

## ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

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**ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER**

**CCL 22/08/2023  
ADOPTION OF COMMUNITY ENGAGEMENT STRATEGY**

- |            |                      |                               |
|------------|----------------------|-------------------------------|
| <b>8.1</b> | <b>Attachment A:</b> | Community Engagement Strategy |
| <b>8.1</b> | <b>Attachment B:</b> | Public Exhibition Report      |

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Your Newcastle, Your Voice

# Community Engagement Strategy

2023-2026



City of  
Newcastle

## Enquiries

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# Acknowledgment of Country

## **We all sit on Awabakal and Worimi land 'Niirun Yalawa Awabakal and Worimi burrei'**

City of Newcastle (CN) acknowledges its Local Government Area (LGA) sits within the Country of the Awabakal and Worimi peoples.

We acknowledge that Country for Aboriginal peoples is an interconnected set of ancient relationships. We acknowledge the custodianship of the Awabakal and Worimi peoples and the care and stewardship they have performed in this place since time immemorial.

We recognise the history of truth that acknowledges the impact of invasion and colonisation on Aboriginal and Torres Strait Islander people and how this still resonates today.

## **Always was, always will be Aboriginal land 'Wunyibu wunyibu warra wunyibu wunyibu kuumba Guuri burrai'**



## Uluru Statement from the Heart

CN supports the Uluru Statement from the Heart and the campaign for Constitutional Recognition and come together to support a First Nations Voice to Parliament.





## A message from our Lord Mayor

We're committed to providing genuine, meaningful opportunities for everyone in our community to share their voice and have a say.

We want our community to feel informed, involved and empowered to participate in decisions that shape the future of our city.

That's why we've developed our new Community Engagement Strategy, which provides a framework for how City of Newcastle (CN) will engage with you to support the development of our plans, policies, programs and key activities. Community engagement has been a key focus for this term of Council, and we are extremely proud of how our ongoing engagement with our community contributes to building trust and transparency. In the last financial year, we've had over 25,000 interactions on engagement programs that we've delivered for our community.

The principles and actions within this Strategy are informed by what we heard from hundreds of community members, and our learnings from the 5,000+ people who provided input into Newcastle 2040 – our shared community vision for the next 10 years and beyond.

A key focus of this Strategy is ensuring we hear feedback from all groups within our community, and a diversity of opinions and voices.

This strategy outlines our commitment to you, and how you can be involved in local planning and decision-making. It is a framework for how we will plan and deliver community engagement activities, including the tools and methods that we may use to ensure we are listening to you. We'll provide clear information about what we're seeking feedback on, and how your feedback will be used.

Community engagement is not a single activity. It's an ongoing conversation that allows us to build a stronger understanding of our Newcastle community and helps us make better decisions.

I encourage you to participate wherever you can to share your ideas on a range of projects and initiatives that are open for comment. Our city is for everyone, and with your input we can achieve a more liveable, inclusive and sustainable Newcastle together.

**Councillor Nuatali Nelmes**  
Lord Mayor of Newcastle



**Cultural Experience Wall!**

Which of these images best sum up what you love about experiencing arts and culture? Put a sticker on your top three.

City of Newcastle

Having my **Imagination** totally captured

Enjoying the **visual beauty**

**Learning** about history and culture

GET INVOLVED & HAVE YOUR SAY



**Have your say**



# Introduction

**Our Community Engagement Strategy (the Strategy) provides a framework for how City of Newcastle (CN) will engage with the community to support the development of its plans, policies, programs and key activities.**

CN recognises the importance of communication and engagement with our community to build trust, strengthen relationships, and improve both awareness and participation in the programs, services and activities that we deliver to the community. This Strategy provides clarity for the community to understand their role in CN and the elected Council's decision-making process.

## Community involvement in decision-making

Community engagement enhances CN's capacity to make well-informed decisions that reflect community needs and priorities. Where possible, we will use input from the community to influence the final project outcomes or decisions.

The Strategy outlines:



**Who we will engage**



**When we will engage**



**Tools and methods that we will use to engage**



**How the community can participate**



**How community feedback will inform our decision-making**

## Legislative requirements

This Strategy meets CN's legislative requirements for a Community Engagement Strategy under the *Local Government Act (1993)*.

Community participation related to strategic land use planning such as the public exhibition of planning documents and development applications is governed by the *Environmental Planning and Assessment Act (EP&A Act 1979)*.

CN's approach to engaging the community in decisions related to planning is outlined in the Community Participation Plan.





# What is community engagement?

Community engagement is about CN and the community achieving together. It is a process that encourages the community to contribute their thoughts and ideas to help shape the future of our city. Community engagement is essential for building trust and fostering relationships between CN and our community. We proactively plan meaningful engagement opportunities to listen and respond to the current and future needs of our community.

Community engagement is not a single activity. It's an ongoing conversation that allows us to build a stronger understanding of our Newcastle community and helps us make better decisions.

## What informed our engagement approach

To help inform the development of this Strategy, we invited the community to share their views on community engagement at CN via an online survey and at a 'Your Newcastle, Your Voice' community workshop attended by around 80 Newcastle residents.

We also held an internal workshop with senior staff at CN and had discussions with CN Advisory Committees including the Access and Inclusion Advisory Committee, Guraki Aboriginal Advisory Committee and Youth Council.

### **From these engagement activities, we wanted to better understand:**

- What good community engagement looks like
- How the community would like to be engaged, and through which communication channels
- The barriers to engagement
- Areas for CN to focus on regarding community engagement moving forward.

*Thank you to everyone who provided feedback and helped shape our Community Engagement Strategy.*





How do you feel part of your community (connection to people and/or places)?



|   |  |  |                             |
|---|--|--|-----------------------------|
| Walking in my neighbourhood                   | Talking to neighbours                    | Having the local coffee shop last week   | Doing on the road (cycling) |
| Volunteering                                  | Helping people around me (egging groups) | Local choir / musician                   | Community planning          |
| Bridge groups, clubs, neighbourhood clubs etc | Attending talks / meetings               | Meeting local groups or community events | Attending events            |
| Attending talks / meetings                    | Meeting local groups or community events | Attending events                         | Attending events            |







## What our community wants from engagement

We asked our community what good engagement looks like to help us understand what they value about the engagement experience.

### Community members told us that they value:

- Feeling listened to and being heard
- When action is taken based on community feedback
- Speaking to a real person
- Transparency throughout the engagement process
- Open communication
- Access to information
- Open comment rather than tick-a-box
- Accessible and inclusive engagement with diverse groups
- Early, multi-stage engagement
- Meaningful and genuine engagement
- Being informed about how feedback has shaped a project or decision.

We also know from engagement during development of our Community Strategic Plan, Newcastle 2040, that our community wants decision-making to be:

- Evidence-based
- Transparent
- Open
- Collaborative
- Innovative.

*We've used this information to develop principles which will guide when, how, why and who we engage with in the community.*

# Our guiding principles

Our community engagement principles align with CN's commitments as detailed in the Newcastle 2040 Community Strategic Plan. These commitments inform the actions we take, the choices we make, the behaviours we demonstrate and the interactions we have.

## Our Newcastle 2040 commitments are:

- Inclusion
- Aboriginal and Torres Strait Islander peoples and culture
- Supporting local
- Our planet
- Innovation
- Social justice principles.

Our community engagement principles have been developed from community feedback and are based on the social justice principles of equity, access, participation and rights.

## Our community engagement principles are:

- **Transparency:** We will provide our community with clear, timely, concise and complete information about an engagement project that allows them to participate in a meaningful way.
- **Inclusiveness:** We will seek feedback from all those who may be impacted by a decision, and make sure it is easy and fair for everyone to participate.
- **Meaningful:** We will engage before the decision is made, listen to our community and consider their input as part of our decision-making.
- **Commitment:** We will plan for and allocate appropriate resources and tools for effective engagement.
- **Accountability:** We will share with our community how we used their input to make the decision.

# Engagement objectives

This Strategy provides a framework for how we will achieve the following engagement objectives:



Community members are informed about our plans and have genuine opportunities to participate in our decision-making processes



Our community has trust in the engagement process



Community engagement is embedded in the way we work and measure success



Engagement activities are inclusive and accessible for all members of our community

# Alignment with CN Strategies and Plans

Our engagement activities are generally linked to plans, strategies and work which is part of our Integrated Planning & Reporting Framework. Community engagement, and the feedback people provide, influences every part of what we do, including our day-to-day activities and overarching goals and strategies. As part of our planned community engagement activities, we strive to ensure that everyone in our community can fully participate in community life and genuinely influence decisions that affect their lives.

## Integrated Planning & Reporting Framework

City of Newcastle plans, policies, programs and key activities are informed by State and Regional priorities such as:

- Relevant Regional Plans and Priorities
- State Plans and Strategies
- Joint Organisation Statement of Strategic Regional Priorities.

**The Community Engagement Strategy (this document) provides a framework for how we will deliver community engagement activities:**

- **Newcastle 2040 Community Strategic Plan (CSP)** – this is our highest-level strategic planning document representing our community's shared vision for the next 10+ years
- Examples of other supporting strategies and plans which relate to our long-term goals, priorities and actions include:
  - **Disability and Inclusion Action Plan**
  - **Social Strategy**
  - **Reconciliation Action Plan**
- **Delivering Newcastle 2040** – this document demonstrates how we will achieve the community's vision within Newcastle 2040 including clear actions that guide the delivery of our services and projects
  - **Delivery Program**
  - **Operational Plan**
- **Resourcing Newcastle 2040** – this document is a roadmap for how we will use our resources to implement the community's vision within Newcastle 2040
  - **Long-term Financial Plan** (our people)
  - **Workforce Development Strategic Plan** (our finance)
  - **Asset Management Strategy and Plans** (our assets)
- **Reporting to our community** – these documents provide an overview of our achievements, performance and progress towards achieving our goals within Newcastle 2040
  - **Performance Reports**
  - **Annual Reports**
  - **State of our City Report**

We undertake continuous monitoring and review for all our strategies, plans, policies, programs and key activities.

The Community Engagement Strategy supports the delivery of actions within other key CN strategies and plans including the Newcastle 2040 Community Strategic Plan, Reconciliation Action Plan, Social Strategy and Disability and Inclusion Action Plan. Further detail about how the Community Engagement Strategy aligns with these strategies is outlined below.



## Newcastle 2040 Community Strategic Plan

The Newcastle 2040 Community Strategic Plan is a shared community vision, developed as a guide to inform policies and actions throughout the city for the next 10+ years. The four key themes developed with input from the community are:

- Liveable
- Sustainable
- Creative
- Achieving Together.

While community engagement informs and relates to all themes, 'Achieving Together' specifically involves our people coming together to collaborate, share great ideas and opportunities, and co-create positive change for our organisation and city.

**Within the theme of 'Achieving Together', this Strategy supports the delivery of Action 4.2 'Trust and transparency'.**

### 4.2 Trust and Transparency

#### 4.2.1 Genuine engagement

Encourage participation and provide opportunities for genuine, representative community engagement. Engagement is planned, proactive and meaningful and results in a shared responsibility for success, where people are inspired to actively participate in decision-making to shape Newcastle's future.

#### 4.2.2 Shared information and celebration of success

Proactively share clear, consistent, accessible and relevant information with the community, leading to an understanding of CN's actions and decisions. Celebrate the success of CN and the community by sharing positive stories across communication channels.

#### 4.2.3 Trusted customer experience

Continuously review and improve our service delivery to meet our customers' needs, creating great physical and digital experiences, focusing on transparency and building trust in CN.



## Reconciliation Action Plan 2021-2024

The Reconciliation Action Plan (RAP) outlines CN's vision for reconciliation and reiterates our commitment to attaining a fair and truthful relationship between all the Newcastle communities and the Aboriginal and Torres Strait Islander peoples who live and work here. CN celebrates and respects the cultures, histories and rights of the Awabakal and Worimi peoples. We actively value the contribution of Aboriginal and Torres Strait Islander peoples to our community.

The RAP organises actions and deliverables under four pillars - relationships, respect, opportunities and governance. Key deliverables in the relationship pillar are pertinent to CN's approach for engaging with Aboriginal and Torres Strait Islander peoples, including:

- Continuing to engage with CN's Guraki Aboriginal Advisory Committee to provide advice on strategic matters of importance to local Aboriginal and Torres Strait Islander communities
- Developing and implementing an Aboriginal Engagement Strategy in consultation with CN's Guraki Aboriginal Advisory Committee to engage with Aboriginal & Torres Strait Islander peoples in the LGA
- Meeting with local Aboriginal and Torres Strait Islander organisations to develop guiding principles for future engagement.

The Strategy also supports empowering Aboriginal and Torres Strait Islander voices to be part of civic processes at a local government level, and promoting reconciliation through ongoing active engagement with stakeholders and community members.

**This Strategy supports these key deliverables in the RAP by ensuring timely and appropriate consultation with CN's Guraki Advisory Committee and CN staff to identify how we can achieve equitable representation of Aboriginal and Torres Strait Islander voices in the feedback that we hear from the community. To effectively engage with this community, we need to involve Aboriginal and Torres Strait Islander peoples.**



## Social Strategy

CN's Social Strategy seeks to address barriers to inclusion and equal opportunity, encourage community connection and participation, celebrate our rich social and cultural diversity, and strengthen community health and wellbeing.

**This Strategy supports key actions within the Social Strategy by facilitating access to information for community participation and enabling active citizenship through community representation, civic awareness and public participation in civic life.**



## Disability Inclusion Action Plan 2022-2026

Through the Disability Inclusion Action Plan (DIAP), CN commits to:

- Advocate for the equal rights of all
- Improve the accessibility and inclusiveness of our city and community
- Collaborate with business, government and community groups to make Newcastle a more disability-confident city
- Improve employment opportunities for people with disabilities
- Provide services, programs, events and facilities that are respectful and inclusive of people with disabilities, their families, carers and significant others.

**This Strategy supports key actions within the DIAP such as inclusive and accessible community engagement events, accessibility of web content and documents and ensuring people with disabilities are equitably represented in engagement activities.**



# Our engagement approach

## Overview of the engagement process

Below is an overview of what we will consider during each stage of the engagement process, from planning engagement activities through to delivery, reviewing the effectiveness of our engagement and sharing information about how input from the community was used to inform our decision-making.



## IAP2 Spectrum of Public Participation

We use best practice engagement resources, models and approaches developed by the world-renowned International Association for Public Participation (IAP2). Among these resources is the IAP2 Public Participation Spectrum.

The IAP2 Spectrum has five levels of engagement that correspond to the community's increasing level of influence on decision-making. The IAP2 Spectrum helps us to determine the appropriate scope of input from the community and the role that the community will have in the decision-making process.

### IAP2 Spectrum

|                       | Increasing influence on the decision   |   |  |   |   |
|-----------------------|--|---|--|---|---|
|                       | 1. Inform  | 2. Consult  | 3. Involve   | 4. Collaborate  | 5. Empower  |
| Goal                  | To provide information about something where the decision has already been made.         | To obtain community feedback on ideas or projects to progress the decision-making.  | To work directly with the community throughout the process to ensure that concerns and aspirations are consistently understood and considered.   | To partner with the community in each aspect of the decision including the development of options and identification of the preferred solution. | To place final decision-making in the hands of the community. |
| Our approach          | We will keep the community informed about CN's activities, decisions made and direction. | We will listen to and acknowledge community concerns and aspirations and provide feedback on how community input influenced the decision. | We will work with the community to ensure that concerns and aspirations are directly reflected in the options developed and provide feedback on how community input influenced the decision. | We will work with the community, so their advice, innovations and recommendations are included in the final decision that we make together.     | We will implement what you decide.                            |
| Role of the community | <b>Listen</b>  | <b>Contribute</b>   | <b>Participate</b>   | <b>Partner</b>  | <b>Decide</b>   |



## Why we engage

There are many reasons why we undertake community engagement and while it is often used to inform our decision-making, we may also undertake engagement to:

- Share information
- Comply with legislation
- Understand community sentiment
- Problem solve
- Improve proposals
- Build or enhance relationships
- Change behaviours
- Identify a problem or opportunity
- Manage risk
- Develop community capacity or resilience
- Generate support.

**Understanding why we are engaging will help us determine who, how and when we will need to engage.**

# When we engage

When we engage with the community varies depending on the complexity and nature of the activity, as well as the level of impact on the community.

Times we may engage with the community include:

- Change in service or strategic direction is proposed
- New project, plan or initiative being developed
- Significant policy, strategy or plan being developed or changed
- Major infrastructure projects being considered or planned
- Issue raised that requires a decision
- Decisions being made that will impact our community.

**Generally, the greater the level of impact and reach of a project, the greater the level of community engagement we will undertake to inform our decision-making.**

# When we won't engage

There are some circumstances when we will not engage with the community. For example:

- No scope for community influence
- Public health and safety are at risk
- Immediate resolution is required, or we are responding to an emergency
- Matter is strictly confidential or commercially sensitive
- Developing or reviewing internal procedures and protocols
- Legal constraints.

# Who we engage

## Our Community

The City is located in the Hunter Region of NSW. The Council area is bounded by the Lake Macquarie Council area to the south, Port Stephens Council area to the north and Maitland and Cessnock Council areas to the west.

## Our population

Newcastle population 2021

# 169,317

Population by 2041

# 202,049

Greater Newcastle population 2021

# 604,115

Population by 2041

# 773,825

Estimated annual population growth rate **1%**



### Median age

|           |    |   |
|-----------|----|---|
| Newcastle | 37 | <div style="width: 37px; height: 10px; background-color: #e91e63;"></div> |
| NSW       | 39 | <div style="width: 39px; height: 10px; background-color: #212121;"></div> |

### Aboriginal and Torres Strait Islander population

|           |      |   |
|-----------|------|---|
| Newcastle | 4.4% | <div style="width: 4.4%; height: 10px; background-color: #e91e63;"></div> |
| NSW       | 3.4% | <div style="width: 3.4%; height: 10px; background-color: #212121;"></div> |

### Born overseas

|           |     |  |
|-----------|-----|--|
| Newcastle | 15% | <div style="width: 15%; height: 10px; background-color: #e91e63;"></div> |
| NSW       | 29% | <div style="width: 29%; height: 10px; background-color: #212121;"></div> |

### Speak a language other than English

|           |     |  |
|-----------|-----|--|
| Newcastle | 11% | <div style="width: 11%; height: 10px; background-color: #e91e63;"></div> |
| NSW       | 27% | <div style="width: 27%; height: 10px; background-color: #212121;"></div> |

134 different languages spoken at home – most widely spoken included Mandarin, Macedonian, Italian, Greek, Arabic AND languages spoken with greatest need for translation included Arabic, Mandarin, Swahili, Persian/Dari and Tibetan.





