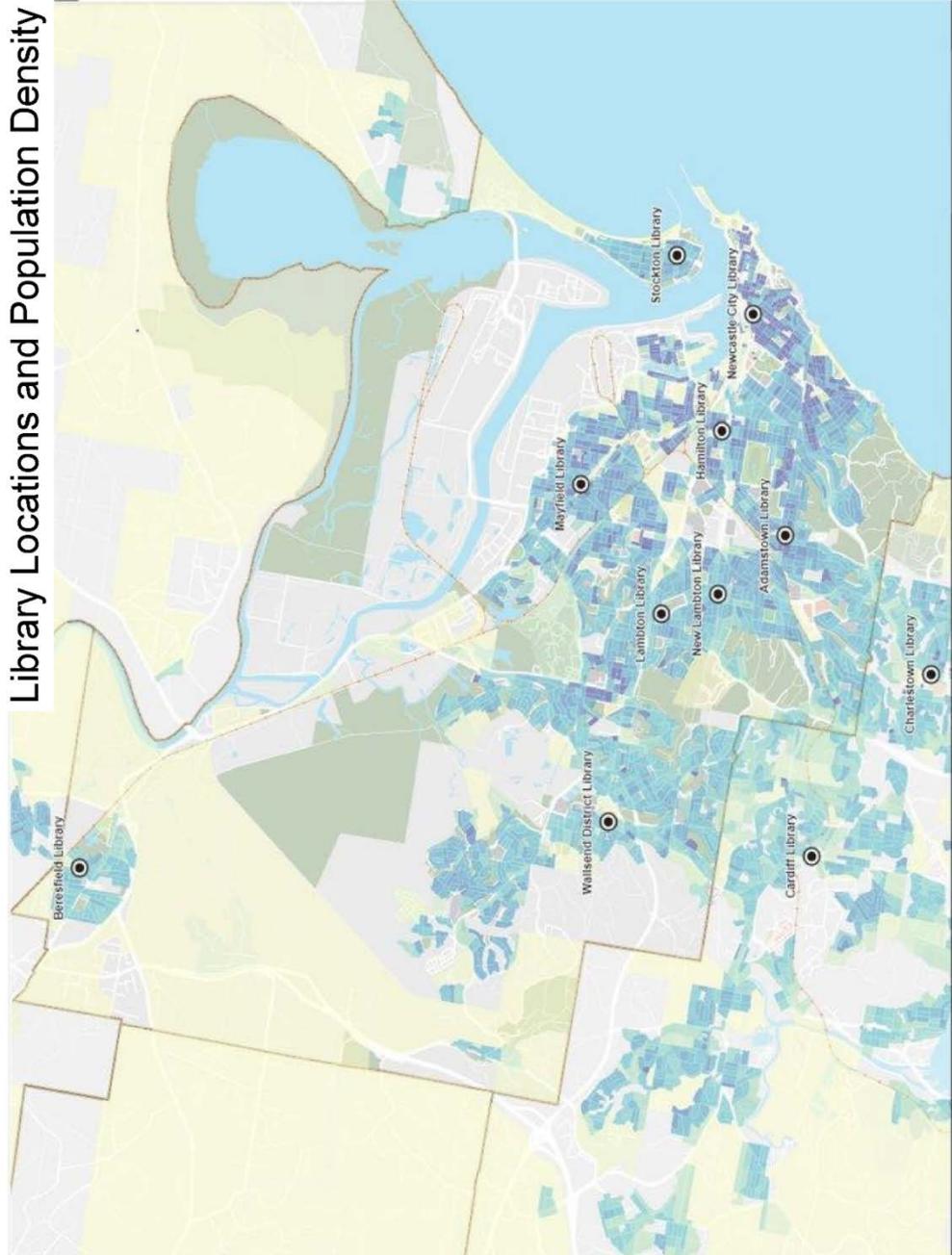




LGA Future population growth and locations



Library Locations and Population Density



ITEM-90 CCL 26/11/19 - SEPTEMBER QUARTERLY BUDGET REVIEW

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

PURPOSE

To provide Council with the Quarterly Budget Review Statement as at 30 September 2019, in accordance with clause 203 of the Local Government (General) Regulation 2005.

RECOMMENDATION

That Council:

- 1 Receives the September Quarterly Budget Review Statement (**Attachment A**) and adopts the revised budget as detailed therein.

KEY ISSUES

- 2 The 2019/20 works program was reviewed as part of the September Quarterly Budget Review Statement and scheduling changes were made to projects to ensure City of Newcastle (CN) was best placed to respond to community priorities. Overall the scheduling changes have increased the works program by \$3.898m to \$84.845m. The increased works program includes projects such as the Mitchell Street Seawall in Stockton, the construction of the landfill cell at Summerhill, works on Tyrell Street Bridge and continued works on City Hall Façade and the Bathers Way.
- 3 The September Quarterly Budget Review Statement includes adjustments to the current adopted budget to reflect trends identified in the actual operating performance to date for the 2019/20 financial year. The budget variations identified will deliver an annual budgeted operating surplus of \$8m for the year ended 30 June 2010.
- 4 The proposed adjustment would deliver an operating surplus of 2.5% of forecast income.
- 5 The adjustments recommended through the September Quarterly Budget Review statement require CN to use an additional \$4.9m of funds. This results in CN forecasting a transfer of \$4.6m to reserves to support commitments in future years.

FINANCIAL IMPACT

- 6 The budget variations recommended through the September Quarterly Budget Review Statement are presented in more detail in the attachment.

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 adoption of the recommendation will enable ongoing implementation of CN’s adopted 2018-2022 Delivery Program and 2019/20 Operational Plan in a cost effective and efficient manner. If the recommended budget adjustments are not approved, it will impact on CN’s ability to undertake the projects outlined in the 2019/20 project program and will ultimately impact on the organisation’s ability to meet the current and future years’ operational plans. In order to ensure that CN remains financially fit for the future and continues on its path to financial sustainability it is essential that it continues to meet its annual operational plans.

RISK ASSESSMENT AND MITIGATION

- 9 Adoption by 26 November 2019 will meet legislative obligations to submit a Quarterly Budget Review Statement to Council within two months of the end of each quarter.

RELATED PREVIOUS DECISIONS

- 10 Adoption of the ‘Our Budget’ (2018-2022 Delivery Program and 2019/20 Operational Plan) on 25 June 2019.

CONSULTATION

- 11 A monthly workshop is conducted with the Councilors to provide detailed information and a forum to ask questions. A workshop was held on 19 November 2019 to discuss the proposed September quarterly review.

BACKGROUND

- 12 The quarterly review budget statement is a process legislated within the Integrated Planning and Reporting Framework. This report is presented to Council at the conclusion of each quarter.

OPTIONS

Option 1

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

Option 2

- 14 Council resolves to vary the recommendations in the adoption of the report.
This is not the recommended option.

REFERENCES

ATTACHMENTS

Item 90 Attachment A: Quarterly Budget Review Statement – September 2019 –
Under separate cover

Item 90 Attachment A distributed under separate cover

ITEM-91 CCL 26/11/19 - ENDORSEMENT OF SEPTEMBER QUARTERLY PERFORMANCE ON THE 2018-22 DELIVERY PROGRAM (OUR BUDGET 2019/20)

REPORT BY: STRATEGY AND ENGAGEMENT
CONTACT: DIRECTOR STRATEGY AND ENGAGEMENT / MANAGER CORPORATE AND COMMUNITY PLANNING

PURPOSE

To report on the principle activities for the September Quarter as detailed in the 2018-2022 Delivery Program, in accordance with the provision of Section 404(5) of the Local Government Act 1993 (Act).

RECOMMENDATION

That Council:

- 1 Receives the September Quarterly Performance on the 2018-2022 Delivery Program, as per **Attachment A**.

KEY ISSUES

- 2 To comply with s. 404(5) of the Act, Council must ensure that regular reports are completed on the progress of principle activities detailed in the 2018-2022 Delivery Program (2019/20 Our Budget). The Act requires progress reports to be provided at least every six months.
- 3 The September Quarterly Performance report has been prepared to report Council's progress against the strategic objectives and performance measures outlined in the 2018-2022 Delivery Program (2019/20 Our Budget), as required by the Act.
- 4 The September Quarterly Performance report addresses the seven key focus areas identified in the Community Strategic Plan: Integrated and Accessible Transport, Protected Environment, Vibrant, Safe and Active Public Places, Inclusive Community, Liveable Built Environment, Smart and Innovative and Open and Collaborative Leadership.

FINANCIAL IMPACT

- 5 Staff resourcing associated with the preparation of the report is met from existing operational budgets. There are no other direct financial implications arising from the report.

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 6 The September Quarterly Performance Report outlines City of Newcastle's performance against the seven strategic directions documented within the Newcastle 2030 Community Strategic Plan.

IMPLEMENTATION PLAN/IMPLICATIONS

- 7 This report aligns to the Community Strategic Plan under the strategic direction of 'Open and collaborative leadership' action:
 - 7.4a 'Continuous improvement in service delivery based on accountability, transparency and good governance'.

RISK ASSESSMENT AND MITIGATION

- 8 Not applicable.

RELATED PREVIOUS DECISIONS

- 9 The 2018-2022 Delivery Program and 2019/20 Operational Plan (2019/20 Our Budget) were adopted at the Ordinary Council Meeting on 25 June 2019.
- 10 The March Quarterly Performance report was received at the Ordinary Council Meeting on 24 May 2019.
- 11 The Six Monthly Performance report was received at the Ordinary Council Meeting on 26 March 2019.

CONSULTATION

- 12 Relevant City of Newcastle staff have provided input into the September Quarterly Performance report as required.

BACKGROUND

- 13 The Delivery Program (2019/20 Our Budget) directly aligns with the seven strategic directions identified in the Newcastle 2030 Community Strategic Plan (CSP) endorsed by Council on 26 June 2018.
- 14 The Delivery Program (2019/20 Our Budget) is required to be prepared every four years following a local government general election. The Delivery Program, Operational Plan and other Integrated Planning and Reporting documents are subsequently required to be reviewed annually and adopted by 30 June of the relevant year.