# Our stakeholders

**A stakeholder is any individual, group of individuals, organisation or entity with a specific stake in the outcome of a decision made by CN. Our stakeholders can vary significantly from project to project.**

We understand that people are most interested in decisions and projects that personally impact them or their family which is why we will seek out the stakeholder groups who will be most impacted by a project.

Below is a list of the stakeholder groups who may have an interest in or be impacted by our decisions and projects.

## Stakeholder groups

- Residents and ratepayers
- Community groups and organisations
- CN facility users e.g. customer service, libraries, art gallery, museum, childcare centres, sporting and recreation facilities
- Visitors and tourists
- Businesses
- Industry groups, Business Associations and special interest groups
- Aboriginal and Torres Strait Islander communities
- Culturally and Linguistically Diverse (CALD) communities
- CN Advisory Committees such as the Access & Inclusion Advisory Committee, Guraki Aboriginal Advisory Committee, Youth Council
- Local Aboriginal Land Councils and Registered Aboriginal Parties
- State and Federal Members of Parliament
- Government agencies including Transport for NSW, the Department of Planning and Environment, Hunter Central Coast Development Corporation, NSW Health, Department of Education, Office of Local Government, Destination NSW, NSW Office of Sport, Crown Lands











## Aboriginal and Torres Strait Island peoples and culture

Aboriginal and Torres Strait Island peoples and culture have been identified as one of six commitments in the Newcastle 2040 Community Strategic Plan.

CN commits to developing a genuine understanding of our shared history and its lasting impact on Aboriginal and Torres Strait Islander peoples so that we do not repeat past injustices. We embrace moving forward together and building a relationship based on mutual respect that acknowledges, values and celebrates Aboriginal and Torres Strait Islander peoples, their spirits, their spiritual beliefs and their culture. CN commits to delivering economic and social outcomes for Aboriginal and Torres Strait Islander peoples.

### Inclusive and accessible engagement

We want to hear from all members of our community to make sure that what we deliver for our community is informed, relevant and responsive to community needs. We recognise that some groups are less likely to participate and may face additional barriers or challenges in engaging with us. These groups include:



**First Nations People**



**People with disabilities and their carers**



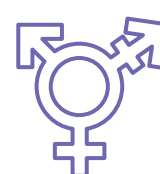
**Older people**



**People from a CALD background**



**Children and young people**



**LGBTQIA+ community**

We know from our early engagement for this Strategy that we need to make inclusion of diverse groups a key priority.

Some of the ways that we will do this are:

- Identifying hard-to-reach groups during engagement planning
- Using a range of engagement methods and tools that cater to the needs of hard-to-reach groups, including CN's Advisory Committees
- Continuing to engage with CN's Guraki Aboriginal Advisory Committee to provide advice on strategic matters of importance to local Aboriginal and Torres Strait Islander communities
- Providing our engagement materials in accessible formats
- Translating our engagement materials when required
- Hosting our engagement events in accessible venues and locations
- Providing more in-person opportunities, where appropriate.

# How we engage

Communication and engagement tools are what we use to inform and collect feedback from the community. There is a wide range of tools to choose from and we select tools based on the purpose of the engagement, the information we want to collect, the stakeholder groups we want to hear from, the impact of the project and the time available to make a decision. COVID-19 and access to technology have changed the way we connect, but in a post-COVID world, our research suggests there is an appetite for greater in-person interaction.



Using the IAP2 model as a guide to the appropriate participation level, some of the tools that we use include:

| Inform  |   |
|---|---|
| Channel of information  | Detail  |
| <b>CN website, social media and e-newsletters</b>                                   | <p>We'll provide information via:</p> <ul style="list-style-type: none"> <li>• CN's websites and Have Your Say page</li> <li>• Social media, such as Facebook, Twitter, LinkedIn and YouTube</li> <li>• e-newsletters such as the Newcastle Voice panel.</li> </ul>   |
| <b>Advertisements, signage, letters, postcards/flyers, rates notices, City News</b> | <p>We'll use these channels to:</p> <ul style="list-style-type: none"> <li>• Invite the community to participate in engagement activities</li> <li>• Notify the community about upcoming projects and works</li> <li>• Advise the community where to access further information</li> <li>• Advise how and when to have your say.</li> </ul> |
| <b>CN Customer Service Centre and Libraries</b>                                     | The community can visit the Customer Service Centre and Libraries for information about projects that are open for community feedback and receive help with submitting feedback.  |
| Consult and Involve   |   |
| Channel of information  | Detail  |
| <b>Have Your Say</b>  | Have Your Say is CN's dedicated online engagement platform where the community can provide feedback on a broad range of projects. We may seek feedback via polls, surveys, written submissions, mapping tools, discussion boards and other digital tools.   |
| <b>Newcastle Voice</b>  | An online community panel where members are invited to complete online surveys, register for workshops and focus groups. Anyone can sign up to be a member of Newcastle Voice.  |
| <b>Community workshops and focus groups</b>   | Meetings with community members and stakeholders to provide opportunities for discussion and feedback. Meetings may be held in-person, online or with a hybrid approach.  |
| <b>Council meetings/briefings</b>   | Members of the community can participate in Council's formal meeting process prior to a decision being made, as outlined in Council's Public Voice and Briefings Policy. This can include speaking at a Public Briefing Forum.  |
| <b>Public exhibitions</b>   | During public exhibition, community members and stakeholders can view and provide feedback on plans, policies or projects.  |
| <b>Surveys</b>  | Surveys may be used to collect broad feedback from the community rather than on a specific project such as the Community Satisfaction Survey or the Liveability and Wellbeing Survey.   |
| <b>Drop-in sessions and pop-up stalls</b>   | Opportunities for the community to attend a face-to-face session and ask the project team questions or provide feedback.  |
| Collaborate and Empower   |   |
| Channel of information  | Detail  |
| <b>Advisory Committees</b>  | Committees made up of various members of our community, stakeholders and Councillors who advise CN on the priorities and interests of a stakeholder group or subject area.  |
| <b>Deliberative processes such as citizen juries</b>                                | Deliberative forums are used for in-depth consideration of an issue by a cross-section of the community to provide informed feedback on a particular issue.   |
| <b>Community and stakeholder reference groups</b>                                   | Groups of community members and stakeholders that meet with CN staff, Councillors or others to work through an issue, determine a decision for a project, policy or plan and provide advice.  |

# Listening and responding to community feedback

## Timing of our engagement

### 1. Early engagement

Wherever possible we will conduct early engagement to seek initial feedback from the community and to inform the development of policies, strategies or plans.



### 2. Public exhibition

Public exhibition is the official period in which a draft document is made available for consultation and feedback. This process is important for enabling the community to participate in CN's planning and decision-making.

All community members and stakeholders who are interested in a project are encouraged to provide feedback on the draft document.

CN may promote a public exhibition through social media, media release and on CN's website as well as directly through our 'Newcastle Voice' e-newsletter.

Other matters such as planning approvals may be publicly exhibited under legislation. Our approach to engaging the community about land use planning is outlined in our Community Participation Plan.



### 3. Post-engagement

After the engagement, we'll provide feedback on the decisions made including outcomes and next steps.







## How we use the feedback from the community

Once the engagement is completed, we'll review all feedback provided by the community and analyse the data. This may include:

- Collating and reviewing all responses
- Analysing the data to identify sentiment, themes, issues and priorities
- Assessing any gaps in participation and information needs
- Identifying any feedback that is out of scope
- Responding to community members where a response is required
- Where appropriate, incorporate ideas and suggestions from the community.

## Closing the loop

This step involves summarising and reporting on the engagement activities undertaken. We'll include information such as:



Communication and promotion of the engagement



Engagement reach and who we heard from (including key demographic information)



Summary of the key themes and issues

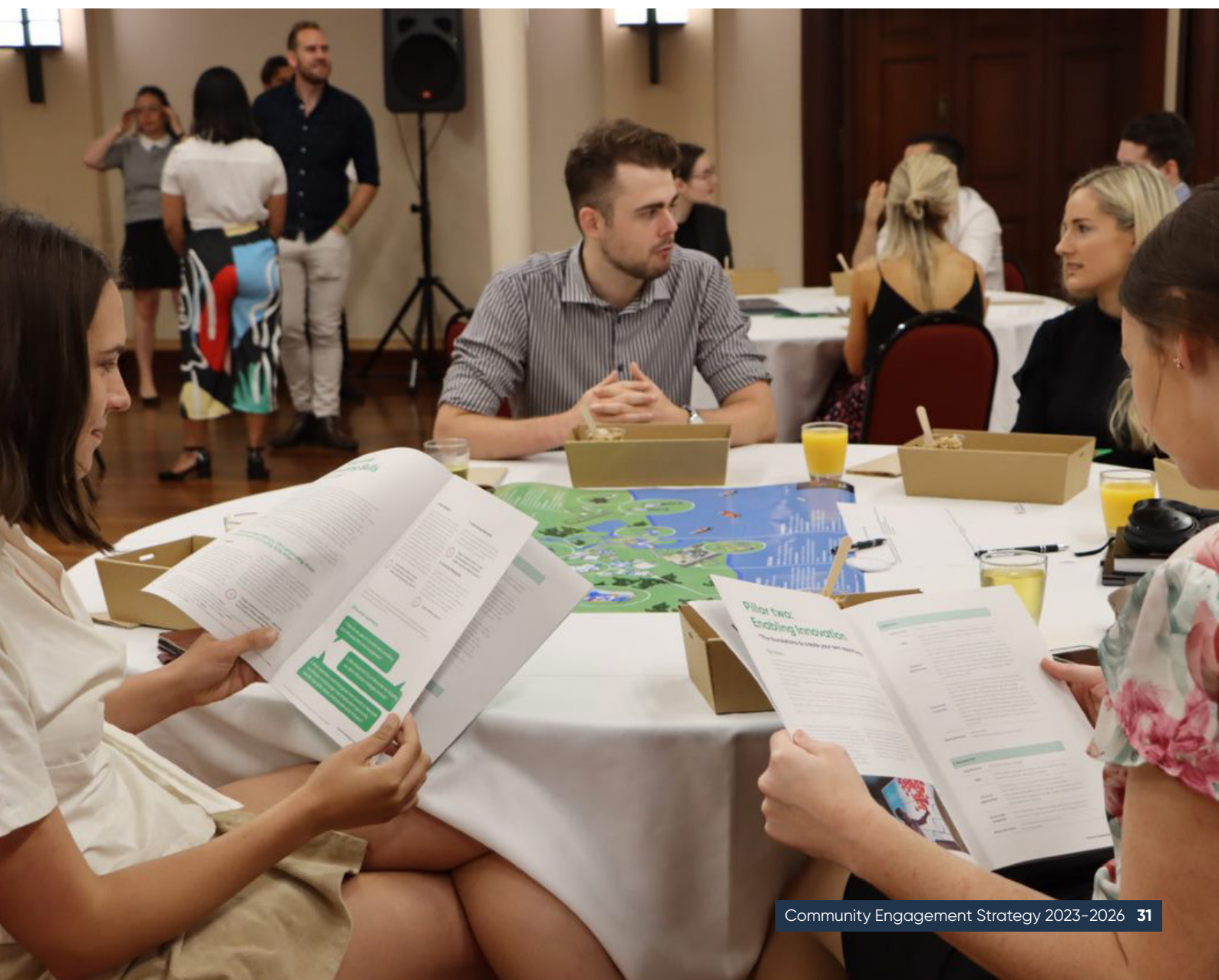


What we intend to do next.

# Evaluating and measuring success

We evaluate engagement activities against our objectives and desired outcomes. We use the insights from this process to continuously improve our engagement practices.

We use a range of information sources such as feedback from the community, insights from CN project teams, metrics from our website and the demographic information we collect to help us understand how well we're tracking against these objectives.





#### Objective 1

### Community members are informed about our plans and have genuine opportunities to participate in our decision-making processes

| Outcomes  | Metrics  |
|---|--|
| <ul style="list-style-type: none"> <li>Expanded reach of our community panel 'Newcastle Voice'</li> <li>Overall increased participation in engagement activities</li> </ul> | <ul style="list-style-type: none"> <li>Increased membership base of our 'Newcastle Voice' panel</li> <li>Number of participants per engagement activity and across projects</li> </ul> |



#### Objective 2

### Our community has trust in the engagement process

| Outcomes   | Metrics   |
|--|---|
| <ul style="list-style-type: none"> <li>Increased satisfaction with the engagement process</li> <li>Improved understanding of how feedback has contributed to project outcomes and decision-making</li> </ul> | <ul style="list-style-type: none"> <li>Satisfaction with community involvement in CN decision-making (CN Community Satisfaction Survey)</li> <li>Reporting back to the community about what we heard and how feedback has influenced project decisions</li> </ul> |



#### Objective 3

### Community engagement is embedded in the way we work and measure success

| Outcomes   | Metrics  |
|--|--|
| <ul style="list-style-type: none"> <li>Project specific communications and engagement strategies that meet the needs of both internal CN stakeholders and the community</li> <li>Continuously monitoring and evaluating engagement activities</li> </ul> | <ul style="list-style-type: none"> <li>Quality of feedback received during engagement activities</li> <li>Feedback from the community on the effectiveness of engagement activities</li> </ul> |



#### Objective 4

### Engagement activities are inclusive and accessible for all members of our community

| Outcomes   | Metrics  |
|--|--|
| <ul style="list-style-type: none"> <li>Using a mix of tools and methods that are inclusive and encourage participation</li> <li>Feedback that is representative of the broader community or stakeholders who are impacted</li> </ul> | <ul style="list-style-type: none"> <li>Increase in the number of documents and engagement activities that are accessible</li> <li>Increase in participation from hard-to-reach groups</li> </ul> |



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## Summary Engagement Report

# Community Engagement Strategy



City of  
Newcastle

We developed the draft Community Engagement Strategy to provide a framework for how we will engage with our community to develop our plans, policies, programs and key activities.

### Overview

We asked the community to share their feedback on how we plan to engage with them including the tools and methods that we may use.

Community members were able to provide feedback by completing our online form or emailing us at [engage@ncc.nsw.gov.au](mailto:engage@ncc.nsw.gov.au).

The community were able to provide feedback on our Have Your Say page from **25 May to 23 June 2023**.

### Purpose

The objectives of the engagement were to:

- Inform the community about how we plan to engage with them over the next four years.
- Increase awareness about how and when the community can have their say.
- Seek overall feedback on the draft Strategy.
- Seek feedback on our objectives and how we plan to achieve these objectives.



### Strategy objectives



- Community members are informed about our plans and have genuine opportunities to participate in our decision-making processes



- Our community has trust in the engagement process



- Community engagement is embedded in the way we work and measure success



- Engagement activities are inclusive and accessible for all members of our community

## Early engagement



We conducted early engagement activities to inform the draft Strategy from late 2022 to early 2023.

These included an online survey, community workshop, internal staff workshop, as well as presentations to the Access & Inclusion Advisory committee, Guraki Aboriginal Advisory Committee and Youth Council.

### Key themes

During public exhibition we received 22 submissions (21 submissions via our online form and 1 via email).

Most of these submissions provided general feedback about our engagement with the community, rather than feedback on the strategy itself.

The key themes identified were:

- building trust with the community
- genuine opportunities for community engagement
- listening and responding to feedback
- inclusive and accessible engagement
- communication and awareness.

These themes align with what we heard during our early engagement activities and have been used to shape our guiding principles and priorities outlined in the Strategy.

Other comments reiterated the desire for more in-person engagement activities and regular interactions with CN staff and/or Councillors, and the selection of methods/tools.



The themes that emerged from the feedback were:

- **building trust with the community (6)**
- **genuine opportunities for community engagement (5)**
- **listening and responding to feedback (5)**
- **inclusive engagement (4)**
- **engagement with CN/Councillors (4)**
- **methods/tools (3)**
- **general positive comments (3)**
- **alignment of community interests and Council activities (3)**
- **simple language/information (2)**
- **deliberative processes e.g. citizen's juries (2)**
- **accessibility (1)**
- **awareness of projects open for comment/feedback (1)**
- **adequate time to provide feedback (1)**
- **feedback from specific stakeholders e.g. youth, community groups, sporting groups (1)**
- **Other e.g. questions or comments about other projects/works (4)**

Note: the number in brackets refers to the number of mentions.

*Thank you to everyone who provided feedback.*

*Your feedback has helped to inform how we design, plan and deliver engagement activities.*



**City of  
Newcastle**



**ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER**

**CCL 22/08/2023 - ADOPTION OF COMMUNITY INFRASTRUCTURE  
INCENTIVES IN WICKHAM PLANNING PROPOSAL**

- |     |                      |  |
|-----|----------------------|--|
| 8.2 | <b>Attachment A:</b> | Community Infrastructure Incentives in Wickham Planning Proposal                     |
| 8.2 | <b>Attachment B:</b> | Newcastle Development Control Plan 2012 Section 6.03 Wickham                         |
| 8.2 | <b>Attachment C:</b> | Wickham Community Infrastructure Plan  |
| 8.2 | <b>Attachment D:</b> | Submissions table – Community Infrastructure Incentives in Wickham Planning Proposal |

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# Planning Proposal

## Community Infrastructure Incentives in Wickham



**Version 1.4 – Finalisation**

August 2023

For enquiries please call 4974 2000

For more information:  
[www.newcastle.nsw.gov.au](http://www.newcastle.nsw.gov.au)



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# Community Infrastructure Incentives in Wickham

## Introduction

City of Newcastle (CN) has prepared this planning proposal to establish a transparent and equitable means of facilitating increased density in Wickham. The planning proposal seeks to provide incentives to development to deliver the urban renewal outcomes identified in the *Wickham Masterplan 2021 (July 2022)* (WMP 2021), including improved connectivity and amenity of the public domain.

The proposed amendments to *Newcastle Local Environmental Plan 2012* (NLEP 2012) provide the mechanisms necessary to implement CN's *Community Infrastructure Incentives Policy* on land identified suitable for supporting increased density. Once implemented, the proposed amendments will facilitate urban renewal initiatives that deliver safe, vibrant, and connected places where people will want to visit, live and work into the future.

This planning proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979*. It explains the intended effect of the proposed Local Environmental Plan (LEP) amendment and sets out the justification for making the plan.

The Department of Planning and Environment's *Local Environmental Plan Making Guideline* (September 2022) has guided and informed the preparation of this planning proposal. The planning proposal may evolve over time due to various reasons, such as feedback during exhibition. It will be updated at key stages in the plan making process.

## Summary of proposal

The *Newcastle Local Strategic Planning Statement* (LSPS) 2020 identifies that Newcastle Local Government Area (LGA) has limited remaining sites available for greenfield development, hence future demands for housing and jobs will rely on growth through infill redevelopment. To ensure this is achieved in the most efficient and effective way, Planning Priority 8 of the Local Strategic Planning Statement (LSPS) advocates for CN to “*Plan for growth and change in Catalyst Areas, Strategic Centres, Urban Renewal Corridors and Housing Release Areas*”. The rationale for this approach is that this will improve infrastructure and land use sequencing to capitalise on the opportunities for jobs and housing growth.

CN proposes to apply incentives within the existing planning framework by delivery of the following mechanisms:

1. The *Community Infrastructure Incentives Policy* that identifies CN's intention to enhance the delivery of community infrastructure to support urban renewal in the City of Newcastle (CN) through the provision of development incentives.
2. Provision of a new clause and mapping in NLEP 2012, described further in this planning proposal, that identifies the land in Wickham that is applicable for community infrastructure incentives and the maximum incentive that may be provided on the land.
3. *Draft Wickham Community Infrastructure Plan* that identifies the community infrastructure projects, the method for determining the value of these, and the method for determining the appropriate level of incentive based on the value of the community infrastructure.
4. New provisions relating to community infrastructure in Section 6.03 Wickham of NDCP 2012

The amendments to NLEP 2012 will expedite the delivery of community infrastructure complementary to traditional funding sources, while incentivising development that promotes urban renewal and delivers new housing and floorspace for business in a transit-oriented location.

Land at 41 and 47 Throsby Street, Wickham was subject to a separate planning proposal ([PP-2021-328](#)) that was finalised by the Department of Planning and Environment (DPE) on 1 July 2022. The planning proposal sought to:

- Increase the maximum HOB on part 41 Throsby Street from 10m to 14m
- Increase the maximum HOB on 47 Throsby Street and part 41 Throsby Street from 10m to 28m
- Increase the maximum FSR across the site from 1.5:1 to 3:1

Given that this LEP amendment has been finalised by DPE, CN has removed 41 and 47 Throsby Street, Wickham from this planning proposal.

## Background

On 15 December 2010, part of Wickham was included within the [Newcastle Potential Precinct Map](#) under then *State Environmental Planning Policy (Urban Renewal) 2010* in order to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts. To initiate urban renewal, the NSW State Government prepared the *Newcastle Urban Renewal Strategy* (NURS) which aimed to make the Newcastle city centre a vibrant and innovative regional hub and an attractive and viable destination for business, residents and visitors. The NURS identified the need for further planning and urban design guidance within the Wickham area to facilitate the transformation from a post-industrial suburb to an urban village that facilitates a mix of uses and densities.

Council adopted the *Wickham Masterplan 2017* (WMP 2017) on 28 October 2017, following extensive engagement with stakeholders to identify a vision for the desired future character of Wickham, as well as outlining the strategies and actions to achieve the vision. The WMP 2017 provided strategic guidance for CN's planning decisions and coordinated delivery of urban renewal within Wickham.

In order to ensure fairness and equity among landholdings and not unduly impose a burden on land identified for community infrastructure, the WMP 2017 advocated for an incentives approach on sites with capacity to support a variation to development standards, by enabling increased gross floor area (GFA) where development delivers identified community infrastructure.

On 27 July 2021 Council adopted the *Community Infrastructure Incentives Policy* that identified the approach CN would take to deliver urban renewal through development incentives mechanisms with its LEP.

To deliver the redevelopment opportunities within Wickham and deliver the community infrastructure identified within WMP 2017, Council adopted the *Wickham Masterplan 2021 Update* (WMP 2021) in September 2021. WMP 2021 provides further guidance on the land suitable to achieve a development incentive and identifies the community infrastructure projects to be delivered through redevelopment.

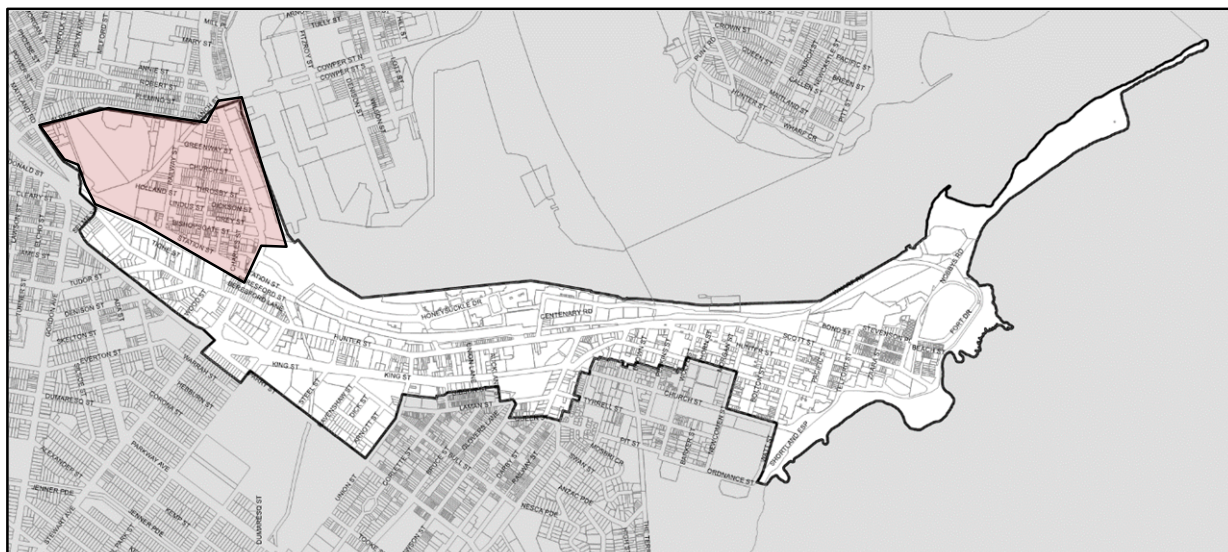
Council adopted the WMP 2021 (2022 Amendment) in July 2022. This amendment included minor changes to the areas proposed for incentive heights and FSRs. The changes ensure a better built form outcome and a more gradual transition between the higher-density built form of the Emerging Industry Quarter Urban Precinct and the lower-scale Village Hub Urban Precinct.

This planning proposal has been amended to reflect the updated mapping in the most current WMP 2021 (July 2022). It is noted that the changes also applied to 41 and 47 Throsby Street, which has been removed from the planning proposal.



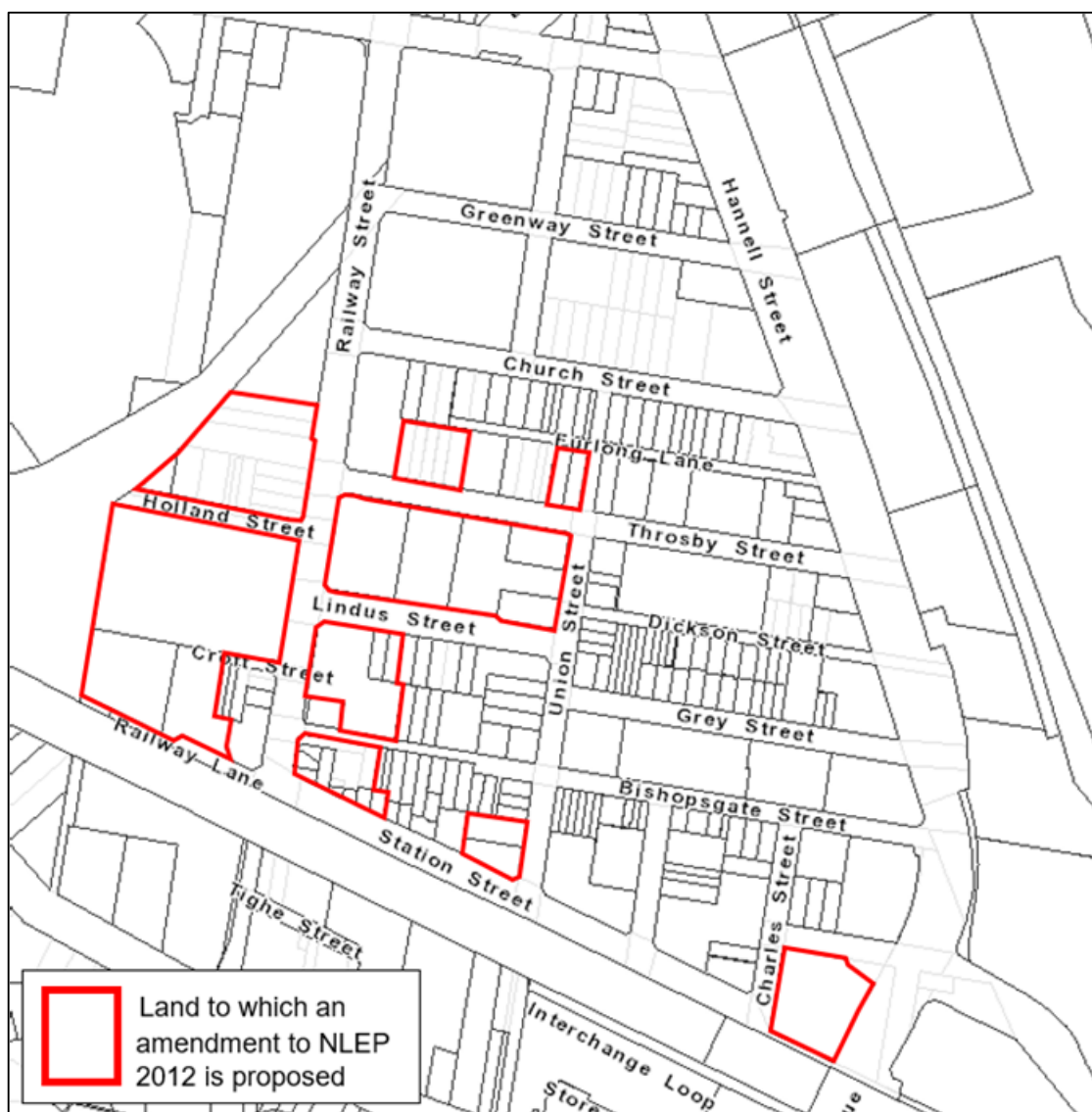
## Applicable land

The Wickham area is shown in context to the Newcastle City Centre within Figure 1:



**Figure 1 – Local context of Wickham Masterplan Area.**

The proposal comprises amendments to Newcastle LEP 2012 on land identified in Figure 2:



**Figure 2 – Applicable Land**

## Part 1 - Objectives or intended outcomes

The intended outcome of this planning proposal is to facilitate urban renewal in Wickham by:

1. Utilising the existing GFA derived from the development standards applying on land dedicated to CN, to be utilised in the development of the residual land.
2. Enabling an incentive increase in density to development, consistent with WMP 2021 (July 2022), where:
  - a. Development involves the timely delivery of identified community infrastructure projects
  - b. The incentive to development correlates to the quantifiable value that the community infrastructure represents to CN
3. Ensuring the proposed Clause 7.11 is not a development standard that is subject to variations through inclusion as part of clause 4.6(8) of *Newcastle Local Environmental Plan 2012*.
4. Remedying an existing anomaly within Part 7 Additional local provisions – Newcastle City Centre of *Newcastle Local Environmental Plan 2012*.

## Part 2 - Explanation of provisions

The proposed outcomes will be achieved by:

1. Introducing a new Clause 7.11 *Community infrastructure height of buildings and floor space at Wickham* in the NLEP 2012:

### **Clause 7.11 Community infrastructure height of buildings and floor space at Wickham**

- (1) *The objectives of this clause are as follows—*
- (a) *to allow greater building heights and densities in Wickham where community infrastructure is also provided,*
  - (b) *to ensure that such greater heights and densities reflect the desired character of the localities in which they are allowed and minimum adverse impacts on the amenity of those localities,*
  - (c) *to provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure.*
- (2) *Despite clauses 4.3 and 4.4, the consent authority may consent to development on a site that results in additional building height or additional floor space, or both, in accordance with subclause (4) if the development includes community infrastructure on the site.*
- (3) *In deciding whether to grant development consent, the consent authority must—*
- (a) *be satisfied that the development is consistent with the objectives of this clause, and*
  - (b) *be satisfied that the community infrastructure is reasonably necessary in Wickham, and*
  - (c) *take into account the nature of the community infrastructure and its value to the Wickham community.*
- (4) *Under subclause (2), a building on land in any of the areas identified on—*
- (a) *the [Height of Buildings Map](#)—is eligible for an amount of additional building height determined by the consent authority but no more than that identified in the table:*

| <i>Column 1</i>                       | <i>Column 2</i>                               | <i>Column 3</i>  | <i>Column 4</i>                           |
|---------------------------------------|---|--|---|
| <i>Land identified on HOB map as:</i> | <i>Where maximum HOB is shown on map as:</i>  | <i>With site area equal or greater than:</i>                 | <i>The incentive HOB is a maximum of:</i> |
| <i>Area A</i>                         | <i>24m</i>                                    | <i>2,000 m<sup>2</sup><br/>2,500 m<sup>2</sup></i>           | <i>35m<br/>45m</i>                        |
| <i>Area B</i>                         | <i>10m<br/>10m or 14m<br/>10m, 14m or 24m</i> | <i>1,000<br/>1,500 m<sup>2</sup><br/>2,000 m<sup>2</sup></i> | <i>14m<br/>24m<br/>35m</i>                |
| <i>Area C</i>                         | <i>10m</i>                                    | <i>1,000 m<sup>2</sup></i>                                   | <i>14m</i>                                |
| <i>Area D</i>                         | <i>10m<br/>10m</i>                            | <i>1000 m<sup>2</sup><br/>2000 m<sup>2</sup></i>             | <i>14m<br/>24m</i>                        |
| <i>Area E</i>                         | <i>45m</i>                                    | <i>1,000 m<sup>2</sup></i>                                   | <i>60m</i>                                |



- (b) the [Floor Space Ratio Map](#)—is eligible for an amount of additional floor space determined by the consent authority but no more than that identified in the table:

| Column 1<br>Land identified on FSR map as: | Column 2<br>Where maximum FSR is shown on map as: | Column 3<br>With site area equal or greater than: | Column 4<br>The incentive FSR is a maximum of: |
|--|---|---|--|
| Area B                                     | 1.5<br>1.5  | 1,500 m <sup>2</sup><br>2,000 m <sup>2</sup>      | 2<br>2.5                                       |
| Area C                                     | 1.5   | 1,000 m <sup>2</sup>                              | 2  |
| Area D                                     | 1.5<br>1.5  | 1,000 m <sup>2</sup><br>2,000 m <sup>2</sup>      | 2<br>3   |
| Area E                                     | 6   | 1,000m <sup>2</sup>                               | 7  |

- (5) In this clause—

**community infrastructure** means development for the purposes of community facilities, recreation areas, recreation facilities (outdoor), public roads or drainage.

2. Amending *Clause 4.6 Exceptions to development standards* to ensure that the proposed *Clause 7.11* (above) is not a development standard subject to variations:

- (8) This clause does not allow development consent to be granted for development that would contravene any of the following—

- (a) a development standard for complying development,
- (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,
- (c) clause 5.4,
- (d) clause 5.5,
- (e) clause 8.1 or 8.2, or
- (f) clause 7.11.

3. Repealing current *Clause 7.9 Height of buildings*

The new clause 7.11 is supported by the *Draft Wickham Community Infrastructure Plan* and draft DCP provisions.

## Part 3 – Justification

### Section A - Need for the planning proposal

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

##### **Wickham Master Plan 2017**

The *Wickham Master Plan 2017* (WMP 2017) was prepared as a recommendation of the NSW Government's *Newcastle Urban Renewal Strategy* which identified Wickham as an area requiring further planning to inform future redevelopment decisions.

WMP 2017 identified strategies and actions to implement three key objectives:

1. Improve accessibility and connectivity within Wickham and to adjoining areas
2. Create safe, attractive, and inclusive public places
3. Ensure built environment is functional, responsive, and resilient

The WMP 2017 vision identified six interconnecting character precincts. The intent of the precincts is to determine the envisaged character for different parts of Wickham based on their location, physical attributes of the built environment, redevelopment opportunity and density.

The WMP 2017 also includes strategies and actions for achieving provision of community infrastructure through developer incentives (including an increase in development standards within in NLEP 2012) where development provides for improvements to connectivity and the public domain, in addition to what may achieved through CN's contributions framework

##### **Community Infrastructure Incentives Policy**

Council adopted the *Community Infrastructure Incentives Policy* at the 27 July 2021 meeting. The purpose of the policy is to outline the approach and mechanisms to enhance the delivery of community infrastructure through the provision of development incentives. It delivers a transparent, equitable and evidence-based approach based on community engagement to do so.

The intent of the planning proposal is to implement the Community Infrastructure Incentives Policy in Wickham in the select areas identified in the *Wickham Masterplan 2021*.

##### **Wickham Masterplan 2021**

The *Wickham Masterplan 2021 Update* (WMP 2021) provides further strategic guidance for CN's planning decisions and coordinated delivery of urban renewal within Wickham. The WMP 2021 was first adopted by Council on 28 September 2021.

This planning proposal is prepared in response to the WMP 2021 which identified areas suitable for increased densities (via incentive increases in HOB and FSR) where this delivers identified community infrastructure projects.

CN made minor amendments to the WMP 2021 in July 2022. The planning proposal has been updated to reflect the mapping in WMP 2021 (July 2022) and this is the version that the planning proposal seeks to implement.