OPTIONS

Option 1

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

Option 2

16 Council resolves not to receive the September Quarterly Performance report.
This is not the recommended option.

REFERENCES

ATTACHMENTS

Item 91 Attachment A: September Quarterly Performance on the 2018-2022
Delivery Program (2019/20 Our Budget)

Item 91 Attachment A distributed under separate cover

ITEM-92 CCL 26/11/19 - EXECUTIVE MONTHLY PERFORMANCE REPORT

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

PURPOSE

To report on City of Newcastle's (CN) monthly performance. This includes:

- i) Monthly financial position and year to date (YTD) performance against the 2019/20 Operational Plan as at the end of October 2019.
- ii) 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

That Council:

- 1 Receives the Executive Monthly Performance Report for October 2019.

KEY ISSUES

- 2 At the end of October 2019 the consolidated YTD actual operating position is a surplus of \$11.3m which represents a positive variance of \$7.6m against the budgeted YTD surplus of \$3.7m. This budget variance is due to a combination of income and expenditure variances which are detailed in **Attachment A**.
- 3 The net funds generated as at the end of October 2019 is a surplus of \$7.1m (after capital revenues, expenditure and loan principal repayments). This is a positive variance to the YTD budgeted position drawing down on \$1.8m of reserves. This is primarily due to a timing variance in the delivery of CN's works program with a higher amount of project expenditure (both capital and operational expenditures) expected to be incurred during the final quarter of the financial year.
- 4 CN's temporary surplus funds are invested consistent with CN's Investment Policy, Investment Strategy, the Act and Regulations. Details of all CN funds invested under s.625 of the Act are provided in the Investment Policy and Strategy Compliance Report (section 4 of **Attachment A**).

FINANCIAL IMPACT

- 5 The variance between YTD budget and YTD actual results at the end of October 2019 is provided in the Executive Monthly Performance Report.

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 6 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

- 7 The distribution of the report and the information contained therein is consistent with:
- i) CN's adopted annual financial reporting framework,
 - ii) CN's Investment Policy and Strategy, and
 - iii) Clause 212 of the Regulation and s.625 of the Act.

RISK ASSESSMENT AND MITIGATION

- 8 No additional risk mitigation has been identified this month.

RELATED PREVIOUS DECISIONS

- 9 At the Ordinary Council Meeting held on 25 September 2018 Council adopted to receive an Executive Monthly Performance Report for July to May no later than one month after the month being reported as part of the annual financial reporting framework.
- 10 The Investment Policy Compliance Report included in the Executive Monthly Performance Report includes a specific confirmation in regard to compliance with part E of the Investment Policy.

CONSULTATION

- 11 A monthly workshop is conducted with the Councillors to provide detailed information and a forum to ask questions.

BACKGROUND

- 12 The presentation of a monthly Executive Performance Report to Council and a workshop addresses the Council resolution for monthly reporting and exceeds the requirements of the Act.

OPTIONS

Option 1

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

Option 2

14 Council resolves to vary the recommendations in the adoption of the report.
This is not the recommended option.

REFERENCES

ATTACHMENTS

Item 92 Attachment A: Executive Monthly Performance Report – October 2019

Item 92 Attachment A distributed under separate cover

NOTICES OF MOTION

**ITEM-41 NOM 26/11/19 - CITY OCEAN BATHS REDEVELOPMENT
COMMUNITY CONSULTATION**

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

PURPOSE

The following Notice of Motion was received on Tuesday 12 November 2019 from the abovenamed Councillors.

MOTION

That City of Newcastle:

- 1 Receives community petitions regarding the Expressions of Interest (EOI) process regarding the redevelopment of Newcastle and Merewether Ocean Baths, noting that some petitions contain inaccurate information;
- 2 Notes City of Newcastle's commitment and significant capital investment into coastal revitalisation which to date has delivered more than \$40 million in public improvements and infrastructure renewal¹;
- 3 Notes that Newcastle Ocean Baths and Merewether Ocean Baths pavilions requires significant investment to provide an upgrade befitting these iconic public facilities, despite ongoing investment into capital works and maintenance by City of Newcastle;
- 4 Reiterates that the City of Newcastle has no plans to privatise Newcastle or Merewether Ocean Baths, noting that City of Newcastle is Crown Land Manager of both sites for the Crown Lands Division of the NSW Government, and that under legislation, leases may only be entered into for a maximum period of 21 years;
- 5 Notes that EOI investigations are being undertaken in accordance with the City of Newcastle's adopted Newcastle Coastal Plan of Management 2015²;
- 6 Commits to retaining the iconic art-deco façade of Newcastle Ocean Baths, as well as the famous bleacher seating, while improving public amenity by providing improved shade, car parking, disability access, seating, and paving as well as new public change rooms with hot water showers;
- 7 Notes that previous community consultation in 2014 received 550 responses regarding visitation and usage, recommended improvements and preferred commercial or development opportunities at the site; and
- 8 Conducts on-going community consultation with Ocean Baths users and the broader community to help guide future upgrades at Newcastle and Merewether Ocean Baths.

¹ https://www.newcastle.nsw.gov.au/Newcastle/media/Documents/Council/3366-Annual-Report_FINALWEB-updated.pdf

² https://www.newcastle.nsw.gov.au/getmedia/e35b4332-83b1-4a11-8f21-d49e6871cd68/Coastal-PoM_ADOPTED.aspx

BACKGROUND

City of Newcastle is inviting expressions of interest (EOIs) to redevelop the iconic Newcastle and Merewether Ocean Baths pavilions in upgrades that could include a restaurant or café, recreational and community facilities and other services.

Newcastle Ocean Baths' iconic Heritage protected art deco exterior will be retained in any redevelopment, while new public change rooms, disabled access, car parking, new seating, shading and other community facilities will be mandatory inclusions at both sites.

Are the ocean baths being privatised?

No. City of Newcastle is the Crown Land Manager of both pavilion buildings for the Crown Lands Division of the NSW Government, so neither site can ever be sold. Under the governing legislation, leases may be entered into for a maximum period of 21 years. This is consistent with the management of other coastal assets, including the Merewether, Dixon Park and Bar Beach Surf Clubs, and beach kiosks.

Will there be a fee to use the baths?

No, the Baths will remain public assets, and swimming and access to showers, change and community facilities will always remain free.

Will the redevelopment look like the designs in the EOI?

The images in the EOI document are simply an artist's impression of Newcastle Ocean Baths, and do not represent potential EOI proposals. The final design would be subject to a Development Application, and which will be undertaken with extensive community consultation.

Will Newcastle Ocean Baths' façade be knocked down?

No. The heritage façade will be retained as part of any redevelopment. Any upgrades of the site will have to comply with heritage controls, as the Newcastle Ocean Baths are listed as a local heritage item in the Newcastle Local Environmental Plan 2012 and is located within the Newcastle East Heritage Conservation Area.

Can the Merewether pavilion be demolished to make way for redevelopment?

While there are no current plans for demolition or otherwise, the Merewether Baths Pavilion is not heritage listed.

Will redevelopments include car parking?

Yes. Car parking, new seating, shading, disabled access and new public change rooms all are conditions that interested parties will have to meet.

What are the next steps in the process?

A panel will be formed to evaluate the responses and decide whether to proceed to a competitive tender. If yes, the strongest EOI submissions will be invited to a tender. If no, the City will explore other internal funding options. Any final decisions will require community consultation and a resolution of Council.

What's the problem with the current state of the baths and pavilions?

Due to the ageing condition of the public domain at the Baths, substantial repair and remediation is required. Concrete cancer has been identified in the Newcastle Ocean Baths pavilion, which compromises the structure. Previous methods to extend the life of its structural steel, including cathodic protection (preventing rust), have slowed the decay, however the Baths are located in a highly exposed seaside location on Shortland Esplanade, and significant works are now required to ensure the protection of the Baths for decades to come.

Some components of the buildings have failed and are closed. The bulk of the northern pavilion at Newcastle Ocean Baths has been deconstructed, and upstairs areas in the remaining central and southern pavilions have been closed for some years.

Hasn't the City already spent millions on this?

Urgent repairs have been undertaken in recent years to ensure the safety of the bathing public. The City introduced cathodic protection in the early 2000s as a means of slowing saltwater penetration.

Maintenance works have been undertaken at both Baths, however neither Pavilion has been upgraded or renewed to a current standard.

Why can't the City just do the work? Don't our rates already pay for this?

The City is the custodian of more than \$2 billion in assets across the City and needs to optimally manage, renew and upgrade these assets with limited resources. It's imperative the City consider multiple opportunities and funding sources to assist with renewal of these public assets, in an open and transparent way. We regularly do this to achieve the best possible outcomes for ratepayers, most notably at sports grounds and at well-patronised beach kiosks.

An open EOI process is the best way to explore these options.

Will the iconic blue-stepped bleachers be retained?

Yes. The bleachers are not in the scope of this project, which is focused on the building pavilions only.

How much of this space will be accessible to the public?

The public will continue to have free access to the Baths, as well as access to toilet, change and community facilities. All of the public domain will also remain accessible and free.

Any future commercial aspect (such as a café or restaurant) would be operated in a similar manner to the existing commercial kiosk, and any upgrades will be consistent with community expectations to retain public access, and provide improved amenity and service provision to the community.

What changes will be made to the current number of toilets, showers and changerooms?

The City requires that any proposal include new Male, Female and Accessible change and shower facilities are delivered, along with new toilet facilities. This will be further developed once designs are created in consultation with the community.

What does 'local heritage item' mean and what protections does it afford the baths, facade, structures or blue-stepped bleachers?

The Newcastle Pavilion and Baths are an item of local significance and listed on the State Heritage Register. Listing on statutory heritage registers provides a legal framework for managing the approval so that heritage significance is retained and never diminished.

Where's the community consultation?

No development can be implemented prior to the community having the opportunity to provide feedback on any proposal. Prior to recent legislative changes, Council sought EOIs for the Newcastle Ocean Baths site. These EOIs were informed by an 'Expressions of Interest' conducted in 2014 when 550 responses from the public were gathered on visitation and usage, recommended improvements and preferred commercial or development opportunities at the site.

Community consultation on any proposals that come from the current EOI process will be subject to the regular development assessment requirements.

ATTACHMENTS

Nil

ITEM-42 NOM 26/11/19 - FASTER RAIL

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

PURPOSE

The following Notice of Motion was received on Thursday 14 November 2019 from the abovenamed Councillors.