##### **Newcastle Housing Needs and Local Character Evidence Report**

The *Newcastle Housing Needs and Local Character Evidence Report* (2019) identified Maryville-Wickham as an area likely to experience the third highest rate of population growth in Newcastle LGA, with a projected population growth of 2,650 by 2041. This report also identified the Maryville-Wickham area as experiencing significantly more residential development than

previous forecasts had expected, with a development rate 38% higher than was forecast between 2016-2018. A market opportunity for student housing was also identified, with an unmet demand for student housing within City Centre suburbs including Wickham, coinciding with substantial investment by University of Newcastle in the city centre campus. A key factor in meeting this demand is identified as the provision of better cycling networks linked to education centres.

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

CN contends that the provision of an incentive mechanism provides greater certainty to both the community and the development industry of the potential community infrastructure that may be delivered where applicants seek to achieve increased density within their development application. This approach is favoured over the alternative piecemeal approach of preparing individual planning proposals and planning agreements for each remaining potential redevelopment parcel within Wickham. The inclusion of the proposed clause 7.11 within clause 4.6(8) ensures that the incentive controls are not subject to variation.

The removal of *Clause 7.9 Height of buildings* has no material effect but ensures that NLEP 2012 does not contain obsolete provisions that are unnecessary and confusing to users. The HOB maps were amended to remove Area A on the 29 July 2014 under the *State Environmental Planning Policy Amendment (Newcastle City Centre) 2014*, however, the amendment failed to repeal the clause from the instrument. Specific upper-level setbacks and street wall design controls were previously included in the city centre development controls introduced by the NSW government following endorsement of the NURS.

Clause 7.9 is an anomaly and CN seeks to remedy this by repealing it as part of this planning proposal.



## Section B - Relationship to strategic planning framework

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

#### Hunter Regional Plan 2041

The *Hunter Regional Plan 2041* (HRP 2041) guides the land use planning for the Hunter region over the next 20 years. The plan identifies opportunities for sustainable growth, infrastructure, resilience, equity and provides the framework for an infrastructure-first place-based approach. The plan includes overarching objectives, strategies, planning priorities, significant growth areas and place strategy outcomes for the districts in the Hunter region. The planning proposal is consistent with the following objectives and strategies identified in the HRP 2041:

**Objective 3** – Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities.

- **Strategy 3.5** - The planning proposal is consistent with this strategy as it aims to facilitate increased density for housing and employment, through provision of incentives to development that deliver the urban renewal outcomes identified in the WMP 2021, including improved connectivity and amenity of the public domain.

**Objective 4** – An inter-connected and globally-focused Hunter without car dependent communities.

- **Strategy 4.2** – The planning proposal is consistent with this strategy as it seeks improved connectivity and amenity of the public domain within Wickham.

**Objective 5** – Plan for ‘nimble neighbourhoods’, diverse housing and sequenced development.

- **Strategy 5.2** - This planning proposal is consistent with this strategy as it aims to facilitate increased density for housing and employment through the provision of incentives to development that deliver the urban renewal outcomes identified in the WMP.

**Planning Priority 2** - Reinforce revitalisation of Newcastle City Centre and expand transformation along the waterside.

- The planning proposal is consistent with this planning priority as it aims to facilitate increased density, through provision of incentives to development around Newcastle Interchange that deliver the urban renewal outcomes identified in the WMP.

#### Greater Newcastle Metropolitan Plan 2036

NSW Department of Planning and Environment's (DPE) *Greater Newcastle Metropolitan Plan 2036* (GNMP 2036) recognises the Newcastle city centre and Wickham as the heart of Greater Newcastle, set to benefit from both public and private investment and planning through Revitalising Newcastle and the Urban Transformation and Transport Program to enhance the City Centre's appeal.

The GNMP 2036 recognises the importance of collaborative partnerships in optimising opportunities for transformation and driving the emergence of Greater Newcastle as a metropolitan city on the global stage. Further to this, the GNMP 2036 acknowledges the importance of continued revitalisation, improved transport connectivity, and high-quality buildings and places to attract new small business start-ups.

The GNMP 2036 provides specific directions for the 'Wickham Precinct', within the Newcastle City Centre Catalyst Area, which aligns with the planning proposal area and sets out the following:

*"Newcastle City Council will align local plans to:*

- *facilitate the long-term expansion of the City Centre towards Wickham*
- *increase opportunities for transit oriented development around Newcastle Interchange*
- *respond to development constraints including mine subsidence and flooding*
- *provide floor space for emerging new economy industries and businesses."*

The planning proposal is consistent with the GNMP 2036 in that it:

- Seeks to facilitate and incentivise redevelopment to support and complement the emerging city centre
- Supports mixed use development around the Newcastle interchange
- Addresses flooding through recognition of floor height controls affecting HOB
- Acknowledges mine subsidence risk through consultation with Subsidence Advisory NSW in developing the WMP
- Ensuring sufficient FSR to ensure feasibility of mixed use development and new economy industries and businesses such as *High Technology Industry*.

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

##### **Newcastle 2040 Community Strategic Plan**

The *Newcastle 2040 Community Strategic Plan (CSP)* identifies the community's vision for the city and informs the strategies, policies, and actions for CN to achieve this vision. The planning proposal is consistent with the following priorities and objectives in the CSP:

- **Liveable:**
  - 1.1 Enriched neighbourhoods and places
  - 1.3 Safe, active and linked movement across the city
- **Achieving Together:**
  - 4.1 Inclusive and integrated planning
  - 4.3 Collaborative and innovative approach

##### **Newcastle Local Strategic Planning Statement**

The *Newcastle Local Strategic Planning Statement (LSPS)* was adopted by CN in May 2020. The LSPS is a 20-year land use vision prepared to guide the future growth and development in Newcastle consistent with the GNMP 2036. It informs changes to the NLEP 2012, NDCP 2012 and other land use strategies.

The LSPS advocates for redevelopment in Wickham as part of the Newcastle City Centre Catalyst Area. This planning proposal supports an increase in provision of housing and jobs close to public transport and supports urban renewal and delivers on the following relevant planning priorities:

- Plan for growth and change in Catalyst Areas, Strategic Centres, Urban Renewal Corridors and Housing Release Areas
- Sustainable, healthy and inclusive streets, neighbourhoods and local centres
- Development responds to the desired local character of our communities
- Enable the transition to new economy job and grow creative industries

##### **Newcastle Local Housing Strategy**

The *Newcastle Local Housing Strategy (LHS)* was adopted by Council in October 2020 and sets a framework for the provision of housing across CN over the next 20 years. The LHS is a local response to the housing actions within the HRP 2041, GNMP 2036 and LSPS. The LHS is accompanied by an Implementation Plan.

This planning proposal is consistent with the delivery of the following strategic priorities:

- Maintain and encourage housing supply in the right locations
- Diversify housing type and tenure across the LGA to provide for a range of housing needs
- Increase the availability of accessible and adaptable housing
- Increase the supply of affordable rental housing
- Ensure new housing and changes to existing housing reflect the desired future local character of the area

### 5. *Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?*

An assessment of the planning proposal (PP) against the relevant State Environmental Planning Policies (SEPPs) is provided in the table below.

**Table 1 – Relevant State Environmental Planning Policies (SEPPs)**

| Relevant SEPP  | Applicable | Consistency and Implications   |
|--|------------|--|
| SEPP (Biodiversity and Conservation) 2021                | Yes        | Whilst this SEPP applies to the land, there is no potential for koala habitat within the vicinity of the PP area hence the requirements of this SEPP are not applicable.   |
| SEPP (Building Sustainability Index: BASIX) 2004         | N/A        |  |
| SEPP 65 (Design Quality of Residential Flat Development) | Yes        | Wickham is zoned MU1 Mixed Use (previously B4 Mixed Use) which permits land subject to the PP to be developed for uses to which this SEPP applies (residential apartment development). CN is satisfied that the planning controls proposed will enable development that is compliant with this SEPP and associated apartment design guidelines.<br><br>CN has sought advice the advice of its design review panel under clause 27(c) of this SEPP. The panel raised no objection to this proposal. Any subsequent development application utilising the incentive HOB and FSR under Clause 7.11 will be referred to the Panel at the DA stage. |
| SEPP (Housing) 2021                                      | Yes        | <i>SEPP (Housing) 2021</i> applies to the PP area given it is zoned MU1 Mixed Use. The proposed planning controls will not hinder the application of this SEPP.  |
| SEPP (Exempt and Complying Development Codes) 2008       | N/A        |  |
| SEPP (Industry and Employment 2021)                      | N/A        |  |
| SEPP (Planning Systems) 2021                             | N/A        |  |
| SEPP (Precincts – Eastern Harbour City) 2021             | N/A        |  |
| SEPP (Precincts – Central River City) 2021               | N/A        |  |
| SEPP (Precincts – Western Parkland City) 2021            | N/A        |  |
| SEPP (Primary Production) 2021                           | N/A        |  |
| SEPP (Resilience and Hazards) 2021                       | Yes        | <i>SEPP (Resilience and Hazards) 2021</i> applies to the PP area. Most of the PP area is situated within the Coastal Environment Area. CN is satisfied that the proposed LEP amendments will not result in subsequent development proposals being inconsistent with the aims of this policy, or the controls under Division 3 Coastal  |



| Relevant SEPP                            | Applicable | Consistency and Implications   |
|--|------------|--|
|  |            | environment area, Division 4 Coastal use area, and Division 5 General. |
| SEPP (Resources and Energy) 2021         | N/A        |  |
| SEPP (Transport and Infrastructure) 2021 | N/A        |  |
| SEPP (Sustainable Buildings) 2022        | N/A        |  |

## 6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

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

**Table 2: Review of relevant Ministerial Directions (Section 9.1 directions)**

| Relevant Section 9.1 Direction                            | Applicable | Consistency and implications   |
|---|------------|--|
| <b>Focus area 1: Planning Systems</b>                     |            |  |
| 1.1 Implementation of Regional Plans                      | Yes        | The PP is consistent with HRP 2041 as outlined above.  |
| 1.2 Development of Aboriginal Land Council land           | N/A        |  |
| 1.3 Approval and Referral Requirements                    | Yes        | The PP does not include any provisions that will require subsequent development applications to seek approval or referral from any other public authority.<br><br>CN will consult with public authorities prior to public exhibition in accordance with any conditions included in the Gateway determination.  |
| 1.4 Site Specific Provisions                              | N/A        |  |
| <b>Focus Area 1: Planning Systems – Place-based</b>       |            |  |
| N/A   |            |  |
| <b>Focus Area 2: Design and Place</b>                     |            |  |
| [This Focus Area was blank when the Directions were made] |            |  |
| <b>Focus Area 3: Biodiversity and Conservation</b>        |            |  |
| N/A   |            |  |
| <b>Focus Area 4: Resilience and Hazards</b>               |            |  |
| 4.1 Flooding  | Yes        | CN has prepared a Flood Assessment Report to support the PP. It notes minor inconsistencies with this Ministerial Direction but concludes that the PP is manageable within the current flood management framework and any inconsistencies are minor in nature.<br><br>DPE has confirmed that CN has satisfied Ministerial Direction 4.1 Flooding. The Flood Assessment Report is provided at Appendix A. |
| 4.2 Coastal Management                                    | Yes        | Consistent. The PP area is within the coastal zone as defined under the <i>Coastal Management Act 2016</i> . Notwithstanding, the PP is consistent with this direction.  |
| 4.3 Planning for Bushfire Protection                      | N/A        |  |
| 4.4 Remediation of Contaminated Land                      | Yes        | Consistent. This direction applies as it is possible that development for a purpose referred to in Table 1 of the contaminated land planning guidelines may have been carried out on land covered by this PP.<br>No changes are proposed to current zoning of land or permissibility of uses are proposed as part of this PP. As such,   |

|  |     |  |
|--|-----|--|
|  |     | CN has not sought to obtain a preliminary investigation in accordance with the contaminated land planning guidelines.  |
| 4.5 Acid Sulfate Soils   | Yes | Consistent. The land is located within Category 3 on the ASS map in NLEP 2012. However, the PP does not include provisions or amendments that will increase the risk or hazard from the current potential, hence it is considered to be of minor significance and does not require any further study.  |
| 4.6 Mine Subsidence and Unstable Land  | Yes | Consistent. Part of the PP area is within a proclaimed Mine Subsidence District. Subsidence Advisory NSW (SA NSW) were consulted in the preparation and exhibition of WMP 2017 to consider if the subject area could support a greater level of development than is currently permitted. SA NSW did not raise any objection to an increase in the scale of built form but confirmed that any future development would trigger the need for further investigation which is likely to result in the need for remediation/ stabilisation works. The areas subject to development incentives were revised as part of WMP 2021. This is to reflect updated information provided by Subsidence Advisory NSW (SA NSW) on the current development potential of sites affected by mines subsidence. |
| <b>Focus Area 5: Transport and Infrastructure</b>                            |     |  |
| 5.1 Integrating Land Use and Transport                                       | Yes | Consistent. The PP facilitates additional GFA for business and residential development through the offering of development incentives. The land subject to this PP is within the Newcastle City Centre Area boundary and hence is consistent with the aims, objectives and principles of:<br>(a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and<br>(b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).   |
| 5.2 Reserving Land for Public Purposes                                       | N/A |  |
| 5.3 Development Near Regulated Airports and Defence Airfields                | N/A |  |
| 5.4 Shooting Ranges  | N/A |  |
| <b>Focus Area 6: Housing</b>   |     |  |
| 6.1 Residential Zones  | Yes | Consistent. This direction applies to the PP as the MU1 Mixed Use zone permits residential development. The PP will not reduce the permissibility of residential uses but rather increase their feasibility due to a potential increase in FSR and HOB.  |
| 6.2 Caravan Parks and Manufactured Home Estates                              | N/A |  |
| <b>Focus Area 7: Industry and Employment</b>                                 |     |  |
| 7.1 Business and Industrial Zones  | Yes | Consistent. The PP not only retains the existing opportunities for business uses within the MU1 Mixed Use zone but seeks to expand this by offering an incentive increase in HOB and FSR, allowing a greater potential floor space for permitted uses including business uses.   |
| 7.2 Reductions in Non-Hosted Short-Term Rental Accommodation Period          | N/A |  |
| 7.3 Commercial and Retail Development along the Pacific Highway, North Coast | N/A |  |
| <b>Focus Area 8: Resources and Energy</b>                                    |     |  |

|  |     |  |
|--|-----|--|
| 8.1 Mining, Petroleum Production and Extractive Industries | N/A |  |
| <b>Focus Area 9: Primary Production</b>                    |     |  |
| N/A  |     |  |

## Section C - Environmental, social and economic impact

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

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

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

#### **Traffic and Transport Considerations**

##### **Local traffic and transport**

The increased densities proposed in the planning proposal are a direct reflection of the higher densities identified in the WMP. The WMP 2017 was adopted concurrently with the *Wickham Local Area Traffic Management Plan (LATMP)* to ensure traffic management measures and interventions are implemented based on traffic thresholds set by Transport for NSW to improve safety and amenity of local streets. Community infrastructure facilitated by this planning proposal will assist with providing land identified for local roads (i.e. identified intersection works, road widening, providing new connections and enabling public domain improvements) in the LATMP. This will allow widening of the road reserve in select streets to enable adequate capacity of traffic, parking and the establishment of new footpaths and shared paths.

##### **Public transport**

This planning proposal recognises the strategic location of Wickham, its proximity to the emerging Newcastle CBD in Newcastle West and the Newcastle Transport Interchange. This location creates potential for the area to accommodate increased densities to capitalise on Wickham's proximity to excellent public transport options. This is strongly supported by the strategic framework for the Hunter region, by enhancing the public domain and relevant services to make it easier to get around the city centre, recognising Wickham as the public transport gateway into the city centre.

##### **Cycle and pedestrian movement**

Community infrastructure facilitated by this proposal will include the establishment of new footpaths and shared paths throughout Wickham and linking to adjoining areas, in accordance with the vision of the WMP and the revised *Newcastle Cycling Strategy and Action Plan*. These interventions are expected to encourage uptake of active transport planning, by contributing key components at the hub of a city-wide network of footpaths and separated cycleways.

#### **Environmental Considerations**

##### **Bushfire hazard**

The land is not identified as bush fire-prone land in the Newcastle Bush Fire Hazard Map (2018).

##### **Noise impact**

This proposal will allow the continued development of a mix of compatible permissible land uses, with noise impacts anticipated to be adequately addressed during the design and assessment of individual developments.

##### **Flooding**



CN has prepared a Flood Assessment Report to support the planning proposal. The Flood Assessment report found that the planning proposal achieves the intent of Ministerial Direction 4.1 Flooding and is consistent with the NLEP 2012 and NDCP 2012 provisions in regard to flooding. DPE has confirmed that CN has satisfied Ministerial Direction 4.1 Flooding.

The Flood Assessment Report is available at Appendix A.

### **Sea level rise**

Resilience to potential hazards from sea level rise is being addressed at a broader scale through CN's *Strategic Position for the Management of Low-Lying Areas of Newcastle – Wickham-Maryville-Carrington-Islington* (2017), which supports the ongoing redevelopment of these areas combined with various mitigation measures. In the case of this planning proposal, suitable mitigation measures have been considered, such as raising the ground level floor heights for new development. This additional height (up to 1m) above natural ground level has been considered in determining the maximum HOBs to ensure no further variation under clause 4.6 of NLEP 2012 are required (in relation to this issue) in any subsequent DA on land subject to this planning proposal.

### **Urban Design Considerations**

The maximum proposed increase in density (HOB and/or FSR) is consistent with the urban design assessment and 3D modelling provided as part of WMP 2017. It is noted that the incentive heights and FSRs are maximums and will not be subject to variation via clause 4.6.

However, the incentives proposed are dependent on site area, which responds to concern raised by CN's Urban Design Review Panel with how development standards are applied across the Newcastle City Centre, when large, tall development occurs on narrow lots with minimal side setbacks and reduced building separation. This delivers a dense urban form that is atypical of Newcastle's context. The site areas and predetermined densities will ensure resultant development in Wickham is able to comply with the requirements of the Apartment Design Guideline (ADG) and Section 6.03 Wickham of NDCP 2012, including setbacks, opportunities for landscaping, and car parking requirements, while also providing an incentive for site amalgamation.

CN has estimated that the hypothetical additional GFA from development accessing the available incentive GFA per Clause 7.11 of the NLEP 2012 to be around 28,000 square meters, not taking into consideration additional incentive GFA being made available from amalgamation of sites.

Assuming that additional GFA is taken up as additional residential apartments (at an average GFA of 90 sqm per dwelling), this could create an additional 311 dwellings in Wickham. In doing so, this additional development will enable the delivery of the community infrastructure projects not otherwise achievable by CN and at no additional cost to development under the current development standards.

### **Social and Cultural Considerations**

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

##### **Open space management**

The planning proposal facilitates various interventions within the urban structure that will deliver the community's desire for increasing opportunities for 'greening' and open space within the public domain.

##### **Social and cultural impacts**

The improved community infrastructure facilitated by this proposal will cater for the social and recreational needs of both local residents and the wider Newcastle community. The Wickham area will continue to cater for sporting, community events, and festivals, which will benefit from improved pedestrian and cycle links to public transport and adjoining areas.

### ***Economic impact assessment***

The 'Incentive GFA Rate', proposed for Wickham by CN (based on the dividing the total cost of nominated community infrastructure projects by the maximum potential incentive GFA available, consistent with the WMP 2021), was reviewed on behalf of CN by economic and valuation consultancy HillPDA.

HillPDA tested the potential development scenarios using a feasibility modelling approach to ensure that the potential rate is not only feasible but represents an incentive to development, based on a positive result to the potential rate of return. HillPDA identified a potential range for the 'Incentive GFA Rate', based on the variation in individual site factors and likely building types resulting from the range of incentive densities tested.

CN has determined a rate that represents the middle to upper end of the identified range but that would deliver all of the community infrastructure projects identified within WMP 2021 to support the increased densities.

This rate is contained within the *Draft Wickham Community Infrastructure Plan* that was exhibited together with this planning proposal.

### ***Employment Land***

This planning proposal will increase the development potential of land currently zoned B4 Mixed Use, furthering the objectives of this key area of employment land, in particular: *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*

## **Section D - State and Commonwealth interests**

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

New development contributes toward the provision of essential community infrastructure, as a condition of consent being applied under Section 7.11 or 7.12 of the EP&A Act, however in areas of rapid growth local government is limited by:

- the amount able to be charged in comparison to the full cost of providing the infrastructure and services required by the community
- the type of items that may be funded by contributions in comparison to the expanded range of facilities and services local government is responsible for providing
- the timeframe to collect or recoup adequate funds necessary for delivering community infrastructure.

This planning proposal seeks to implement an additional means of delivering community infrastructure, through development incentives, that are complementary but completely independent to contributions made under Section 7.11 and 7.12 of the Act.

Applicants may access the available incentives, consistent with Clause 7.11 of NLEP 2012 and the HOB and FSR maps, when a DA is accompanied by a Planning Agreement that identifies the delivery of community infrastructure to support urban renewal in Wickham.

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

CN will consult with Transport for NSW, Biodiversity Conservation Division and Subsidence Advisory NSW in accordance with the Gateway Determination.

CN has consulted with Subsidence Advisory NSW and the DPE in the preparation of this planning proposal and the Community Infrastructure Incentives Policy.

## Part 4 – Mapping

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

- Height of Buildings Map
- Floor Space Ratio Map

The Matrix below indicates which map sheets are to be amended as a result of this planning proposal:

|       | FSR | LAP | LZN | WRA | ASS | HOB | LSZ | LRA | CL1 | HER | URA |
|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 001   |     |     |     |     |     |     |     |     |     |     |     |
| 001A  |     |     |     |     |     |     |     |     |     |     |     |
| 001B  |     |     |     |     |     |     |     |     |     |     |     |
| 001C  |     |     |     |     |     |     |     |     |     |     |     |
| 001D  |     |     |     |     |     |     |     |     |     |     |     |
| 002   |     |     |     |     |     |     |     |     |     |     |     |
| 002A  |     |     |     |     |     |     |     |     |     |     |     |
| 002B  |     |     |     |     |     |     |     |     |     |     |     |
| 002C  |     |     |     |     |     |     |     |     |     |     |     |
| 002D  |     |     |     |     |     |     |     |     |     |     |     |
| 002E  |     |     |     |     |     |     |     |     |     |     |     |
| 002F  |     |     |     |     |     |     |     |     |     |     |     |
| 002G  |     |     |     |     |     |     |     |     |     |     |     |
| 002H  |     |     |     |     |     |     |     |     |     |     |     |
| 003   |     |     |     |     |     |     |     |     |     |     |     |
| 004   |     |     |     |     |     |     |     |     |     |     |     |
| 004A  |     |     |     |     |     |     |     |     |     |     |     |
| 004B  |     |     |     |     |     |     |     |     |     |     |     |
| 004C  |     |     |     |     |     |     |     |     |     |     |     |
| 004D  |     |     |     |     |     |     |     |     |     |     |     |
| 004E  |     |     |     |     |     |     |     |     |     |     |     |
| 004F  |     |     |     |     |     |     |     |     |     |     |     |
| 004FA | X   |     |     |     |     | X   |     |     |     |     |     |
| 004G  | X   |     |     |     |     | X   |     |     |     |     |     |
| 004H  |     |     |     |     |     |     |     |     |     |     |     |
| 004I  |     |     |     |     |     |     |     |     |     |     |     |
| 004J  |     |     |     |     |     |     |     |     |     |     |     |
| 004K  |     |     |     |     |     |     |     |     |     |     |     |

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

Figure 3: Existing Height of Buildings Map

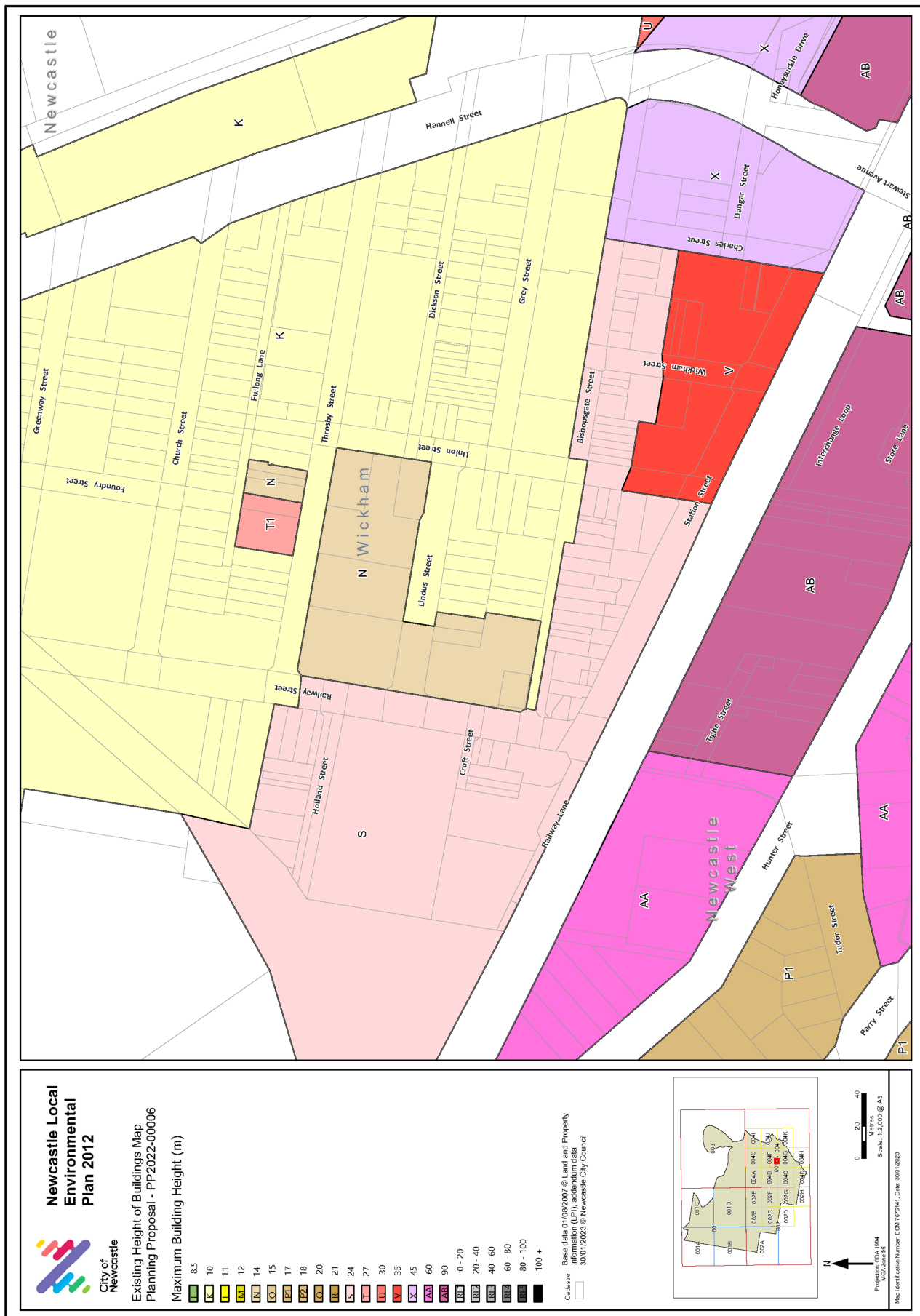




Figure 4: Proposed Height of Buildings Map

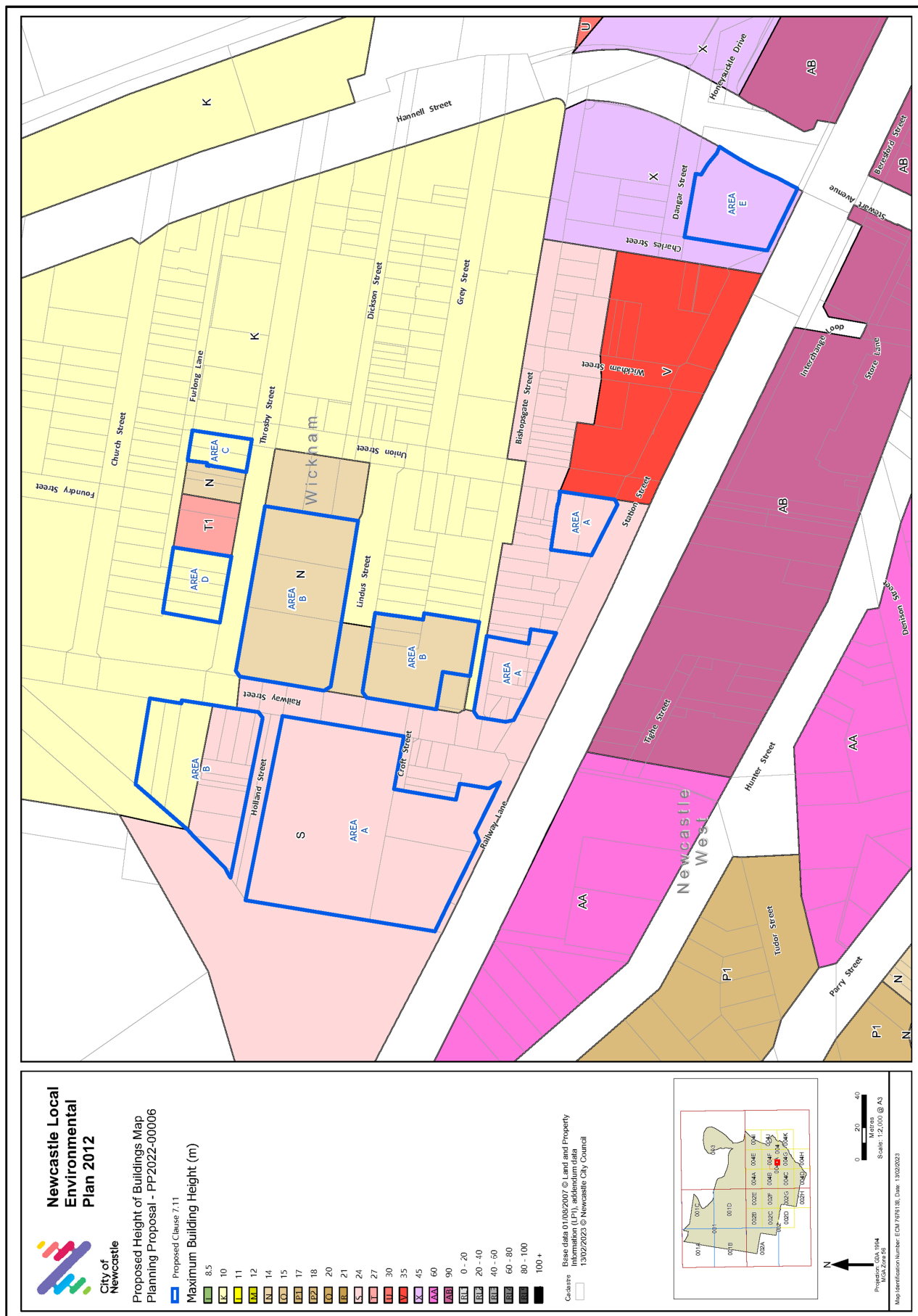


Figure 5: Existing Floor Space Ratio Map

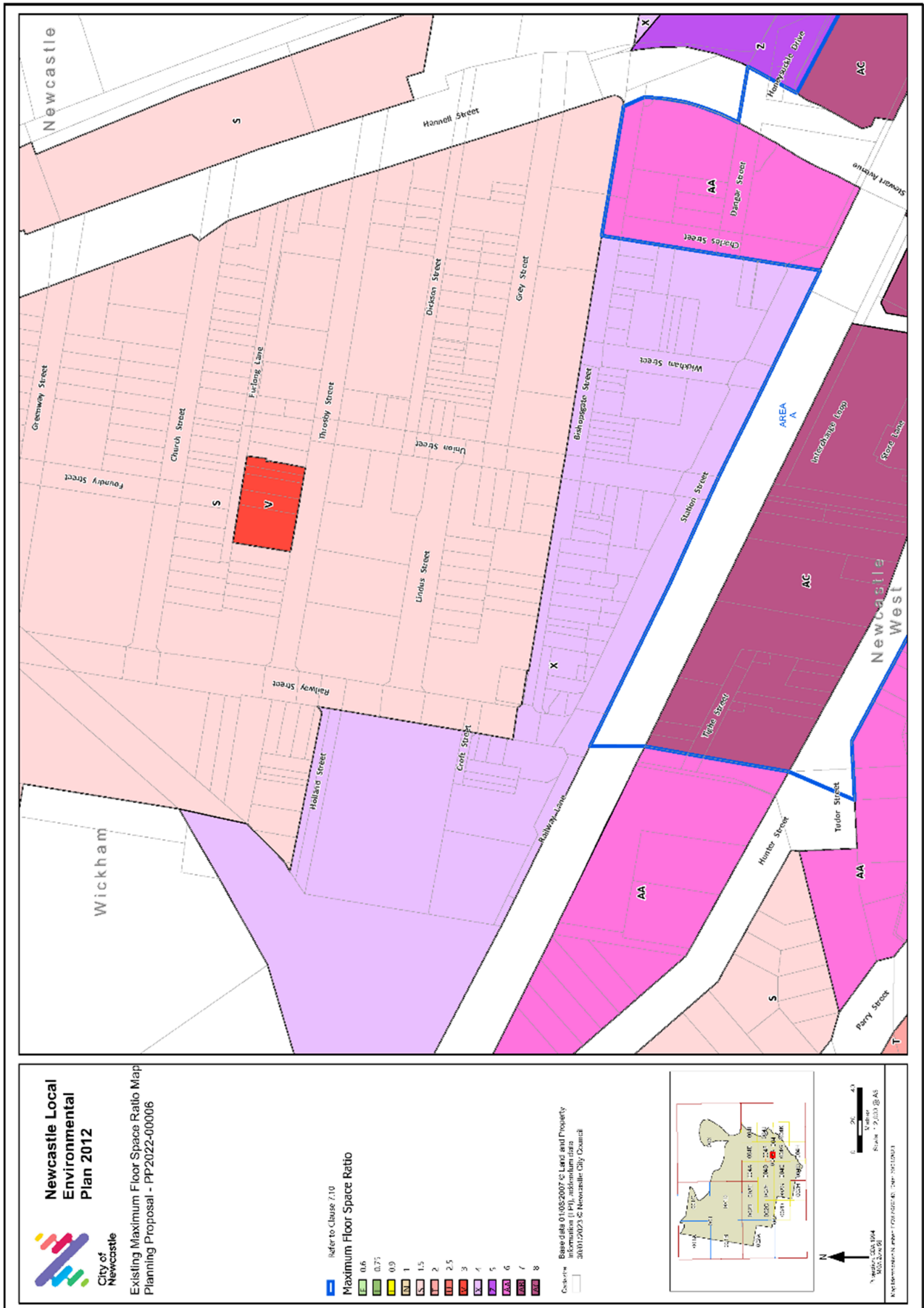
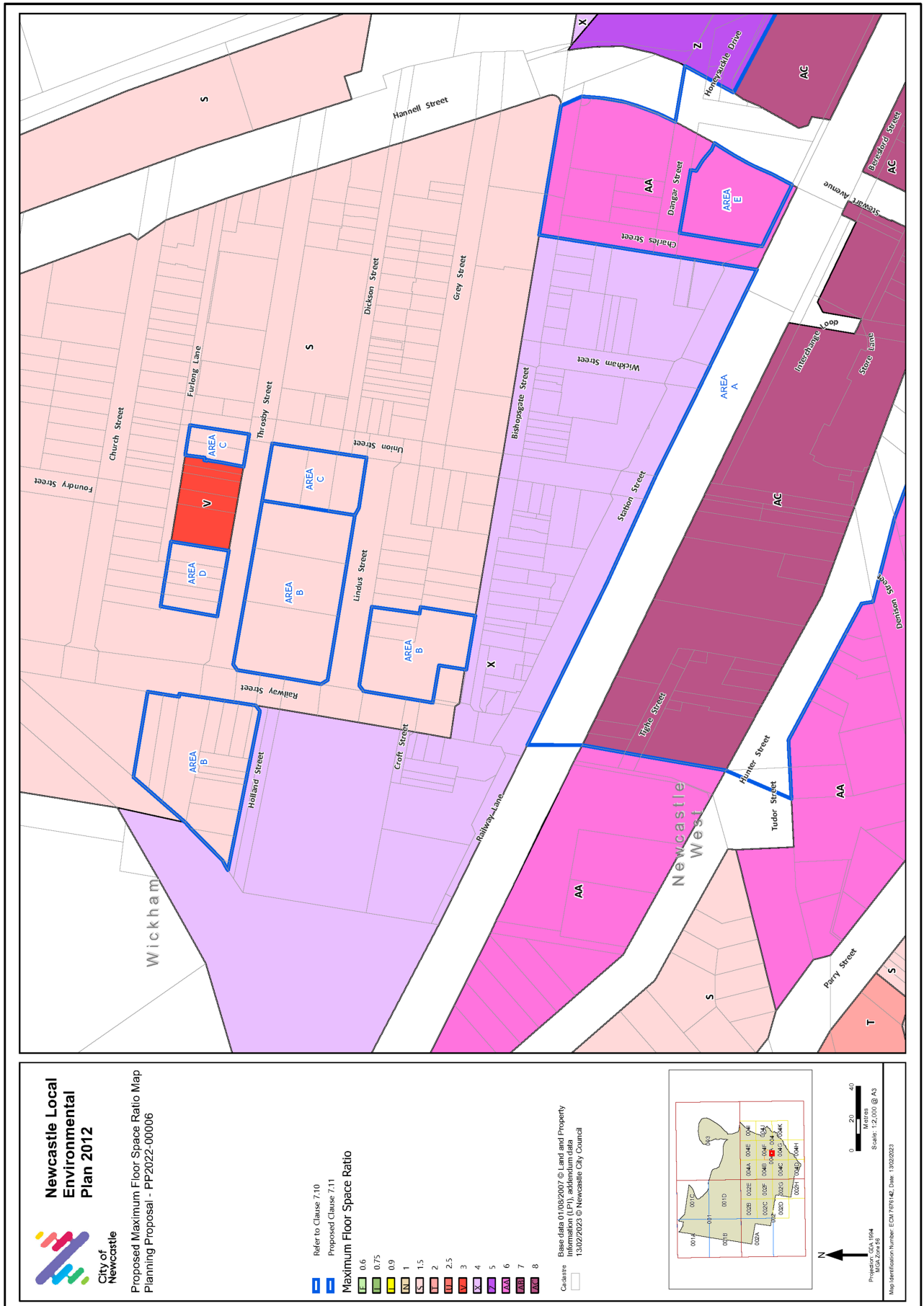


Figure 6: Proposed Floor Space Ratio Map



## Part 5 – Community consultation

Per the Gateway Determination, the planning proposal is categorised as principal as described in the *Local Environmental Plan Making Guideline* (September 2022) and must be made publicly available for a minimum of 30 days.