MOTION

- 1 Reiterates its support for Faster Rail (that is, improving connectivity on the existing Newcastle/Central Coast rail line to reduce rail travel times between the Sydney and Newcastle CBD from 3hrs to at least 2hrs (travel speed of < 200km/hr), as an intermediate option to High Speed Rail (travel speeds of >250 km/hr));
- 2 Notes that the Commonwealth Government provided Transport for NSW with \$5.25m to deliver a business case to explore the Faster Rail option more fully, with a commitment that the business case would be available by mid-2019 **(Attachment A)**;
- 3 Notes its previous unanimous resolution of 24/07/2018 requesting that in addition to considering a 2-hour option, this business case should have also considered the viability of a Faster Train option of 70 minutes or less, based on the recommendations of the Committee for Sydney's Sandstone Megaregion report;
- 4 Writes to Infrastructure Australia and Transport for NSW seeking an update on this project, requesting that a copy of the business case be released publicly, and offering CN's continued advocacy to support the delivery of a Faster Rail connection between Sydney and Newcastle;
- 5 Notes the recent invitation from the Parliament of Australia's House of Representatives Standing Committee on Infrastructure, Transport and Cities to make a submission to the 'Inquiry Into Options for Financing Faster Rail' **(Attachment B)**;
- 6 Makes a submission, prior to the 6 December 2019 closing date, that
 - a notes the difficulty in providing requested feedback without a public business case;

- b requests consideration of financing options that ensure equity of access, minimise existing and future inequalities, and manage property speculation including general taxation and government borrowing (noting record low bond rates and existing calls from the Reserve Bank of Australia for increased Commonwealth investment in productive infrastructure) and value capture; and;
 - c notes the lessons from HS2 in the United Kingdom and the need for any Faster Rail or High Speed rail option to be coupled with an inter-regional economic development strategy to ensure that Newcastle does not become a dormitory outer suburb of Sydney; and
- 7 Separately, reiterates its advocacy for improved mobile and WiFi connectivity along the rail journey, and writes to Transport for NSW and the Minister for Transport seeking assurances that the new Inner City Fleet, which arrive in 2019 and 2020, will have its WiFi features enabled, noting discomfort at responses provided to recent Parliamentary Questions on Notice from Minister Constance stating that *“The New Intercity Trains will be WiFi enabled so that we’re in a position to make this feature operational should that decision be taken in the future.”*³

ATTACHMENTS

NOM Item 42 Attachment A: NSW Government Fact Sheet – Faster Rail Prospectus – Sydney to Newcastle

NOM Item 42 Attachment B: Invitation from the Secretary of the Parliament of Australia’s House of Representatives Standing Committee on Infrastructure, Transport and Cities to make a submission to the ‘Inquiry Into Options for Financing Faster Rail’

³ Budget Estimates, Questions on Notice, Minister Constance:
<https://www.parliament.nsw.gov.au/lcdocs/other/11756/Answers%20to%20supplementary%20questions%20-%20Minister%20Constance%20-%20PC5%20-%20Transport.pdf>

NOM Item 42 Attachment A

Journey	Current rail time	Faster rail <200km/h	High-speed rail >250km/h
Sydney to Canberra	4:07 hours	3:00 hours	1:00 hours
Sydney to Goulburn	2:31 hours	1:45 hours	0:30 hours
Sydney to Newcastle	2:35 hours	2:00 hours	0:45 hours
Sydney to Gosford	1:19 hours	1:00 hours	0:30 hours
Sydney to Wollongong	1:25 hours	1:00 hours	0:30 hours
Sydney to Nowra	2:39 hours	2:00 hours	0:45 hours

FASTER RAIL PROSPECTUS – PROPOSAL FACT SHEET

NSW GOVERNMENT – SYDNEY TO NEWCASTLE

The NSW Government will explore improvements to the rail connections between Sydney and Newcastle that would facilitate faster passenger rail services.

The Sydney to Newcastle business case will investigate works including reducing track curvature, deviations and realignments, removal of level crossings, junction rearrangement and better segregation of passenger and freight services. The NSW Government has indicated that travel times between Sydney and Newcastle could be reduced from approximately 3 hours to 2 hours.

Benefits

- Improve travel time reliability (from 3 hours to 2 hours) and increase capacity.
- Increase comfort and amenity at stations and on trains.
- Maximise safety for the travelling public on all modes.
- Minimise the impact of transport on the environment.
- Improve connectivity to the surrounding region through integrating public transport services with the improved rail services.
- Unlock housing supply and job growth between Sydney and Newcastle.

Estimated business case cost

The Australian Government has committed \$20 million in funding to develop faster rail business cases. The NSW Government proposal is one of three successful proposals that will receive a funding contribution from the Australian Government.

The Australian Government funding contribution to the NSW Government proposal is up to \$5,250,000. However, it should be noted that financial support for the development of a business case does not indicate Australian Government support for delivery of a project.

Timeframes

Business cases are expected to be delivered to the Australian Government by mid-2019. The business case will need to demonstrate faster rail travel times through new or upgrades to the existing rail infrastructure.

Completed business cases will be considered in the context of the Government's wider infrastructure priorities and future Budgets and any future funding commitments will take into account state and private sector financial support.

NOM Item 42 Attachment B



PARLIAMENT OF AUSTRALIA

House of Representatives Standing Committee on Infrastructure, Transport and Cities

25 October 2019

**INQUIRY INTO OPTIONS FOR FINANCING FASTER RAIL
INVITATION TO MAKE A SUBMISSION**

The House of Representatives Standing Committee on Infrastructure, Transport and Cities has commenced an inquiry into options for financing faster rail. The inquiry was referred by the Minister for Population, Cities and Urban Infrastructure, the Hon Alan Tudge MP, with the following terms of reference:

The committee will inquire into options for financing faster rail.

The committee is interested to receive the views of stakeholders and invites your organisation to make a submission to the inquiry. You are also welcome to extend this invitation to any other people or organisations that may have an interest in this issue and may wish to prepare a submission for the committee's consideration.

The media release from the launch of the inquiry is attached. Information about the inquiry can be found on the committee's website www.aph.gov.au/FinancingFasterRail.

The closing date for submissions is **Friday, 6 December 2019**. Submissions can be lodged via the committee's website www.aph.gov.au/ITC or by emailing ITC.reps@aph.gov.au.

Submissions and public hearing transcripts will be published on the committee's website. Guidelines on making a submission are available at: www.aph.gov.au/MakeSubmission.

If you have any questions about the inquiry, please contact the committee secretariat on 02 6277 2352 or ITC.reps@aph.gov.au.

Yours sincerely

A handwritten signature in black ink that reads 'Stephen J Boyd'.

Stephen Boyd
Committee Secretary



Media Release

HOUSE OF REPRESENTATIVES STANDING COMMITTEE ON INFRASTRUCTURE,
TRANSPORT AND CITIES

Chair: Mr John Alexander OAM MP

23 October 2019

Financing faster rail: connecting Australians to housing, jobs and services

The House of Representatives Standing Committee on Infrastructure, Transport and Cities just launched its inquiry into options for financing faster rail.

Committee Chair, Mr John Alexander OAM MP, said that 'fast rail connections between our capital cities and regional centres will strengthen economic and social ties and connect people to housing, jobs, and services.'

In addition to providing funding for the construction of the Geelong to Melbourne fast rail, the Government has identified several fast rail corridors in its *Faster Rail Plan*, including:

- Brisbane to Sunshine Coast;
- Brisbane to Gold Coast;
- Brisbane to Toowoomba;
- Sydney to Newcastle;
- Sydney to Wollongong;
- Sydney to Canberra;
- Sydney to Parkes (via Bathurst and Orange)
- Melbourne to Greater Shepparton;
- Melbourne to Albury-Wodonga;
- Melbourne to Traralgon; and
- Melbourne to Ballarat.

Work is currently underway to assess the viability and requirements, with the Government currently funding the development of business cases for several of these fast rail corridors.

Mr Alexander emphasised that, 'to ensure that we get the most out of these essential infrastructure projects, it is imperative that we consider the innovative funding models for major rail projects that are utilised both in Australia and around the world'.

The inquiry's **terms of reference** are: *Options for financing faster rail*.

Submissions are being sought by Friday, 6 December 2019. Submissions can be made online or by emailing ITC.reps@aph.gov.au.

For media comment: Please contact the Committee Chair Mr John Alexander OAM MP:
Electorate: 02 9869 4288; Parliament: 02 6277 4804

For background information: Please contact the committee secretariat:
Phone: 02 6277 2352, Email: ITC.reps@aph.gov.au
Website: www.aph.gov.au/itc

**ITEM-43 NOM 26/11/19 - EVERY BUILDING COUNTS - A PRACTICAL
PLAN FOR EMISSIONS REDUCTION IN THE BUILT
ENVIRONMENT**

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

PURPOSE

The following Notice of Motion was received on Thursday 14 November 2019 from the abovenamed Councillors.

MOTION

That the City of Newcastle:

1. Notes the release of the '*Every Building Counts – A practical plan for emissions reduction in the built environment*' reports by the Property Council of Australia and Green Buildings Council Australia, launched by The Hon Angus Taylor MP, Federal Minister for Energy and Emissions Reduction, on 29 October 2019 (local government version of report at **Attachment A**)
2. Notes that CN is already implementing a number of the report's key recommendations, including through the smart management of its own assets and infrastructure, through its endorsement of the Paris Agreement, Sustainable Development Goals and New Urban Agenda, its decision to source 100% of its electricity requirements from renewable sources from 1 January 2020, and its commitment to net zero emissions by at least 2050 (consistent with the target set by the adopted Greater Newcastle Metropolitan Plan).
3. Considers the report's recommendations to expedite the delivery of Net Zero Emission Buildings as part of its the Local Planning Statement and review of the 2020 Carbon and Water Management Action Plan, currently underway
4. Invites the Hunter Regional Director of the Property Council, Ms Anita Hugo and a representative of the Green Building Council of Australia to present to Council on the report and its recommendations at a briefing in early 2020.

BACKGROUND

**Making Every Building Count
Industry's practical plan to lower emissions and deliver practical savings**

29 OCT 2019

Sandra Qian | Senior Manager – Policy and Government

From targeted financial incentives to better standards for new buildings, a series of new reports have highlighted opportunities for Australia to meet our emissions targets and deliver a net zero future for the building sector.

The Green Building Council of Australia (GBCA) and Property Council of Australia earlier this week launched *Every Building Counts – A practical plan for emissions reduction in the built environment*, which presented 75 recommendations developed through a comprehensive assessment of global and local policies and programs.

Presented across three reports with one for each level of government, they form a practical guide for Federal, State & Territory and local policy makers to galvanise action in Australia's buildings, which are currently responsible for almost a quarter of our national carbon emissions and half of our electricity use.