The planning proposal was exhibited from 20 February to 22 March 2023. It was exhibited together with the Draft Wickham Community Infrastructure Plan and Draft Section 6.03 Wickham DCP.

Council received 20 submissions on the planning proposal and supporting information.

Per the Gateway Determination, CN also consulted with:

- Transport for New South Wales
- Biodiversity Conservation Division
- Subsidence Advisory NSW

Transport for NSW provided a letter of support of the transit-oriented initiatives as adopted by Council under the WMP 2021 and implemented through the planning proposal. The Biodiversity Conservation Division reviewed the submitted documentation for biodiversity and flood matters and provided no comment. CN did not receive comments from Subsidence Advisory NSW but notes the engagement undertaken with this agency as part of the preparation of the WMP 2017 and WMP 2021.

CN has engaged with the local Wickham community, landowners and industry stakeholders on the proposed community infrastructure incentives at other stages, as follows:

- Pre-engagement on the WMP 2021 in December 2020 and January 2021, which outlined the proposed incentives and the community infrastructure projects.
- 28-day public exhibition of the draft Community Infrastructure Incentives Policy, which outlined the proposed approach.
- 28-day public exhibition of the draft WMP 2021 which detailed the development incentives and envisaged community infrastructure envisaged for Wickham.
- 28 day public exhibition of the draft WMP 2021 (2022 Amendment) which proposed minor changes to the areas proposed for development incentives.
- Engagement with the Greater Lifestyles of Wickham (GLOW) community group during the exhibition period and at other stages.



## Part 6 – Project timeline

The PP timeline is shown below. It has been updated to be consistent with the Gateway Determination received 4 November 2022.

|   | Nov 2022   | Dec 22 | Jan 23 | Feb 23                      | Mar 23 | Apr 23 | May 23 | Jun 23 | Jul 23 | Aug 23      | Sep 23 | Oct 23 | Nov 2023      |
|---|------------|--------|--------|-----------------------------|--------|--------|--------|--------|--------|-------------|--------|--------|---------------|
| Gateway Determination received                  | 4 Nov 2022 |        |        |                             |        |        |        |        |        |             |        |        |               |
| PP amended to reflect Gateway Determination     |            |        |        |                             |        |        |        |        |        |             |        |        |               |
| Public exhibition and agency consultation       |            |        |        | Public exhibition (30 days) |        |        |        |        |        |             |        |        |               |
| Consideration of submissions and reporting      |            |        |        |                             |        |        |        |        |        |             |        |        |               |
| Anticipated report back to Council for adoption |            |        |        |                             |        |        |        |        |        | 22 Aug 2023 |        |        |               |
| PP forwarded to DPE                             |            |        |        |                             |        |        |        |        |        |             |        |        |               |
| PP finalised by DPE                             |            |        |        |                             |        |        |        |        |        |             |        |        |               |
| Local Environmental Plan made                   |            |        |        |                             |        |        |        |        |        |             |        |        | By 4 Nov 2023 |

## Appendix 1 – Flood Assessment Report

# WICKHAM PLANNING PROPOSAL

## Flood Assessment Report



Version 2  
08 February 2023

For Enquiries, please call City of Newcastle on Ph: 02 4974 2000

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# Part A – Flood Impact Assessment Report

## 1.0 Introduction

The City of Newcastle (CN) has prepared this flood impact review report to support the planning proposal for the Community Infrastructure Incentives at Wickham. This report forms part of the planning proposal submission by CN.

The planning proposal has been prepared to facilitate an increase in development scale and density for housing and employment purposes, by offering the provision of incentives to developments that could deliver the urban renewal outcomes as identified in the Wickham Masterplan (WMP) 2021.

## 2.0 Planning Proposal & Flood Assessment Summary

The planning proposal covers multiple potential development sites in Wickham. These subject sites have been identified in Image 1 - Applicable Land and each identified site is noted in Table 1.

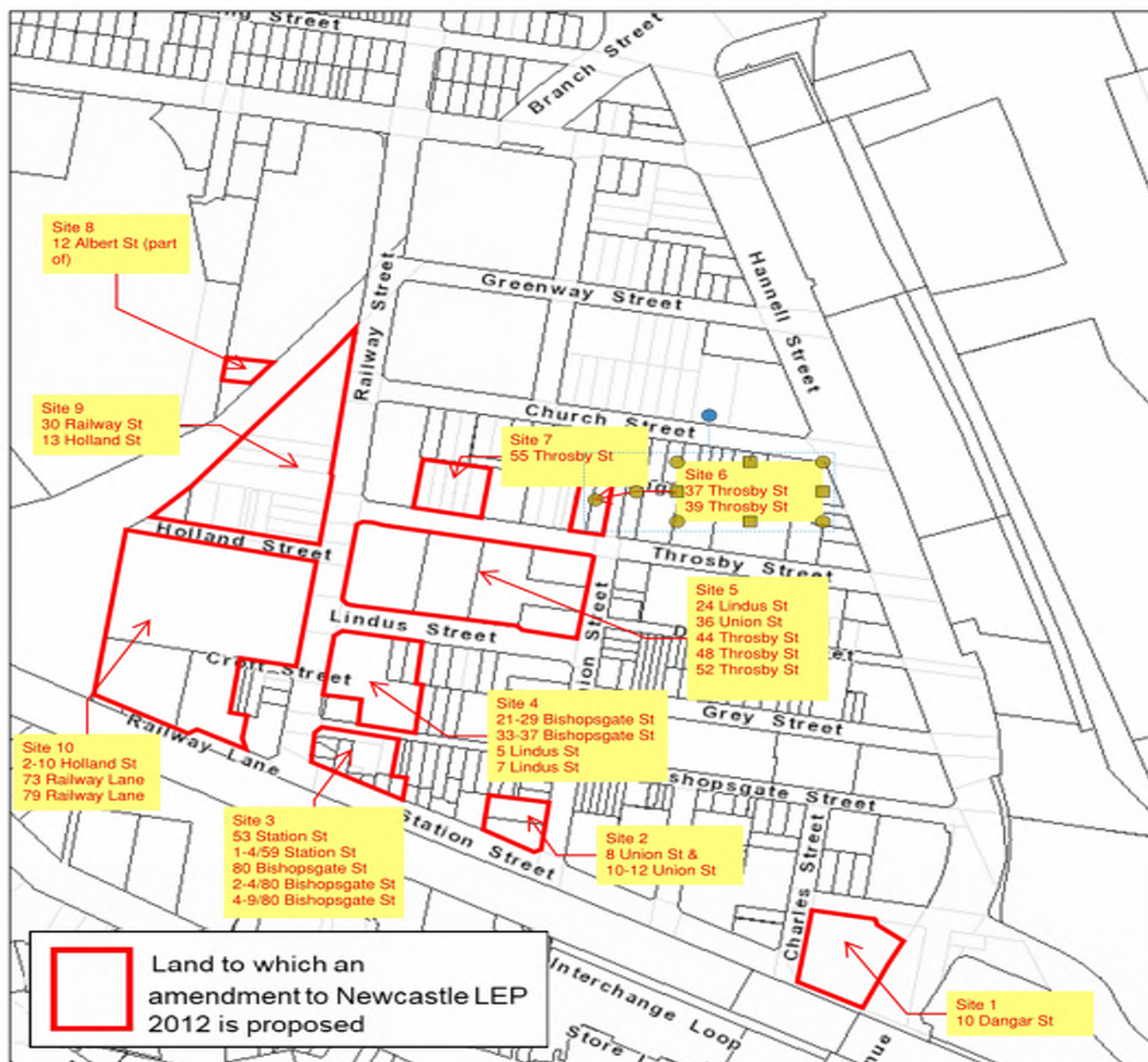
These parcels of land are specified within the Wickham Masterplan 2017 development area and are identified as catalyst sites for multi-unit high rise developments. The planning proposal itself will increase allowable building heights and density within the identified sites.

For the purposes of this report and in addressing the set flooding management requirements, it is understood that the planning proposal will allow for increased building height and density of future developments at the identified sites. Its objectives also clearly state that future development building footprints have been established over the identified parcels of land (Applicable Land) under the Wickham Masterplan (WMP) 2021, thus CN can conclusively state that this planning proposal does not alter the flooding behaviors on the ground areas nor significantly affects any of the surrounding properties.

Fundamentally, CN recognizes that the potential flood risks from this planning proposal are a result of an increased number of dwellings (residential units or any other form of development) with an increase in density and height. This generally foresees an increase in expected population in the area.

Based on the above, this flood impact assessment will review the following aspects of the flood management for the planning proposal:

- identify the flood regime on the planning proposal sites and discuss the suitability of future developments including setting minimum flood planning level (FPL)
- identify property and life risks for the proposed future development
- outline an appropriate flood emergency response for the proposed development
- determine if any adverse impacts arise from the planning proposal
- Address flooding elements of the Ministerial Direction 4.1 Flooding
- Address the Newcastle LEP aspects on flooding and Newcastle DCP 4.01

**Image 1 – Applicable Land (Planning Proposal Sites)****Table 1 – Site Locations and Addresses as per Image 1 above**

| Site No. | Site 2         | Site 3                | Site 4               | Site 5        | Site 6        | Site 7        | Site 8                 | Site 9        | Site 10         |
|----------|----------------|-----------------------|----------------------|---------------|---------------|---------------|------------------------|---------------|-----------------|
| 1        |                |                       |                      |               |               |               |                        |               |                 |
| 10       | 10-12 Union St | 53 Station St         | 21-29 Bishopsgate St | 24 Lindus St  | 37 Throsby St | 55 Throsby St | 12 Albert St (part of) | 30 Railway St | 2-10 Holland St |
|          | 8 Union St     | 1-4/59 Station St     | 33-37 Bishopsgate St | 36 Union St   | 39 Throsby St |               |                        | 13 Holland St | 73 Railway Lane |
|          |                | 80 Bishopsgate St     | 5 Lindus St          | 44 Throsby St |               |               |                        |               | 79 Railway Lane |
|          |                | 2-4/80 Bishopsgate St | 7 Lindus St          | 48 Throsby St |               |               |                        |               |                 |
|          |                | 4-9/80 Bishopsgate St |                      | 52 Throsby St |               |               |                        |               |                 |

### 3.0 Flood Catchment Area and Data Analysis

Wickham is located within the Cottage Creek catchment and the catchment area generally drains to the Throsby Basin in Newcastle Harbour. Cottage Creek catchment area is approx. 8 km<sup>2</sup> and is predominantly dominated by urbanised City type formation consisting of residential living and commercial operations.

City of Newcastle's adapted Newcastle City-Wide Floodplain Risks Management Study and Plan (NCWFRM) and City-Wide Mapping are both reasonably dated and used to define flood behaviour in the Cottage Creek catchment (BMT WBM 2012).

The Throsby, Cottage and CBD Flood Study and associated maps provide the hydraulic and hydrology flood analysis of the catchment area, this referenced technical document provides background flood analysis data in the NCWFRM and City-Wide Mapping.

Wickham Masterplan area is bounded by the adapted NCWFRM and City-Wide Flood Mapping. The flood mapping and data contained in the adapted reports and maps are current and applicable to the planning proposal development area and forms the main document basis of this flood impact assessment and management of flood risks. NCWFRM have been prepared in accordance with NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.

The technical hydrology and hydraulic background flood studies leading to the adaptation of NCWFRM is available in CN's Website. CN has a dedicated section on our website for Flooding, which includes elements such as web links to SES, BOM and ABC Radio, information on flood alert service, an Interactive map, and other associated information.

CN also has a well-established process to attain Flood Information Certificates (FIC), which generally provides site specific flood data and recommends the FPL. The additional information provided with the FIC contains general information which can be easily understood by public (refer Appendix 2).

Various Web Links to CN Flooding page as below:

Link to CN main Flooding Web page is as follows:

<https://www.newcastle.nsw.gov.au/living/environment/flooding>

Link to CN's adapted NCWFRM to the document is as follows:

<https://newcastle.nsw.gov.au/Newcastle/media/Documents/environment/Flooding/R-N2246-001-03.pdf>

Link to CN City-Wide Mapping is as follows:

[https://newcastle.nsw.gov.au/Newcastle/media/Documents/environment/Flooding/R-N2246-001-01-compendium\\_WEB.pdf](https://newcastle.nsw.gov.au/Newcastle/media/Documents/environment/Flooding/R-N2246-001-01-compendium_WEB.pdf)

#### 3.1 Flood Information Maps

For the purposes of this planning proposal, flood information maps and data have been extracted from CN's WaterRide database, rather than referring to the adapted City-Wide Flood Mapping. The main purpose and reason for using WaterRide data is that it provides more in-depth and detailed information in a higher resolution format for the Wickham areas.

The provided maps are to analysis the flood risk and analysis of the area and to demonstrate that the planning proposal is deemed to be within the framework and complies with principles set by CN and the adapted NCWFRM, while fulfilling the requirements as set under the ministerial direction.

For the purposes of the planning proposal, only the flood impact analysis data under the critical flood events, being the 1% AEP and PMF storm events, have been considered. The 1% AEP analysis has been used to

foresee the flood risk management aspects, setting the FPL and managing the risks to property, while the PMF analysis has been used to discuss the management of risk to life.

The following Flood Maps are provided in Appendix 1:

#### Flash (Local) Flooding

- PMF Flood Extent
- PMF Risk to Life
- 1% AEP Flood Extent and Level
- 1% AEP – Risk to Property
- 1% AEP – Flood Depth
- 1% AEP Flood Classification (BMT)
- PMF - Flood Classification
- 1% AEP Velocity Map
- PMF Velocity Map

#### Ocean Flooding

- PMF Flood Extent
- 1% AEP – Risk to Property
- 1% AEP – Flood Depth

## **4.0 Wickham Flood Physical Environment**

### 4.1 Flash (Local) Flooding

Wickham is generally at the downstream end of the local catchment area and as such, flooding in the Cottage Creek catchment is generally affected by flash flood (local) flooding. With flash flooding, there is particularly very little warning and of concern is areas with high risk to life during extreme events. Majority of the planning proposal area is noted to rated L4 in extreme (PMF) event. Such an extreme flood event in local flood experience terms could be stated to being many times larger than the June 2007 (Pasha Bulker) event.

Majority part of Wickham consists of naturally localised lower areas (bowl-shaped), hence seemingly forming like a catchment basin, thus a large section of Wickham is classified as a flood storage area (See below snip of flood classification map). The remaining areas in Wickham are noted to be flood fringe.

Floodwaters in flash floods generally rising quickly and recede quickly to an extent, thus predominately forming the main form of flood risk, however in low lying areas (flood storage areas) such as Wickham, it is particularly difficult for this area to drain freely to the Harbour, meaning that flood waters fill-up and drain slowly to the Harbour.

#### Flood Storage Management

Wickham has an established stormwater drainage network of subsurface stormwater pipes that discharge to the Cottage Creek catchment. During major flash flood events, the conveyance capacity of the drainage network is exceeded resulting in the excess flow being conveyed as overland flow, particularly along the local streets. The flood storage areas, with typical blockages of the local stormwater drainage network could be impacted by some sustained extent of prolong inundation.

Other flood impacts such as blockages and tidal impacts also affects the performances of the drainage network.

A desktop analysis of Wickham indicates that majority of the identified sites has existing building. These existing warehouse type industrial buildings currently occupy the entire available land area. As part of the Wickham Masterplan, it is anticipated that the future developments (predicted to be dominated by residential type high-rise buildings) on these sites will predominantly have a lesser building footprint area on the ground level.

Majority of the high-rise buildings will have additional open landscaped areas, potential through site links, together a network of open spaces and new roads (as per Wickham Masterplan – See Image 2 below) will



free up additional area on the ground. Overall, CN's vision is that the future building designs will reduce the building footprint on the ground level areas when compared with the current situation, with further building setback from new roads and a streamlining of future lots, hence it is predicted that the future developments will pave way for provision of additional flood storage area.