The recommendations recognise the importance of both top-down and bottom up strategies including targets and building codes, building certification through trusted rating tools, financial and planning incentives, information tools, demonstration projects, education and training and R&D. They also include many issues the Green Building Council is championing with governments, such as expanding the CBD Program, delivering industry certainty through a trajectory of increases to minimum standards for new buildings and driving the broader application of Green Star in public projects.

The reports present key actions to:

- Set out a long term vision for net zero buildings that includes extending the 'Trajectory for Low Energy Buildings to 2050';
- Provide targeted financial and planning incentives to accelerate the shift to high performance buildings;
- Ensure the Climate Solutions Fund drives low cost abatement for the buildings sector;
- Deliver a Zero Carbon Ready building code and improve compliance, monitoring and enforcement;
- Expand the mandate of the Energy Security Board to drive energy productivity across the economy;
- Deliver City Deals that drive cost effective emissions reductions;
- Drive leadership through government owned and leased buildings;
- Empower owners, buyers and renters with a single national rating for home energy; performance and implement mandatory performance disclosure for homes;
- Make Australia a global leader in high performance building products;
- Support renters with minimum energy efficiency standards for rental properties;
- Provide consistent planning pathways that support innovation;
- Inform consumers on residential energy efficiency; and,
- Shift the mid-tier building market to better performance.

The reports are critical to highlighting opportunities for targeted action in the built environment, given our responsibilities under the Paris Agreement and the commitments developed by various sub-national jurisdictions on emissions reduction and renewable energy. Importantly, they represent a 'toolkit' of measures that governments can select from to deliver holistic and meaningful change.

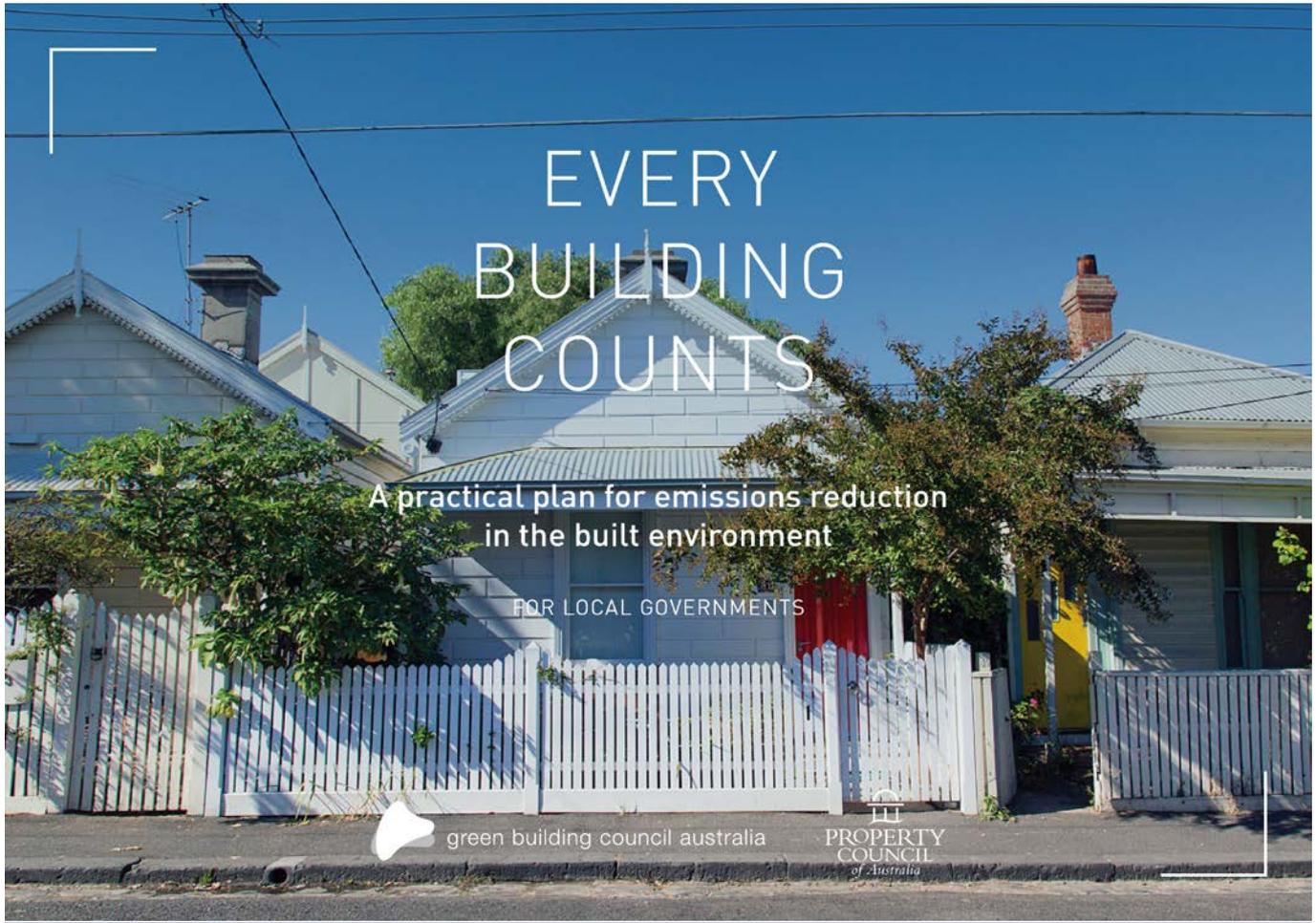
Every Building Counts was launched in Sydney this week with the Hon Angus Taylor MP, Minister for Energy and Emissions Reduction. Roundtables and events supporting *Every Building Counts* will be planned for the months ahead as the GBCA and Property Council partner to give effect to our recommendations across government. Stay tuned to learn about how you can get involved in your state or territory.

Every Building Counts draws from a significant body of research by leading thinkers and built environment advocates in recent years. The GBCA thanks our project sponsors Low Carbon Living CRC and Curtin University as well as our project partners ASBEC and the Energy Efficiency Council for their contribution and support.

ATTACHMENTS

NOM Item 43 Attachment A: Every Building Counts – A practical plan for emissions reduction in the built environment'

NOM Item 43 Attachment A



Buildings account for
over 50% of Australia's
electricity use

...and almost a quarter
of its emissions.

Source: Low Carbon Living CRC, Best Practice Policy and Regulation for Low Carbon Outcomes in the Built Environment, 2010

HOME 2



ENERGY EFFICIENCY MEASURES IN BUILDINGS COULD DELIVER:

<p>\$20 BILLION in energy bill savings for businesses and households</p>	<p>OVER 50% of the Australian Government's 2030 energy productivity target</p>	<p>OVER 25% of Australia's 2030 emissions reduction target</p>
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WE ARE COMMITTED TO ACHIEVING DECARBONISATION BY MID-CENTURY IN ACCORDANCE WITH AUSTRALIA'S RESPONSIBILITIES UNDER THE PARIS AGREEMENT.

While Australia's leading property companies continue to top international sustainability benchmarks, the challenge remains to extend this progress across the sector more broadly.

The right policy settings can help our buildings achieve their full potential with consistency and efficacy. Targeted policies are needed for the sector as well as national consistency of processes and programs where possible.

Source: ASBEC Low Carbon, High Performance 2016

HOME  3

WE HAVE COMPLETED A COMPREHENSIVE REVIEW OF GLOBAL AND LOCAL POLICIES WITH A PROVEN RECORD OF EMISSIONS REDUCTION TO INFORM RECOMMENDATIONS WITH THE BEST VALUE FOR GOVERNMENTS AND INDUSTRY.

This work has resulted in a set of recommendations covering residential, commercial and public buildings that are ready for implementation by local governments.

This report is companion to two others tailored for Federal, and state and territory governments respectively and is the latest in a series of flagship publications showing how government and industry can work together to unlock a low carbon built environment.





THE TRANSITION TO A LOW EMISSIONS ECONOMY IS UNDERWAY AND GATHERING PACE ACROSS AUSTRALIA.

At the sub-national level, many local governments have chosen to join the international community supporting the Paris Agreement by setting their own goals and taking ambitious action. Together, their efforts are helping to drive down emissions and build resilience in the face of climate impacts.

Local government is an increasingly important driver of emissions abatement in the built environment. Through functions such as regulating the development process and influencing local attitudes and behaviours, councils have an opportunity to drive better outcomes in relation to our buildings and cities, whilst delivering long-term social, environmental and economic benefits.

The right policy settings can help accelerate these benefits, whilst reducing the cost of transitioning to a low emissions economy. This report has been developed to highlight the key opportunities, and help local governments take inspiration from best practices around Australia and around the world.

THIS REPORT WAS PRODUCED BY

PROJECT PARTNERS



SPONSOR



STEERING GROUP PARTNERS



METHODOLOGY

We have completed a comprehensive review of global and local policies.



National



International

We have identified solutions for different building types across the built environment.



All buildings



Government



Commercial



Residential

We have identified the building lifecycle stage to which each recommendation can be applied.



All stages



Design



Construction



Commissioning



Sale/lease



Retrofit



Occupation

We assessed each policy according to the key criteria.



Impact

Emissions reduction opportunity



Ease of implementation

Lack of barriers or challenges for adoption



Cost effectiveness

Industry return on investment

POLICY THEMES

THEME 1
NET ZERO BUILDINGS PLAN

THEME 2
GOVERNMENT LEADERSHIP

THEME 3
INCENTIVISE HIGH PERFORMANCE

THEME 4
ROBUST RATING TOOLS FOR DIFFERENT BUILDING TYPES

THEME 5
TRANSFORM MARKETS FOR MATERIALS AND PRODUCTS

THIS IS AN INTERACTIVE PDF. CLICK THE BOXES TO GO TO EACH THEME.