Overall, it is predicted that there will be a net gain in flood storage area based on the Wickham Masterplan. The potential additional available flood storage area will further assist in storage of flood waters. In comparison with the current scenario, there is an overall net benefit in the management of flood storage area, when compared with than the current scenario.

Link to Wickham Masterplan below:

<https://www.newcastle.nsw.gov.au/Newcastle/media/Documents/Strategies,%20Plans%20and%20Policies/Plans/Wickham-Masterplan-2021-Update-Adopted-July-2022.pdf>

### **Image 2 – Snip of Map 6 from Wickham Masterplan indicating New Roads and Open Areas**

**Map 6 – Location of proposed community infrastructure projects**



## 4.2 Climate Change

Climate change impacts is a key consideration for floodplain management and the NSW Floodplain Development Manual requires consideration of climate change.

Key elements of future climate change (e.g. sea level rise, rainfall intensity) are therefore important considerations in the ongoing floodplain risk management.

## 4.3 Ocean Flooding and Sea Level Rise

NSW Government incorporated consideration of potential climate change impacts (Ocean Flooding) into relevant planning instruments. CN's adapted NCWFRM have adequate available flood data for ocean flooding, which is based on the NSW Sea Level Rise Policy Statement (DECCW, 2009) and have pre-set guidelines in the to manage the flood risks and coastal hazard assessments in the LGA's low lying coastal areas for sea level rise.

Wickham area is also affected by ocean flooding and the flood data has been collaborated in Table 2 below. Generally, 2.2m AHD has been set as the 1% AEP ocean flood level and PMF Level is set at 3.4m AHD, both being based on the benchmarks as projected rise in sea level, relative to the 1990 mean sea level, of 0.4 metres by 2050 and 0.9 metres by 2100.

The overall risk to life (PMF event) for ocean flooding is generally consistent over the LGA and is noted to be low risk at L1. The risk to property seems to vary over the Wickham planning proposal area and is rated between P1 and P3 and therefore being generally low risk. Storage

## 4.4 Potential Increase in Rainfall Intensity

CN's adapted NCWFRM has considered the potential impacts from climate change and associated sea level rise and extreme weather events and have planned for these potential possible future changes probability for overall LGA.

The pre-anticipated predicted impact from climate change on rainfall conditions seems to be that the predicted average rainfall could potentially increase, resulting in the changes in annual rainfall conditions. Although it is assumed that this factor is unlikely to have a significant on impact on flooding regimes, the higher intensity of rainfall could increase the design rainfall with potential for higher peak flows and run-off volumes.

The potential wetter than average conditions may increase the opportunity for wet forecast conditions at the onset of a rainfall event. The increases in rainfall intensity via climate change impacts producing rainfall events are expected to potentially show trends of more frequent, higher intensity storms and may translate into higher peak flows and runoff volumes providing for increased flood inundation.

As noted above, CN has a clear understanding of the potential impacts and considered that these changes in rainfall intensity in inevitable and have in place, The City of Newcastle Strategic Climate Change Policy (NCC, 2010), which reinforces the objectives of developing and implementing adaptation and mitigation actions as a response to climate change.

CN's adapted NCWFRM states the elements such as flood planning levels can be reviewed if required in the future.

Moreover, CN's Stormwater Management DCP, which is currently under on-going review, has considered the climate change factors and have considered the most recent rainfall data.

It can therefore be conclusively stated that City of Newcastle is has put the environmental changes a forefront factor in managing climate change.

## **5.0 Flood Risk Analysis**

Flash flood levels at 1% AEP event generally ranges approximately between 1.7m AHD to 2.2m AHD, with risk to property being generally between P1 and P3, which is noted to be low risk (See Table 2 below for flood levels at each identified Site).

The Risk to Life hazard classification is defined at the PMF event. At PMF event, flood levels is noted to be between 2.93m AHD - 3.01m AHD, with risk to life being L4 (high risk) mainly in the flood storage areas and L2 (low risk) in flood fringe areas. Based on CN's NCWFRM, areas and lots with L4 and above risk to life categories is required to be provided with a Flood Refuge (shelter in place).

Figure 7 presents the Risk to Life mapping under the current modelled baseline and development scenarios.

Based on the flood data analysis as indicated in Table 2, majority of the sites must be provided with a flood refuge.

Due to the high hazard flooding surrounding the site and the associated risk to life during an extreme flood event, it is a requirement of Council to provide a safe flood-free refuge area on site for people to shelter during a flood. The flood-free refuge should be elevated above the level of the PMF.

Generally, any flood refuge in flash flood areas is set to PMF levels and the building must be designed to withstand the flood loadings (including debris). As majority of the future buildings within the identified sites will mainly be high rise building and noting that the flood level difference between Flood Planning Level (FPL) and PMF level is approx. around 500mm in depth. The flood refuge must be designed to be of sufficient size to accommodate the total number of people that could be expected to be using the development.

It is anticipated that future multi-storey building can be structurally designed for the expected PMF flash flood impacts.

For impacts from ocean flooding being at 3.4m AHD at PMF event (see discussions above), the depth will be approx. 900mm at the worst case. Although the levels are higher, the flood impacts from ocean flooding are generally noted to be less risky with lower impacts to property. As earlier noted, and discussed, the future multi-unit high rise buildings can be designed for ocean flood impacts.

**Note:** Risk to Property aka Highest Property Hazard Category (P) and is often relates to Hydraulic Behaviour Threshold (H).

- CN's flood risk is presented in a simplified form in the Additional information for the holders of Flood Information Certificate (refer to Appendix 2).

The below snip of extracts from the Additional information for the holders of Flood Information Certificate, in general, provides an insight in the understanding of the flood risks and risk matrix.

Snip of the information is below:

**Highest Property Hazard Category:**

Property hazards describe the danger that flood waters might pose to the property of persons affected by flooding. Generally, the descriptions are:

- P1** Parked or moving cars remain stable
- P2** Parked or moving heavy vehicles remain stable
- P3** Suitable for light construction (eg timber frame, masonry and brick veneer)

- P4** Suitable for heavy construction (eg steel frame, and concrete)
- P5** Hydraulically unsuitable for normal building construction

They are determined by direct correlation to the Hydraulic Behaviour Threshold (P1 relates to a Hydraulic Behaviour Threshold of H1) as determined at the flood-planning event, usually the 1% AEP flood. The Hydraulic behaviour thresholds used in the determination of these hazards are shown in the figure N1.

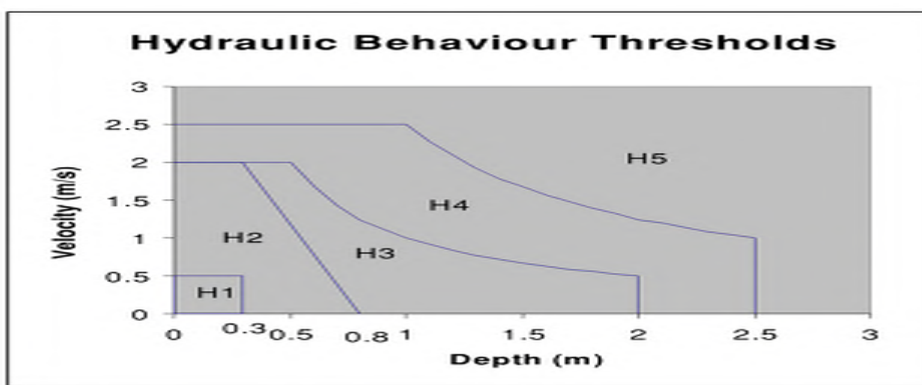


Figure N1 – Hydraulic Behaviour Thresholds

**Highest life Hazard Category:**

Life hazards describe the danger that flood waters might pose to the lives of persons affected by flooding. Generally, the descriptions are:

Table N1 Life hazard descriptions

| HAZARD FACTOR/Effective Warning                           | HAZARD CLASSIFICATION  |   |  |   |   |
|---|--|---|--|---|---|
|   | L1<br>N1   | L2<br>N2  | L3<br>N3   | L4<br>N4  | L5<br>N5  |
| Effective capacity to allow evacuation to flood free land | Y  | Y   | N  | N   | N   |
| Rate of rise of flood waters                              | Slow   | Flash   | Flash  | Flash   | Flash   |
| Duration of Flooding                                      | Too long for refuge enclosed by floodwaters to be appropriate.   | Short enough for occupation during the entire flood to be appropriate.  | Short enough for occupation during the entire flood to be appropriate.   | Short enough for flood free refuge enclosed by floodwaters to be appropriate.   | Short enough for flood free refuge enclosed by floodwaters to be appropriate.   |
| Escape route  | An obvious rising escape route to flood free land outside of the entire flood is available.  | An obvious rising escape route to flood free land outside of the entire flood is available.   | There is no obvious rising escape route to flood free land outside of the entire flood.                                      | There is no obvious rising escape route to flood free land outside of the entire flood.   | There is no obvious rising escape route to flood free land outside of the entire flood.   |
| Nature of encircling floodwaters                          | Flood free land outside of the entire flood can be reached before the flooding affects the site itself.                            | Reaching flood free land outside of the entire flood requires evacuation through encircling floodwaters, and these flood waters are suitable for wading or heavy vehicles at all times. | Encircling floodwaters are suitable for wading and for medical emergency evacuation by wading or heavy vehicle at all times. | Encircling floodwaters are not suitable for wading or heavy vehicles, and require heavy construction for structural stability of buildings (eg steel frame and concrete). | No form of normal building construction would be feasible to ensure structural stability in encircling floodwaters.   |
| Evacuation need:  | Required to flood free land outside of the entire flood.   | Required to flood free land outside of the entire flood.  | Not Required.  | Required to a suitable flood free refuge within the enclosed flood waters.  | Normally not possible (therefore normally unsuitable for development).  |
| Evacuation problems                                       | Still need to ensure that any proposed development in these areas will not cause additional burden on emergency response services. | Still need to ensure that any proposed development in these areas will not cause additional burden on emergency response services.  | Nil (for able bodied adults).  | Evacuation shall be self directed and full scale.   | Encircling flood waters are so hazardous that evacuation by normal means to flood free land outside the entire flood would not be contemplated. The structural stability of an on site refuge cannot be assured by normally available building types, and therefore a refuge enclosed by floodwaters cannot normally be provided. |

Life hazards are used to manage risks to life and accordingly, are determined by considering the hydraulic behaviour threshold (see figure N1) at the Probable Maximum Flood (PMF).

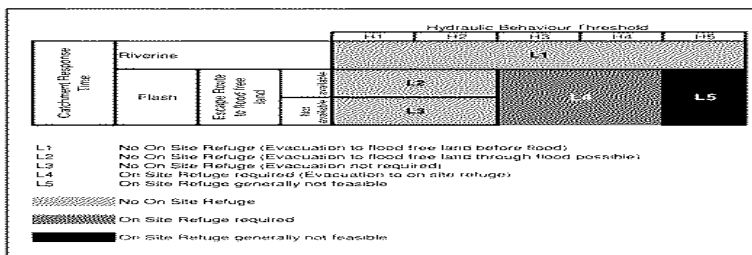


Figure N2 – Life Hazard determination



## 5.1 Flood Planning Level

In CN LGA Flood Planning Level (FPL) is imposed on all new developments and is generally set 500mm above the predicted 1% AEP flood level. The flood planning level (FPL) is used to set floor levels of developments to reduce the impact of flooding on potential property damage and is generally derived from the worst case 1% AEP flood scenario or a known flood event such as the June 2007 Pasha Bulker event.

In Wickham, the FPL for the identified sites is set by a both flash and ocean 1% AEP flooding event, whichever is greater.

- Table 2 below provides the recommended FPL for each identified site.

For each identified site, the applicants can attain a Flood information Certificate from CN, which will provide the localised flood information and behaviours. The FIC will also provide the recommended FPL, which should form the basis of the future building design. The flood certificate also contains a PDF of the Additional information for the holders of Flood Information Certificate (refer to Appendix 2). This Additional information package contains simplified explanation of CN's flood risk management process and also provides the risk assessment matrix. The document is considered to be very effective tool to for basic understanding of flooding and educational purposes.

Besides the structural adequacy of building to withstand flood forces, CN DCP also requires that the building areas under the FPL to be designed with flood compatible materials.

## 6.0 Flooding Constraints for Development

The Flood Impact Categorisation undertaken as part of the Newcastle City-Wide Floodplain Risk Management Study and Plan categorises areas of floodplain that act as floodways or areas of flood storage. Development is typically discouraged within areas critical for the conveyance of flood flows, such as floodways and overland flow path.

Council's DCP (2012) effectively allows development in flood fringe areas, prohibits development within floodways and limits the filling of flood storage areas to 20%. The flood impact categorisation mapping for PMF events (extreme case scenario) is presented in Figure 7 and 1% AEP scenario is presented in Figure 6 (BMT). During an extreme flood event such as the PMF, the development sites are noted to be flood storage and all the identified sites are noted as to be in a flood fringe zone in a 1% AEP event.

As discussed earlier, the floodplain classification suggests that development of the site is expected to have a negligible impact for the major flood events. However, potential significant impacts to the existing Risk to Life profile should be considered at each of the future development case.

The framework for flood risk management is already in place for Wickam and the future indivial site development applications must address the elements as per CN's LEP and DCP.

### 6.1 Flood Emergency Response Plan (FERP)

It is anticipated that the road network will generally be blocked due to the road being at lower terrain levels and some roads potentially forming as flood flowpath. Shelter in place (Flood refuge) provisions has been considered by NCWFRM as an appropriate means to ensure that the risk to life is appropriately managed.

It is very important to be prepared in the event of a flood. As the planning proposal sites and other sites in Wickham are at high risk, a Flood Emergency Response Plan (FERP) is required for the identified sites. This is to ensure occupants are suitably informed of the property specific flood risk, what to do to prepare for a flood, and what to do during a flood.

To ensure that the new building occupants understand the flood risks in the area and to ensure long term management of the flood risks, future developments on sites must prepare and maintain a flood emergency response plan (FRMP) for the life of the building. Such a plan generally sets the framework for the future owners or strata management to ensure that flood risks are appropriately managed.

A flood emergency response plan is to describe the following components:

- a) Likely flood behaviour
- b) Flood warning systems
- c) Education awareness program
- d) Evacuation and evasion procedures
- e) Evacuation routes and flood refuges and
- f) Flood preparedness and awareness procedures for residents and visitors

Considerations should include the full range of flood risks, the proposed use of the site, site access constraints and local area evacuation routes to high ground. As much as possible, the plan should be aimed at self-directed evacuation or evasion to minimise the draw on limited State Emergency Services resources.

## **7.0 Conclusion**

Due to the potential high risk with flooding surrounding the identified sites and the associated risk to life during an extreme flood event, it is a requirement of CN to provide a safe flood-free refuge area on site for people to shelter during a flood. The flood-free refuge should be elevated above the level of the PMF. The planning proposed increases the height of future developments. The future developments are anticipated to address CN's DCP and LEP, must also address the following:

- The provision of shelter in place to be at or above the PMF
- To be designed to withstand the expected hydraulic forces of the PMF event
- To be of sufficient size to accommodate the total number of people that could be expected to be using the development.
- Future buildings floor level must be at set minimum FPL
- Structure below the FPL shall be designed with flood compatible materials
- a flood risk management plan be prepared for each future development

It could therefore be conclusively stated that the flood risks in Wickham can be appropriately managed under the current CN adapted flood management framework.

**TABLE 2**

| Flood Data Analysis and recommended FPL |                   |                |                      |              |                |                        |                      |                                     |                       |  |              |                       |                                    |
|---|-------------------|----------------|----------------------|--------------|----------------|------------------------|----------------------|-------------------------------------|-----------------------|--|--------------|-----------------------|------------------------------------|
| Site Location as per Image 1            | Ocean Flooding    |                |                      |              |                | Flash (Local) Flooding |                      |                                     |                       |  |              | Flood Classification  | Flood Planning Level (FPL - m AHD) |
|   | PMF Level (m AHD) | 1% AEP (m AHD) | Risk to Property (H) | Risk to Life | Velocity (m/s) | PMF Level (m AHD)      | PMF Velocity (m/s)   | 1% AEP m AHD) (E) – east (W) - west | 1% AEP Velocity (m/s) | Risk to Property (P) aka Hydraulic Threshold Behaviour (H) | Risk to Life |                       |                                    |
| Site 1                                  | 3.4               | 2.2            | H1                   | L1           | 0.14           | 3.01                   | 0.76                 | 2.18                                | 0.3                   | P1   | L4           | Storage               | 2.68                               |
| Site 2                                  | 3.4               | 2.2            | H2                   | L1           | 0.14           | 3.00                   | 0.13                 | 2.05                                | 0.19                  | P2   | L4           | Storage               | 2.55                               |
| Site 3                                  | 3.4               | 2.2            | H2                   | L1           | 0.14           | 2.98                   | 0.10 (E)<br>0.07 (W) | 2.05                                | 0.1 (E)<br>0.12 (W)   | P2   | L4           | Storage (approx. 50%) | 2.55                               |
| Site 4                                  | 3.4               | 2.2            | H2                   | L1           | 0.14<br>0.14   |                        | 0.06 (E)<br>0.07 (W) |                                     | 2.00 (E)<br>N/A (W)   |  |              |                       |                                    |
| Site 5                                  | 3.4               | 2.2            | H3                   | L1           | 0.14<br>0.14   | 2.95                   | 0.07 (E)<br>0.08 (W) | 2.00 (E)<br>1.80 (W)                | 0.10 (E)<br>0.18 (W)  | P3   | L4           | Storage (approx. 80%) | 2.50                               |
| Site 6                                  | 3.4               | 2.2            | H1                   | L1           | 0.14           |                        | 2.94                 | 0.15                                | 1.95                  |  |              |                       |                                    |
| Site 7                                  | 3.4               | 2.2            | H3                   | L1           | 0.14           | 2.94                   | 0.11                 | 1.73                                | 0.17                  | P3   | L4           | Storage               | 2.50                               |
| Site 8                                  | 3.4               | 2.2            | H1                   | L1           | 0.14           | 2.93                   | 0.14                 | N/A                                 | N/A                   | P1   | L2           | Fringe                | 2.50                               |
| Site 9                                  | 3.4               | 2.2            | H3                   | L1           | 0.14           | 2.95                   | 0.08 (E)<br>0.07 (W) | 1.70                                | 0.15                  | P3   | L4           | Storage (approx. 80%) | 2.50                               |
| Site 10                                 | 3.4               | 2.2            | H1                   | L1           | 0.14           |                        | 2.98                 |                                     |                       |  |              |                       |                                    |