HOME  8

🔍 KEY RECOMMENDATIONS

1
Set a long-term vision for net zero buildings
THEME 1

2
Consistent planning pathways that support innovation
THEME 2

3
Lead through government's own asset portfolio
THEME 2

4
Inform consumers on residential energy efficiency
THEME 2

5
Accelerate the transition to high performance buildings with planning incentives
THEME 3

6
Shift the mid-tier office building market to better performance
THEME 3

7
Endorse and contribute to a single national rating for home energy performance
THEME 4

HOME 🏠 9

RECOMMENDATIONS SUMMARY

THEME 1 NET ZERO BUILDINGS PLAN

1.1 Set a long-term vision for net zero buildings

THEME 2 GOVERNMENT LEADERSHIP

- 2.1 Consistent planning pathways that support innovation
- 2.2 Lead through government's own asset portfolio
- 2.3 Inform consumers on residential energy efficiency
- 2.4 Ensure decision making on infrastructure, community facilities and council assets align with emissions reduction targets and address climate risk
- 2.5 Support low income and vulnerable households and consumers with targeted assistance and tools

THEME 3 INCENTIVISE HIGH PERFORMANCE

- 3.1 Accelerate the transition to high performance buildings with planning incentives
- 3.2 Shift the mid-tier office building market to better performance
- 3.3 Accelerate the transition to high performance buildings with targeted financial incentives
- 3.4 Provide support for distinct market segments through sectoral leadership strategies
- 3.5 Drive deep retrofits for existing homes

THEME 4 ROBUST RATING TOOLS FOR DIFFERENT BUILDING TYPES

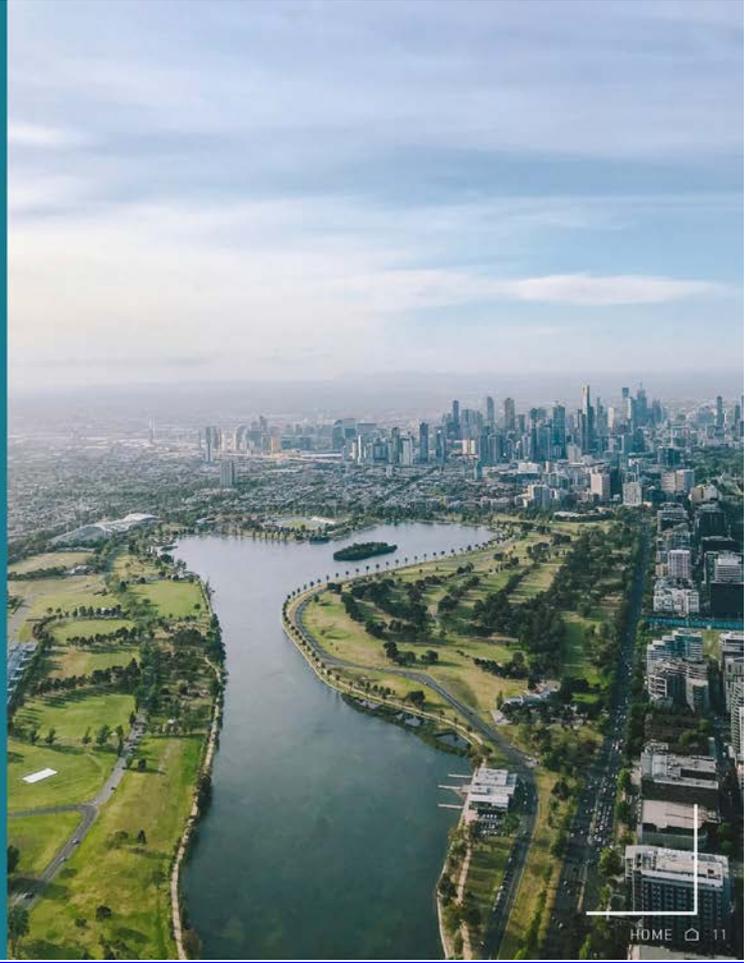
- 4.1 Endorse and contribute to a single national rating for home energy performance
- 4.2 Drive the broader application of trusted, robust and credible building rating systems such as Green Star and NABERS in government projects

THEME 5 TRANSFORM MARKETS FOR MATERIALS AND PRODUCTS

- 5.1 Support Australian leadership in high performing building products
- 5.2 Support a nationally coordinated strategy to achieve net zero embodied carbon



THEME 1
NET ZERO
BUILDINGS
PLAN





NET ZERO BUILDINGS PLAN

 1.1 Set a long-term vision for net zero buildings

RECOMMENDATION 1.1
A MUNICIPAL NET ZERO EMISSIONS PLAN

Set a long-term vision for net zero buildings

BUILDING TYPE:



All buildings

LIFECYCLE STAGE:



All stages

IMPACT:



EASE:



COST EFFECTIVENESS:



CURRENTLY

Australia's support for the Paris Agreement means that we are committed to a just transition to a low emissions economy. To fulfil our obligation, Australia must reach net zero emissions by 2050. Buildings present some of the lowest cost emissions reduction opportunities, and the technology already exists today to achieve zero carbon buildings. Local governments have the opportunity to accelerate Australia's transition to a net zero built environment, by developing their own climate change agenda in line with Australia's international obligations and taking actions to avert or reduce the effects of climate change.

PATHWAY

Local governments should commit to a long-term target of net zero emissions by 2050 with staged interim, science-based targets that are aligned with Australia's obligations under the Paris Agreement. To achieve this target, local governments should establish their own municipal plans for net zero emissions buildings by 2050, including interim targets and a process for regular review. The plan should be implemented through the local government's existing functions and include a framework for coordinating with other levels of government and public reporting requirements.

NATIONAL
CITY OF MELBOURNE CLIMATE CHANGE MITIGATION STRATEGY

In 2018 City of Melbourne adopted its Climate Change Mitigation Strategy to 2050, providing a major commitment to reduce emissions, in line with the Paris Climate Change Agreement's 1.5 degree trajectory. With zero emissions buildings and precincts a key priority, the Strategy sets out a series of actions to deliver on this goal including demonstrating the innovative carbon positive design and operation of the City's own buildings and precincts, advocating for energy performance disclosure for a greater range of commercial and residential buildings, and

facilitating and advocating for fuel switching from gas to electricity in buildings and precincts.

INTERNATIONAL
CITY OF VANCOUVER'S ZERO EMISSIONS BUILDING PLAN

In 2016 the City of Vancouver published its Zero Emissions Building Plan, establishing specific targets and actions for achieving zero emissions in all new buildings by 2030. The Plan sets out four strategies for its zero emissions new buildings target by 2030, grouped around: Limits, Leadership, Catalyse and Capacity building.

THEME 2
GOVERNMENT
LEADERSHIP



GOVERNMENT LEADERSHIP

-  2.1 Consistent planning pathways that support innovation
-  2.2 Lead through government's own asset portfolio
-  2.3 Inform consumers on residential energy efficiency
- 2.4 Ensure decision making on infrastructure, community facilities and council assets align with emissions reduction targets and address climate risk
- 2.5 Support low income and vulnerable households and consumers with targeted assistance and tools

RECOMMENDATION 2.1
REDUCE EMISSIONS THROUGH PLANNING

Consistent planning pathways that support innovation

BUILDING TYPE:



All buildings

LIFECYCLE STAGE:



Design

IMPACT:



EASE:



COST EFFECTIVENESS:



CURRENTLY

Land use planning policy and regulation is critical to delivering low emissions buildings, infrastructure and precincts in our cities and communities. However, there remains a significant opportunity to deliver emissions reduction through state planning instruments that align with a national trajectory towards zero carbon ready buildings.

While policies around sustainability and the built environment are broadly present in state and regional level strategic planning documents, they can be inconsistently implemented by local governments.

PATHWAY

Planning tools need to be streamlined with consistent and transparent outcomes across state and local boundaries to support industry buy-in.

Energy performance targets need to align with a national plan for net zero emissions buildings by 2050, supported by adequate post-development monitoring and enforcement.

State, territory and local governments should lead the development and implementation of consistent planning policies that facilitate and incentivise the delivery of net zero emissions buildings. These policies should be consistent with the delivery of net zero buildings through a national trajectory of upgrades to energy efficiency requirements in the National Construction Code. Focus should be given to developing accelerated pathways to recognise and reward innovative projects that lead by example.

Working collaboratively across government boundaries with industry and the community will support the delivery of this objective.

NATIONAL SYDNEY'S PLANNING PATHWAY TO NET ZERO BUILDINGS

The City of Sydney is enabling coordination between industry, state and territory, and local governments in New South Wales to explore how to achieve low-carbon, high-efficiency buildings and precincts to contribute to the NSW target of net zero emissions by 2050 and reduce climate change impacts. The Greater Sydney Commission's most recent planning document, the *Greater Sydney Region Plan – A Metropolis of Three Cities*, identifies building efficiency as one of the most importance pathways towards net zero emissions in Greater Sydney. All district plans contain a priority to reduce carbon emissions and manage energy, water and waste efficiently.

Through this collaboration, the City of Sydney will help lead the development of a planning pathway to net zero energy multi-unit residential, office, hotel and mixed-used development.

INTERNATIONAL CITY OF TORONTO'S ZERO EMISSIONS BUILDING FRAMEWORK

The City of Toronto's Zero Emissions Building Framework requires all new construction to achieve superior environmental performance through site plan review, via four performance tiers that become mandatory over time until 2030. The establishment of this pathway to near-zero emissions building construction not only helps the City to meet its 2050 GHG reduction goals, but provides the building industry with a clear and transparent picture of future requirements.

RECOMMENDATION 2.2
HIGH PERFORMING GOVERNMENT BUILDINGS

Lead through government's own asset portfolio

BUILDING TYPE:



All buildings

LIFECYCLE STAGE:



All stages

IMPACT:



EASE:



COST EFFECTIVENESS:



CURRENTLY

Council buildings are well positioned to deliver emissions reductions with greater leadership. Healthier, more efficient and better performing buildings would not only support councils' own emissions reduction and climate change targets, but also deliver better value for money to rate payers. Strengthening sustainability targets for councils' own projects presents an opportunity for leadership in the transition towards net zero buildings, as well as a longer term vision to support business certainty and confidence.

PATHWAY

Local government should commit to a trajectory of performance benchmarks over time for its own buildings, which could include strong minimum standards for new buildings, onsite energy efficiency, onsite renewable energy, offsite renewable energy and offsets. The benefits of NABERS energy ratings could be augmented with holistic building rating such as Green Star, and mechanisms to improve adoption, commissioning, data gathering and reporting should be introduced or enhanced.

NATIONAL

WOLLONGONG CITY COUNCIL ADMINISTRATION BUILDING

Wollongong City Council's Administration Building achieved Australia's first 5 star Green Star – Performance rating representing 'Australian Excellence' in 2015. The building has continued to improve its operational efficiency lowering electricity consumption below 2007-08 levels and saving an estimated \$250,000 a year on electricity, as well as \$30,000 a year on water. These improvements, along with other sustainable measures secured the project a 6 Star Green Star – Performance rating, representing 'World Leadership'.

INTERNATIONAL

CITY OF PARIS' MUNICIPAL BUILDING TARGETS

Led by its new Climate Plan, the City of Paris is pursuing a number of outcomes for its municipal buildings. This includes the requirement that all municipal buildings will be net zero carbon in operation by 2030, a target of 40 per cent reduction in energy consumption across the entire municipal building stock by 2030, and a requirement from 2020 that all new construction projects for municipal buildings larger than 5,000 sqm need to be energy passive or energy positive.

RECOMMENDATION 2.3
ENERGY EFFICIENCY
INFORMATION
& AWARENESS

Inform consumers on residential energy efficiency

BUILDING TYPE:



Residential

LIFECYCLE STAGE:



All stages

IMPACT:



EASE:



COST EFFECTIVENESS:



CURRENTLY

Knowledge limitations can lead to market failures when consumers are not able to make informed choices about the energy efficiency of their homes, and there is growing research showing that consumers are confused by the plethora of sustainability jargon and what they promise to deliver. Consumers find it difficult to choose from the diversity and complexity of technology options and recommended behaviours, and tend to seek decision-making shortcuts that may include withdrawal or deferring to government to 'solve the problem'.

PATHWAY

Working with other governments, industry and academia, local governments should drive awareness and behaviour change around sustainable housing, by providing information and social support to home buyers and renovators at key moments of their decision making. This information, which could include details of available financial incentives (see Recommendation 3.3) must consider timing and context to ensure effectiveness. Councils should consider the use of programming in mainstream broadcast media, social media and commercial product placement, to accelerate the adoption of high performance homes and support early adopters to enter the market at scale.

NATIONAL **DAREBIN AND BANYULE COUNCILS' SUSTAINABLE HOMES AND COMMUNITIES PROGRAM**

The Sustainable Homes and Communities Program is a key environmental education partnership between Darebin and Banyule Councils in Victoria. The program has broad reach, with workshops, direct programs with diverse communities, community leaders programs, sustainability awards and resources to engage the wider community. It has been effective in reducing household energy and water use, minimising waste, and increasing the use of sustainable transport.

INTERNATIONAL **JAPAN'S SETSUDEN CAMPAIGN**

The Japanese Government ran a 'Setsuden' (saving electricity) campaign following the 2011 tsunami which saw the closure of generators that had provided 30 per cent of the country's electricity capacity in 2010. The campaign encouraged households to voluntarily reduce their energy demand and set businesses targets to reduce their energy use. Whilst the campaign wasn't intended as a long-term measure, it was hugely successful, reducing peak electricity demand in the Tokyo region by 19 per cent.

RECOMMENDATION 2.4
BEST PRACTICE
PROCUREMENT

Ensure decision making on infrastructure, community facilities and council assets align with emissions reduction targets and address climate risk

BUILDING TYPE:



All buildings

LIFECYCLE STAGE:



All stages

IMPACT:



EASE:



COST EFFECTIVENESS:



CURRENTLY

Government investment in infrastructure represents an opportunity to maximise resilience and climate change outcomes for the community. Currently, methodologies for business case development are inconsistently applied, often based on limited evidence, out of date information and poor quality data. To enhance government capability around project management and delivery, national guidelines should be developed to provide a shared understanding of best practice procurement. This would ensure value for money for the taxpayer through consideration of the project's whole-of-life costs and broader sustainability features, such as energy, water and waste efficiency, resilience, and integration with public and active transport networks.

PATHWAY

Local governments should embed project evaluation and benefits realisation within decision making for infrastructure projects, as a condition of funding and as a component of project scoping. Social, economic and environmental objectives should be systematically, and consistently embedded into strategic procurement practice. In collaboration with other levels of government and Infrastructure Australia, local governments should support and adopt a nationally consistent approach to business case development for social and transport infrastructure.

NATIONAL 
KNOX CITY
COUNCIL
SUSTAINABLE
BUILDINGS &
INFRASTRUCTURE
POLICY

In 2019, Knox City Council adopted a Sustainable Buildings & Infrastructure Policy, the purpose of which was to provide a consistent approach for the inclusion of Economic and Environmentally Sustainable Development principles into Council projects. The policy includes EESD principles into all Council buildings and infrastructure projects (and all substantial renovations and renewals) valued at \$150,000

or above, and guides the design and construction of buildings and infrastructure towards more sustainable outcomes.

INTERNATIONAL 
SMART OSLO
STRATEGY

The City of Oslo's Smart Oslo Strategy includes zero emission construction sites to support the City's target to reduce carbon emissions by 95 per cent from a 1995 baseline and become completely fossil fuel free. The City is implementing standardised procurement criteria across different city agencies in charge of construction. Sites currently use biodiesel or electric machinery and are almost fossil fuel-free already.

RECOMMENDATION 2.5

TARGETED SUPPORT FOR VULNERABLE CONSUMERS

Support low income and vulnerable households and consumers with targeted assistance and tools

BUILDING TYPE:



Residential

LIFECYCLE STAGE:



Occupation

IMPACT:



EASE:



COST EFFECTIVENESS:



CURRENTLY

More and more, consumers need to engage with the energy retail market if they want to reduce their energy bills. While many benefits can flow to informed consumers, those who are more at risk of energy stress, such as low-income or disadvantaged consumers need tailored, ongoing support to engage with their energy use. This is due to barriers that may be related to a lack of capital, language and literacy challenges, split incentives or geography. Better informing and educating consumers about their bills, energy usage and the energy market can help to overcome these barriers.

PATHWAY

Local governments should provide user-friendly information and tools to educate consumers of the long-term benefits of energy efficiency and to encourage improved energy choices. They should also provide ongoing assistance programs to inform and enable disadvantaged households to engage with the energy market. Where possible, these programs should strengthen relationships between disadvantaged households, support services, advocates and energy retailers.

NATIONAL  **SECCA ENERGY EFFICIENCY UPGRADES**

In Victoria, the South East Councils Climate Change Alliance delivered an energy-efficiency upgrade program to 320 low-income, mainly older households in the southeast of Melbourne. Greater cost savings were achieved by households that received both retrofits and behaviour change advice, rather than retrofits alone.

INTERNATIONAL  **HOME ENERGY SCOTLAND**

Home Energy Scotland are a network of local advice centres across Scotland with a mission to help residents create warmer homes and reduce energy bills. The program is funded by the Scottish Government and managed by the Energy Saving Trust, and provides a number of services and tools providing free, impartial advice on energy saving, keeping warm at home, renewable energy, greener travel and reducing waste.

THEME 3
INCENTIVISE
HIGH
PERFORMANCE





INCENTIVISE HIGH PERFORMANCE

-  3.1 Accelerate the transition to high performance buildings with planning incentives
-  3.2 Shift the mid-tier office building market to better performance
- 3.3 Accelerate the transition to high performance buildings with targeted financial incentives
- 3.4 Provide support for distinct market segments through sectoral leadership groups
- 3.5 Drive deep retrofits for existing homes

RECOMMENDATION 3.1

PLANNING INCENTIVES

Accelerate the transition to high performance buildings with planning incentives

BUILDING TYPE:



All buildings

LIFECYCLE STAGE:



Design



Construction



Retrofit

IMPACT:



EASE:



COST EFFECTIVENESS:



CURRENTLY

The provision of planning incentives to homebuyers and builders that commit to best practice is an important mechanism that has largely been overlooked in the national policy mix. Planning incentives such as density bonuses and green door policies would support the accelerated deployment of high performing new buildings by targeting one of the highest priorities for building developers – the cost and time invested and the uncertainty of planning processes.

PATHWAY

Working with state and territory governments, local governments should develop and embed planning incentives that encourage industry towards better

sustainability practice and reduced emissions. Priority should be placed on:

- Incentives such as floors space concessions for high performing buildings that meet a specified benchmark of performance through NABERS Commitment Agreements or Green Star.
- Green door policies, which would provide expedited or prioritised review and approval of development applications associated with more sustainable and higher performing buildings.
- Density bonuses, which offer developers an increase in the permitted density of residential projects in exchange for more sustainable and higher performing buildings. These should be considered in the context of urban greening requirements.

NATIONAL CITY OF BRISBANE'S CLEAN GREEN SUSTAINABLE ACTION PLAN

In 2017 the City of Brisbane launched its 'Clean, Green, Sustainable 2017-2031' action plan, which included a number of priority actions to use the City Plan to support development in embracing high-quality, sub-tropical design across Brisbane. One of these priority actions was the introduction of a 5 per cent density bonus for five and six star Green Star rated buildings in high-density areas.

INTERNATIONAL CHICAGO'S GREEN PERMIT PROGRAM

Chicago's Green Permit Program reduces the planning application process for developers and owners who build to sustainability benchmarks to less than 30 business days, and in some cases, less than 15 days. The length is determined by the number of sustainability elements in the project, LEED certification level, and the project complexity.

RECOMMENDATION 3.2
OFFICE BUILDING
RETROFITS

Shift the mid-tier office building market to better performance

BUILDING TYPE:



Commercial

LIFECYCLE STAGE:



Retrofit

IMPACT:



EASE:



COST EFFECTIVENESS:



CURRENTLY

Mid-tier buildings – those classed as non-A Grade or non-Premium Grade – account for around 80 per cent of Australia’s office buildings and 50 per cent of floor space. These buildings lag significantly behind others in implementing energy efficiency upgrades and retrofits, for reasons such as lack of awareness, difficulty in accessing capital and information, lack of networking among owners and tenants, split incentives, lack of skills and expertise amongst industry professionals. Given the size of the sector, mid-tier buildings present one of the largest untapped policy opportunities for governments, and research has shown that the savings potential in mid-tier office buildings is significant and feasible.

PATHWAY

Working with state and territory governments, local governments should accelerate energy efficiency for mid-tier buildings, focusing on information, incentives and research whilst building on initiatives in place through existing industry and government collaboration. These include establishing targeted financing support to encourage building upgrades such as bulk buy programs, facilitating the uptake of environmental upgrade finance and investing in research to further quantify and understand the mid-tier sector. Additional funding and support for government or industry initiatives which address endemic challenges faced by the sector, such as City Switch and the Better Buildings Partnership should also be prioritised.

NATIONAL ENVIRONMENTAL UPGRADE FINANCE

Environmental Upgrade Finance is a council-based financing mechanism enabling building owners to better access finance for environmental upgrades to existing non-residential buildings. Currently available in three states (South Australia, New South Wales, Victoria), EUF can be used to support a broad range of works including solar, waste and water upgrades, as well as building retrofits and upgrades.



RECOMMENDATION 3.3
FINANCIAL INCENTIVES

Accelerate the transition to high performance buildings with financial incentives

BUILDING TYPE:



All buildings

LIFECYCLE STAGE:



Design



Occupation



Retrofit

IMPACT:



EASE:



COST EFFECTIVENESS:



CURRENTLY

Notwithstanding the progress made by market leaders, energy efficiency investment for most stakeholders in the built environment remains a low priority, due to barriers such as the perceived difficulty of energy upgrades, high upfront costs and long payback periods. Financial incentives can drive accelerated uptake of energy efficiency and distributed technologies in new and existing buildings, by helping to reduce the gap between energy efficiency outlays and returns, and motivating action by building owners and tenants.

PATHWAY

Local governments should develop and embed financial incentives that encourage the built environment towards better sustainability practice and reduced emissions. Priority should be placed on:

- Rates and charges relief for buildings that satisfy a higher sustainability performance standard.
- Rebates that can help reduce the upfront expenses of installing energy and water saving measures in the home.
- Providing (or advocating for the establishment of) environmental upgrade finance to support commercial building upgrades.
- The bulk-buy or facilitated roll-out of common technologies or systems that may apply across a range of businesses.

NATIONAL

CITY OF ADELAIDE'S SUSTAINABILITY INCENTIVES SCHEME

The City of Adelaide's Sustainability Incentives Scheme provide a range of rebates that build on the City's commitments in supporting community investment in sustainable building upgrades. Rebates are available for Carbon Neutral Certification and for the achievement of voluntary performance ratings under Green Star and NABERS.

INTERNATIONAL

US ENERGY POLICY ACT 2005

The US Energy Policy ACT 2005 established a number of tax incentives to drive energy efficiency improvements for both commercial and residential buildings, including:

- Tax credits to builders of residential buildings who build to a high benchmark code the Energy Star rating system.
- Tax credits for home owners who upgrade their building envelope through purchase and installation of insulation, window and roofing materials.

RECOMMENDATION 3.4
SECTORAL LEADERSHIP

Provide support for distinct market segments through sectoral leadership groups

BUILDING TYPE:



Commercial

LIFECYCLE STAGE:



All stages

IMPACT:



EASE:



COST EFFECTIVENESS:



CURRENTLY

The breadth and diversity of the built environment is a major challenge for policy development. Targeted approaches for particular market segments can be a way to overcome this challenge, and the Government should explore collaborative approaches in particular sectors to build on successes and consolidate learnings. Industrial, health and retail are among the sectors where a body of leading organisations with substantial market presence exists, and governments can play a role in coordinating industry-led groups to accelerate action in these sectors, build on successes and consolidate learnings.

PATHWAY

Local governments should actively support the creation of leadership groups in the industrial, health and retail sectors to drive innovation, demonstrate opportunities, connect stakeholders, generate awareness of best practice and develop industry skills and capability.

NATIONAL

SUSTAINABLE DESTINATION PARTNERSHIP

The City of Sydney's Sustainable Destination Partnership is a collaboration of hotels, backpacker hostels, serviced apartments, cultural institutions, entertainment venues, and industry working together to improve environmental performance and build Sydney's reputation as a leading sustainable destination. The Partnership aims to improve the energy, water and waste efficiency of buildings in the local area, increase the uptake of renewable energy and engage with regulators on major environmental policy and regulatory issues.

INTERNATIONAL

UK BETTER BUILDINGS PARTNERSHIP

The UK Better Buildings Partnership is a collaboration of the UK's leading commercial property owners who are working together to improve the sustainability of existing commercial building stock. The Partnership collaborates to find tools and solutions to overcome specific challenges faced by commercial property owners in improving the sustainability of their building stock.

RECOMMENDATION 3.5
RETROFITS FOR EXISTING HOMES

Drive deep retrofits for existing homes

BUILDING TYPE:



Residential

LIFECYCLE STAGE:



Retrofit

IMPACT:



EASE:



COST EFFECTIVENESS:



CURRENTLY

The next update of the National Construction Code - to be implemented in 2022 - is an opportunity to set higher standards for new homes. However, a challenge remains to improve the energy efficiency of our existing housing stock, which includes the 9.5 million homes which were built before minimum efficiency standards were introduced for residential buildings in 2005. Many local governments currently offer programs to drive the uptake of energy saving appliances and technologies, but these programs have not been as effective at incentivising 'deep' retrofits that are required in existing housing stock.

PATHWAY

Working with state and territory governments, local governments should research and trial programs that would provide deep retrofits to existing homes at scale. Priority should also be given to low-performing assets in the social and community housing sector, which could act as the launching market for these solutions with a view to later scale to the private home-owner market.

NATIONAL

VICTORIAN HEALTHY HOMES PROGRAM

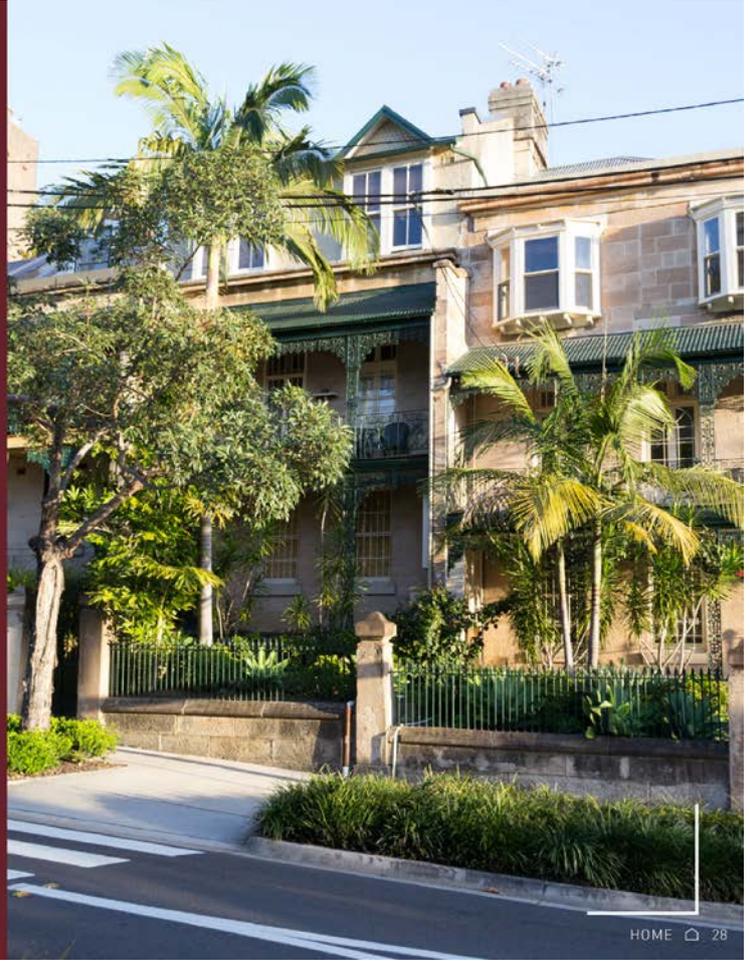
The Victorian Healthy Homes Program is a Victorian Government home energy efficiency program, managed by Sustainability Victoria. It provides free home energy upgrades to up to 1000 Victorians who live with complex healthcare needs, and have low incomes, in Melbourne's western suburbs and the Goulburn Valley. The program aims to improve indoor winter temperatures and reduce household energy bills. Recruitment began in 2018, and potential participants may be contacted by their local council or community health provider and referred to the program.

INTERNATIONAL

THE NETHERLANDS' ENERGIESPRONG PROGRAM

The Dutch Energiesprong ["Energy Leap"] program is a whole-house refurbishment and funding approach that seeks to achieve affordable zero energy building retrofits. The initiative involves wrapping houses with insulated panel facades, installing insulated roofs with high efficiency solar panels in addition to heat pumps, hot water storage tanks and ventilation units, over the course of 10 days. The program is now present in 4 countries - Netherlands, France, Germany and the UK has recently been adopted in the US.

THEME 4
ROBUST RATING
TOOLS FOR
DIFFERENT
BUILDING TYPES





ROBUST RATING TOOLS FOR DIFFERENT BUILDING TYPES

-  4.1 Endorse and contribute to a single national rating for home energy performance

- 4.2 Drive the broader application of trusted, robust and credible building rating systems such as Green Star and NABERS in government projects

RECOMMENDATION 4.1
A NATIONAL RATING SCHEME FOR HOMES
 Endorse and contribute to a single national rating for home energy performance

BUILDING TYPE:  Residential

LIFECYCLE STAGE:  Occupation

IMPACT:   

EASE:   

COST EFFECTIVENESS:   

THEME 4

CURRENTLY

Australian homeowners and renters value sustainability, but lack a credible and widely accepted benchmark to easily assess the sustainability of homes. A single rating scheme consistently applied across the country can elevate sustainability considerations in their decision making, by providing greater transparency and consistency for buyers and tenants. By making it easier to compare the efficiency of homes, a rating scheme would create an incentive for building upgrades, whilst providing added consumer protection for buyers and tenants.

PATHWAY

Working with the Federal Government, and state and territory governments, local governments should support and contribute to the development of a single, coherent national rating scheme to facilitate disclosure of performance in residential buildings, that includes:

- Providing benchmarks for market comparison of best practice sustainability performance;
- A best practice governance model based on NABERS that brings the Commonwealth, state and territory governments together to collectively manage benchmarks for new homes;

NATIONAL ENERGY PRODUCTIVITY PLAN MEASURE 5

Through Measure 5 of the National Energy Productivity Plan, all Australian Governments are working collaboratively to improve residential building energy ratings and disclosure. This includes work to consider different tools to improve information for residential buildings.

INTERNATIONAL NEW ZEALAND'S HOMESTAR RATING TOOL

In New Zealand, Homestar is a comprehensive, independent rating tool that measures and rates the performance of homes. The rating tool, run by the New Zealand Green Building Council awards points across the categories of energy, health and comfort, water, waste, materials, site, home management and an optional innovation category. Houses, apartments or multi-unit residential developments are rated on a 1-10 scale. There are two stages for a Homestar rating: the design phase which rates the development's full and final plans and the built phase which occurs after a home is constructed, and certifies that the features in the design rating have been fully implemented.

HOME  30



RECOMMENDATION 4.2

SUSTAINABLE BUILDING RATING SYSTEMS

Drive the broader application of trusted, robust and credible building rating systems such as Green Star and NABERS in government projects

BUILDING TYPE:



Residential

LIFECYCLE STAGE:



All stages

IMPACT:



EASE:



COST EFFECTIVENESS:



CURRENTLY

Voluntary rating and benchmarking systems such as Green Star and NABERS have long been embraced by the private sector to establish design parameters for and verify performance of high-quality buildings. However, their adoption by the public sector has been uneven. By leveraging these tools through procurement, local governments can integrate requirements that will help lower emissions, drive broader transformation across the supply chain and improve community facilities.

PATHWAY

Local governments should use robust building rating systems such as Green Star and NABERS to drive sustainable outcomes in public projects. These rating systems should be adopted at the city level through procurement of municipal buildings, capital works and urban regeneration projects. Government should also collaborate with stakeholders to encourage adoption of these rating systems.

NATIONAL  CITYSWITCH

CitySwitch is a national program supporting office tenants to improve energy and waste efficiency, with access to free resources, advice and events. The program serves to educate and facilitate links to programs, information sources and industry bodies as well as signpost incentives and celebrate achievements. CitySwitch uses the NABERS formal assessment and reporting process to help tenancies reduce carbon emissions, improve office energy efficiency and save money.

INTERNATIONAL  CITY OF SAN JOSE'S GREEN BUILDING POLICY

The City of San Jose's Municipal Green Building Policy includes a requirement to build to a minimum of 'Silver' under the Leadership in Energy and Environmental Design (LEED) green building rating system. The City also requires a 15 per cent improvement in energy efficiency every five years in municipal buildings.





TRANSFORM
MARKETS FOR
MATERIALS AND
PRODUCTS

- 5.1 Support Australian leadership in high performance building products
- 5.2 Support a nationally coordinated strategy to achieve net zero embodied carbon

RECOMMENDATION 5.1
HIGH PERFORMING PRODUCTS
 Support Australian leadership in high performance building products

BUILDING TYPE:



LIFECYCLE STAGE:



IMPACT:



EASE:



COST EFFECTIVENESS:



CURRENTLY

Materials and products selection contributes greatly to a building's overall emissions impact, including its operational emissions. Government support can draw new products, practices and services into the market faster at scale, through positive financial incentives combined with engagement, information, tools and assistance. Local governments should work together with industry to drive the uptake of high performing products that reduce operational emissions by helping consumers make informed choices, facilitating product innovation and technology improvements.

PATHWAY

Working with industry and other levels of government, local governments through their own procurement strategies should support the early adoption of advanced materials and best practice technologies, such as high performance glazing and heat recovery ventilation systems. These initiatives should directly compliment Australia's national energy efficiency and emissions research and innovation agenda.

NATIONAL  **TASMANIA'S ENERGY EFFICIENCY LOANS SCHEME**

The Tasmanian Government's Energy Efficiency Loans Scheme offers zero interest financing for up to 36 months on a range of energy efficiency products from \$500 up to \$10,000. The scheme supports a range of technologies, including but not limited to reverse cycle air conditions, solar PV, heat pump water systems and ceiling insulation.

INTERNATIONAL  **US HIGH INSULATING WINDOWS VOLUME PURCHASE PROGRAM**

The US Department of Energy's High Insulating Windows Volume Purchase Program was set up in 2009 with the primary goal of reducing the average incremental costs of high performing windows and raising public awareness of their value. The program included developing specifications for approved high performance windows, undertaking a tender process and entering into an agreement with manufacturers meeting these specifications, developing a website from which customers could access and purchase these products, tracking sales of products and providing an additional information campaign to raise awareness of the benefits of high performing windows.

RECOMMENDATION 5.2
NET ZERO EMBODIED
CARBON STRATEGY

Support a nationally coordinated strategy to achieve net zero embodied carbon

BUILDING TYPE:



All buildings

LIFECYCLE STAGE:



All stages

IMPACT:



EASE:



COST EFFECTIVENESS:



CURRENTLY

Research shows that embodied carbon will be responsible for half of the entire carbon footprint of new construction between now and 2050. As operational carbon in buildings is reduced, embodied carbon will also grow as a proportion of a building's total emissions. Addressing this requires a new response that sees action taken across the value chain. Local governments can support a national approach to driving down embodied carbon by facilitating collaboration and stimulating market demand.

PATHWAY

Working with other levels of government and industry, local governments should support the

implementation of a national strategy to achieve net zero embodied carbon. Key actions include:

- Defining a clear strategy and policy pathway for governments, that includes baselines at jurisdiction level, timeline of climate objectives with targets for the built environment sector, embodied carbon disclosure requirement for large public projects, policy incentives and legislation to require and support embodied carbon reductions and consideration of the greatest embodied carbon reduction opportunities at different levels of government;
- Developing joint commitments and sharing knowledge through intergovernmental networks, organisations, partnerships and stakeholder forums; and
- Supporting industrial research and development.

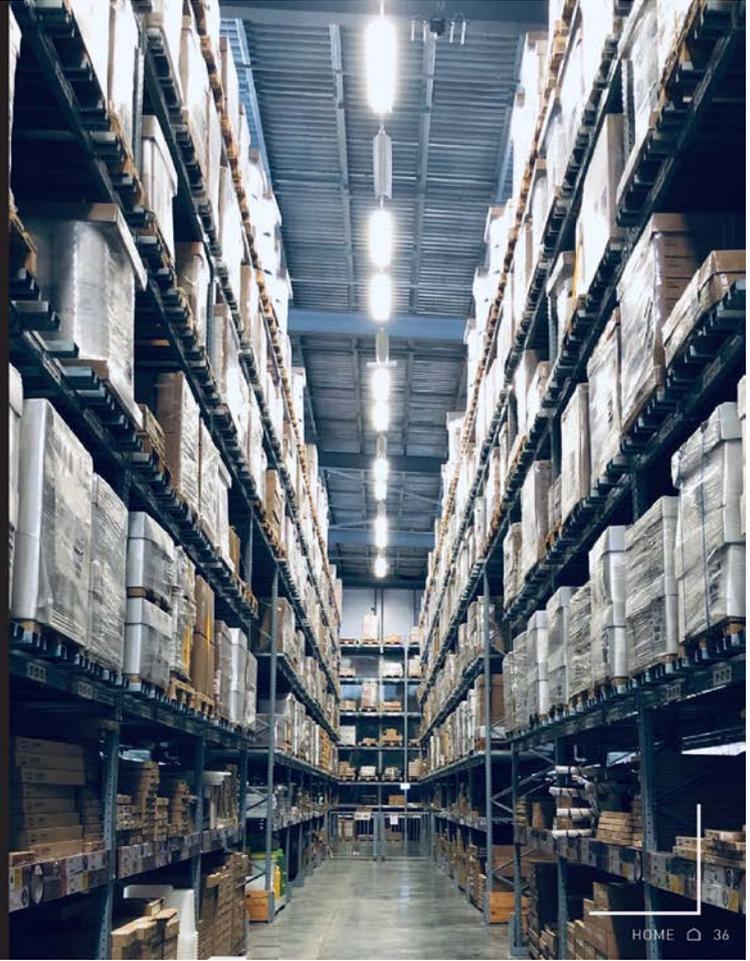
NATIONAL
CARBON OFFSET
STANDARD FOR
BUILDINGS

In October 2017, the Federal Government launched a National Carbon Offset Standard for Buildings. The Standard was developed in close collaboration with sector stakeholders, and provides best practice guidance on how to measure, reduce, offset, report and audit emissions from building operations. It uses well established rating programmes such as Green Star and NABERS as pathways to demonstrate compliance and sets rigorous requirements for achieving carbon neutrality by reducing energy demand in buildings, procuring renewable energy and purchasing carbon credits to offset any remaining emissions.

INTERNATIONAL
CITY OF OSLO
2030 STRATEGY

By 2030, the City of Oslo intends to reduce carbon emissions by 95 per cent from the 1990 baseline and become completely fossil fuel-free. This includes zero emissions construction sites, which are one focus of the city's Smart Oslo Strategy. The City is working towards reducing its greenhouse gas emissions in dialogue with construction contractors with the goal of defining a zero emissions standard for tender specifications for public projects. A quantitative embodied carbon target is being investigated.

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FOR MORE INFORMATION, VISIT
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**ITEM-44 NOM 26/11/19 - DEFERRAL OF EXPRESSION OF INTEREST
PROCESS FOR NEWCASTLE AND MEREWETHER BATHS**

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

PURPOSE

The following Notice of Motion was received on Thursday 14 November 2019 from the abovenamed Councillors.

MOTION

That City of Newcastle:

- 1 Defer the EOI Process for the Newcastle and Merewether Ocean baths;
- 2 Undertake a comprehensive engagement process with the local community, in particular, those most impacted; and
- 3 Utilise the outcomes of the engagement process to better inform a future EOI process.

BACKGROUND

City of Newcastle is calling for Expressions of Interest for the redevelopment of Newcastle and Merewether Ocean Baths by developers in return for long-term leases.

This EOI process has come as surprise to the community and received negative feedback, including a petition with more than 4000 signatures, and a community meeting of approximately 50 people at the Newcastle Ocean Baths on Saturday 9 November, 2019 at which the community called for the EOI process to be halted until more engagement was undertaken with community members.

Community engagement

Council adopted a community engagement policy in November 2018, including the principles of accountability, inclusiveness, transparency, commitment and responsiveness.

The policy references Council's 2030 strategic plan, in particular that Council "will provide opportunities for genuine engagement with the community to inform Council's decision making".

According to the International Association of Public Participation, (IAP2) process, Council should have identified the most appropriate method of engagement. This can range from informing the community about a project, consulting, collaborating, all the way to empowering them to participate in the decision-making.

City of Newcastle references IAP2 in its policy and “abides by best practice principles developed by the IAP2. Council also acknowledges that the IAP2 model of public participation is values based, decision-oriented and goal driven.”

IAP2 advocates that organisations assess impacts on communities and identifies the best way to engage with them.

The crucial time for high impact community engagement is at the beginning of a project idea, such as the concept or design stage.

City of Newcastle may not have adequately assessed the significant community interest in the ocean baths.

Best practice community engagement will allow Council to have a meaningful conversation with the community prior to an EOI process, enabling community involvement in determining the best balance of public and private use, recognition of the key attributes that are important to the community and worth preserving, and gaining insight and ideas from the community about future plans.

This would have had the added benefit of bringing council and community closer together, generating a spirit of goodwill, and likely resulting in a better outcome with community support.

This would allow people who are most impacted to be heard and to contribute, and for Council to harness the collective wisdom, knowledge and ideas from our most valuable asset, our citizens.

ATTACHMENTS

Nil