## **PART B - Ministerial Directions, LEP and DCP Requirements and Response**

### **Section 1 – Ministerial Direction Requirements and Responses**

Table 3 – Ministerial Directions Requirements & CN Response

| Requirement  | Response by City of Newcastle  |
|--|--|
| <b>Objectives</b>  |  |
| The objectives of this clause are as follows:  |  |
| (a) ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and  | CN can conclusively state that the proposed planning proposal is consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.   |
| (b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.  | CN can conclusively state that the proposed planning proposal meets Newcastle City Council LEP and DCP Requirements – See Table 5 and 6 below.                                   |
| 1. A planning proposal must include provisions that give effect to and are consistent with: <ol style="list-style-type: none"> <li>a) the NSW Flood Prone Land Policy,</li> <li>b) the principles of the Floodplain Development Manual 2005,</li> <li>c) the Considering flooding in land use planning guideline 2021, and</li> <li>d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council.</li> </ol> | The planning proposal has considered these documents and is generally consistent with the requirements.  |
| 2. A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones.  | The planning proposal does not propose any rezoning of Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones. |
| 3. A planning proposal must not contain provisions that apply to the flood planning area which:  |  |
| a) permit development in floodway areas,   | The planning proposal identified lots are located outside the floodway categorisation.   |



|   |   |
|---|---|
| <p>b) permit development that will result in significant flood impacts to other properties,</p> | <p>The planning proposal is within an already identified Wickham Masterplan growth area and the identified lots are generally considered to be developable land, with all the lots generally meeting the Newcastle LEP and DCP requirements for development purposes. Developments within Wickham Masterplan area are not expected to significantly impact other properties from a flooding perspective and City of Newcastle (CN) have considered and accepted the flood risks as part this Master planning of the precinct.</p>   |
| <p>c) permit development for the purpose of residential accommodation in high hazard areas,</p> | <p>The potential developments are being noted to be in a high risk to life hazard area (L4) from PMF flash (local) flood events only, thus a minor inconsistency with this part of the Ministerial direction.</p> <p>(See Table 1 with flood data and classification for each identified lot).</p> <p>Although the planning proposal seeks to add additional building height to the identified lots, the proposal is noted to be within the Wickham Masterplan growth area in the LGA, with CN having a clear understanding on the pre-anticipated increase in residential living.</p> <p>Wickham growth precinct is managed as a part of the Newcastle City Wide Flood Risk Management Plan (NCWFRM).</p> <p>The precinct has been flood modelled for various different flooding scenarios, typically flash and ocean flooding, while impacts from Hunter River floods and climate change have also been factors of consideration for various flood events scenarios.</p> <p>The flood data and flood risk management framework have been well documented in NCWFRM and the associated City-wide Mapping.</p> <p>Overall, for 1% AEP flood events, Wickham is noted to be at a low-risk area, thus paving way for potential development in the precinct.</p> <p>Flood risks for high hazard properties are anticipated to be managed via the planning review process. Generally, buildings will be required to be built to the flood planning level (FPL) and flood refuge (shelter in-place) will be required in each development case.</p> <p>Site specific flood risk management plan is generally required to be prepared for high-risk sites, with potential for flood warning systems. All the above risk management and planning assessment elements are very well documented in the Newcastle LEP and 4.01 Flood Management Section of the DCP.</p> <p>It is considered that the overall flood risks for the</p> |

|  |  |
|--|--|
|  | <p>Wickham area and proposed planning proposal is manageable within its current flood management framework and the inconsistencies with the Ministerial directions are considered minor in nature.</p> <p>The above noted flooding documents, together with the other flood studies are readily available to the general public..</p> <p>Link to CN's Flood Information is provided below:<br/><a href="https://www.newcastle.nsw.gov.au/living/environment/flooding">https://www.newcastle.nsw.gov.au/living/environment/flooding</a></p> |
|--|--|

| Requirement  | Response  |
|--|---|
| <p>d) permit a significant increase in the development and/or dwelling density of that land,</p>   | <p>The planning proposal for the identified lots will likely increase the dwelling density within the identified lots by way of additional height increase, that could make way for potential new residential units.</p> <p>Generally, the additional dwelling density is considered by CN to be well within the Wickham master plan development area and will not alter the form of development envisaged for sites, exceptionally noting that there will be additional height to the buildings.</p> <p>As discussed in (c) above, this potential inconsistency is manageable and minor in nature since the identified sites are already embarked for development as per the City's anticipated vision for the growth of Wickham.</p> <p>The flood risks for the planning proposals and future developments of these sites can conclusively be stated to be appropriately managed under the NCWFRM, LEP and DCP.</p> |
| <p>e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and senior housing, in areas where the occupants of the development cannot effectively evacuate,</p>                          | <p>The planning proposal's main objective is to seek additional increased height for potential residential development purposes.</p> <p>If in any case the identified sites pursue development perspectives as indicated in this part of the ministerial direction, CN's LEP and DCP 4.01 have already established processes by which the associated flood risks could be managed.</p>  |
| <p>f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent,</p>   | <p>Not applicable.</p> <p>CN expects that any such proposals will require a development consent.</p>  |
| <p>g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or</p> | <p>Some of the identified sites has no reliable evacuation routes during a 1% AEP flood event as the local road network is generally compromised. It is however noted that some surrounding main road areas and park areas may still be flood free, thus allowing emergency operations if necessitated.</p> <p>In a PMF event, it is noted that the area will not be accessible. The main flood emergency strategy for the developments is to have a flood refuge (shelter in place) and dependency on SES</p> <p>The planning proposal is not likely to</p>  |

|   |   |
|---|---|
|   | <p>substantially increase the requirements for Council or government spending on flood mitigation measures, infrastructure, or services.</p>  |
| <p>h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event.</p>   | <p>As discussed in the above responses, the planning proposal seeks additional development height, with the aim towards increased residential accommodation. The development will be set at or above the flood planning level. Notably, the planning proposal itself is targeting residential type developments and the proposal is not aimed at any form of industrial developments. If in any case the identified sites pursue development perspectives as indicated in this part of the ministerial direction, CN's LEP and DCP have already established processes by which the associated flood risks could be managed.</p> |
| <p>4. A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:</p> <ul style="list-style-type: none"> <li>a) permit development in floodway areas</li> <li>b) permit development that will result in significant flood impacts to other properties,</li> <li>c) permit a significant increase in the dwelling density of that land,</li> </ul> | <p>To date, Special Flood Considerations have not been adopted by the City of Newcastle.</p> <p>Notwithstanding the above, CN has led from the forefront in support of the Special Flood Considerations changes to the LEP.</p> <p>CN's Flood Management Planning framework, Planning LEP and DCP have already been, to a major extent, geared to manage the identified type of developments as noted in the Special Flood Considerations.</p> <p>In this regard, CN can state that some of the recent development applications have been reviewed in line with the Special Flood Considerations.</p>                           |



| Requirement   | Response   |
|---|--|
| <p>d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</p> <p>e) are likely to affect the safe occupation of and efficient evacuation of the lot, or</p> <p>f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities</p> |  |
| <p>5. For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.</p>   | <p>CN can confirm the planning proposal sites are within the flood planning area guidelines and is consistent with the principles of the Floodplain Development Manual.</p> <p>As earlier noted, CN has an adapted flood risk management plan in effect.</p> |

## **Section 1.1**

### **Consistency with the Ministerial Direction**

The Ministerial Direction does understand and permits inconsistencies. In this regard, CN notes the following two Ministerial Directions is inconsistent in the planning proposal:

- Direction 4.1 (3) (c)
- Direction 4.1 (3) (d)

The above inconsistencies have been discussed in depth in Table 2 above under each noted Ministerial directions.

The following are highlights of the discussions noted above:

- CN have an adapted Newcastle City Wide Flood Risk Management Plan (NCWFRM).
- CN's LEP and Flood Management DCP 4.01 are applicable for the identified sites and any future developments can be managed as part of any future development application process.
- The planning proposal sites are noted to be part of the adapted Wickham Masterplan growth area, which sets the precedence for future developments.
- The increased height variation is considered minor in nature and the flood risks are considered to be consistent with the principles set in NCWFRM.

- Each site could be provided with a flood refuge and the future buildings can be designed to comply with the required flood planning level. A flood warning system can also be considered for sensitive sites.

**Table 4 - Inconsistencies with Ministerial Direction**

| Requirement  | Response   |
|--|--|
| A planning proposal may be inconsistent with this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that:  |  |
| (a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or  | The inconsistency is due to intensification of development above the existing height controls. This is justified by the availability of on-site refuge in these future developments. Specifically, the flood refuge requirement is outlined on page 192 of the Newcastle City Wide Floodplain Risk Management Study and Plan and is also reinforced in the DCP Clause 4.01.04. |
| (b) where there is no council adopted floodplain risk management study or plan, the planning proposal is consistent with the flood study adopted by the council prepared in accordance with the principles of the Floodplain Development Manual 2005 or                                      | Not applicable.  |
| (c) the planning proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the principles of the Floodplain Development Manual 2005 and consistent with the relevant planning authorities' requirements, or | Not applicable.  |
| (d) the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.  | Applicable – please see justification provided in this report.   |

## **Section 2 - LEP Requirements and Responses**

Table 5 – LEP Requirements and CN responses

| Requirement   | Response  |
|---|---|
| (1) The objectives of this clause are as follows  |   |
| (a) to minimise the flood risk to life and property associated with the use of land,  | The planning proposal is for additional heights to future buildings. The future developments will be required to manage the flooding risks as part of any development application and planning review process. Sites will be designed to be elevated at or above the Flood Planning Level which shall addresses the risk to property. Risk to life mitigation measures is discussed further in Items 2(c) and 2(d) below. |
| (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change, | Climate change is likely to cause an increase to flood levels at the ground floor levels. Wickham area has well documented flood data to manage the sea level rise and climate change impacts.<br><br>Generally, the flood functions and set up of FPL will managed as part of the development application process.<br><br>This is discussed in Item 2(a) below.  |
| (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,  | CN's Wickham Masterplan have pre-set the development footprint. The planning proposal itself does not seek to alter the ground floor arrangements and as such, it is not expected   |

| Requirement   | Response   |
|---|--|
|   | to that the predicted future developments will significantly impact other properties from a flooding perspective.  |
| (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.   | This is addressed in Item 2(c) below.  |
| (2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development |  |
| (a) is compatible with the flood function and behaviour on the land, and  | The site is noted as flood storage and flood fringe and the developable sites is considered compatible with the flood function. Climate change is likely to cause an increase to flood levels at the ground floor levels. The planning proposal itself is for height increase over the identified future development sites and this part of the LEP is considered to be satisfied as the buildings will be set to be at a higher elevation.  |
| (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and                           | The proposal does not seek to alter the ground floor arrangement and as such is not expected to significantly impact other properties from a flooding perspective.   |
| (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and   | <p>The proposed future developments with higher risk to life will be required to be provided with a flood refuge. The building itself will act as a refuge in the PMF event.</p> <p>Majority of the local road network will likely be flooded in a PMF event, thus the shelter in place is an element that is still required to be provided by CN. Overall, the capacity of existing evacuation routes will not be significantly impacted.</p>   |
| (d) incorporates appropriate measures to manage risk to life in the event of a flood, and   | <p>For higher risk sites, a Flood Emergency Response Plan will be required to be developed as part of the development process. Such a plan will also assist to increase the awareness of flood risks, identify persons responsible for emergency response, and recommend actions to prepare and respond to a flood emergency.</p> <p>The inclusion of flood refuge in individual buildings will be a good measure to minimise the risk to life. This is noted to be consistent with Newcastle DCP and adopted City-wide Floodplain Risk Management Study and Plan.</p> |

(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses.

The planning proposal permits additional height to future developments and is part of the Wickham masterplan growth area. The future developments will be required to comply with CN's Stormwater Management DCP 7.06 and Stormwater and Water Efficiency Technical Manual, which require appropriate management of stormwater from development sites. CN expects that the future developments will not cause any increases in erosion or siltation downstream, destruction of riparian vegetation, or reduction in the stability of riverbanks or watercourses.

(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters



| Requirement  | Response   |
|--|--|
| (a) the impact of the development on projected changes to flood behaviour as a result of climate change,   | CN considers it to be feasible to incorporate climate change requirements into future building development designs. It is anticipated that the future developments will not change the flood behaviour as a result of climate change.  |
| (b) the intended design and scale of buildings resulting from the development,   | The proposed planning proposal is for redevelopment of mainly existing industrial buildings or sites which have older buildings in the Wickham area. The future developments seem to be aimed at potential mixed-use developments with residential units and some commercial activity on ground levels. CN have a well-established flood planning process and it is anticipated that the developments will not have any significant impact from a floodplain management perspective.   |
| (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,         | The inclusion of shelter in place (flood refuge) will be an appropriate measure to manage the risk to life for PMF events. Furthermore, Flood Emergency Response Plan will be required for individual sites as part of the development process. This plan will also be a great means to increase the awareness of flood risks, identify persons responsible for emergency response, and actions to prepare and respond to a flood emergency.   |
| (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion. | <p>The development context of the identified sites is generally pre-established via the Wickham Masterplan including the subdivision pattern and important elements such as road network. Thus, the future developments are already confined by the masterplan layout and CN have considered the overall flood risks in the area and long-term management of the risks as part of the planning of the area. The remove of the older and industrial type buildings and future design of buildings is anticipated to assist the CN with the management of flood risks in the area.</p> <p>It is highly unlikely that the future developments will significantly impacted by coastal erosion.</p> |

### **Section 3 - DCP Requirements and Responses**

**Table 6 – DCP Requirements and CN responses**

| Requirement   | Response   |
|---|--|
| <p><b>4.01.01 Floodways</b></p> <p>1. No building or structure erected, and no land filled by way of the deposition of any material within any area identified as a floodway except for minor alterations to ground levels which do not significantly alter the fundamental flow patterns for: a) roads, b) parking, c) below ground structures, d) landscaping.</p> <p>2. Where dividing fences across floodways are unavoidable, they are constructed only of open type fencing that does not restrict the flow of flood waters and are resistant to blockage. New development shall be designed to avoid fences in floodways</p> | <p>Not applicable as subject site is not affected by floodway.</p> |

| Requirement  | Response   |
|--|--|
| <p><b>4.01.02 Flood Storage</b></p> <p>1. Not more than 20% of the area of any development site in a flood storage area is filled. The remaining 80% is generally developed allowing for underfloor storage of floodwater by the use of suspended floor techniques such as pier and beam construction.</p> <p>2. Where it is proposed to fill development sites, the fill does not impede the flow of ordinary drainage from neighbouring properties, including overland flow.</p> | <p>A number of sites are located within the flood storage area. However, the planning proposal is for height increases above the identified building footprint area in accordance with the Wickham Masterplan.</p> <p>Notwithstanding the above, any future development application for any of the sites must address the flood storage criteria of the DCP. Generally, an engineering solution such as a suspended type of slab design or allowing the ground level areas to be designed for temporary storage of flood waters are some potential design options.</p> <p>Ultimately, the development application planning process will ensure that the development satisfies the flood storage requirements listed in the DCP.</p> <p>Refer to Table 1 to see the flood classification and sites which are within the flood storage area.</p> |

#### 4.01.03 Management of risk to property

1. Floor levels of all occupiable rooms of all buildings are not set lower than the FPL.
2. Garage floor levels are no lower than the 1% Annual Exceedance Probability Event. However, it is recognised that in some circumstances this may be impractical due to vehicular access constraints. In these cases, garage floor levels are as high as practicable.
3. Basement garages may be acceptable where all potential water entry points are at or above the probable maximum flood (PMF), excepting that vehicular entry points can be at the FPL. In these cases, explicit points of refuge are accessible from the carpark in accordance with the provisions for risk to life set out below.
4. Electrical fixtures such as power points, light fittings and switches are sited above the FPL unless they are on a separate circuit (with earth leakage protection) to the rest of the building.
5. Where parts of the building are proposed below the flood planning level, they are constructed of water-resistant materials.
6. Areas where cars, vans and trailers are parked, displayed or stored are not located in areas subject to property hazard of P2 or higher. Containers, bins, hoppers and other large floatable objects also are not stored in these areas. Heavy vehicle parking areas are not located in areas subject to property hazard P3 or higher.
7. Timber framed, light steel construction, cavity brickwork and other conventional domestic

The planning proposal is for the height increase and the identified sites will be set at flood planning level (FPL).

The development application process generally ensures that proposed developments comply with the DCP requirements and FPLs are set as part of the application.

Further to this, where a flood refuge is recommended, CN generally requires a suitably qualified structural engineer to confirm if the building can withstand the forces due to flood water.

| Requirement  | Response   |
|--|--|
| <p>building materials are generally not suitable forms of construction where the property hazard is P4 or higher. Where property hazard is P4, the structure is certified by a practising structural engineer to withstand the hydraulic loads (including debris) induced by the flood waters.</p> <p>8. Property hazards of P5 are generally unsuitable for any type of building construction and building is discouraged from these areas. Where building is necessary, the structure is certified by a practising structural engineer to withstand the hydraulic loads (including debris) induced by the flood waters.</p>  |  |
| <p><b>4.01.04 Management of potential risk to life</b></p> <p><u>Risk to life category L5</u></p> <p>1. Risk to life hazards of L5 are generally unsuitable for any type of building construction and building is discouraged from these areas. Reliable safe escape to high ground is likely not possible and normal building construction would likely suffer structural failure from the force of floodwaters, so that any people seeking refuge in the building would likely perish. Where building is necessary, the structure is certified by a practising structural engineer to withstand the hydraulic loads (including debris) induced by the flood waters.</p> <p><u>Islands</u></p> <p>2. The formation of islands in the floodplain during a flood is a potentially dangerous situation, especially when floods larger than the FPL totally inundate the island for an extended period. Development of such land is considered with great care.</p> <p><u>On-site refuge</u></p> <p>3. On-site refuge is to be provided for all development where the life hazard category is L4 unless the proposed development is less than 40m from the perimeter of the PMF extent and the higher ground is accessible.</p> <p><u>Standards for on-site refuge</u></p> <p>4. Where on-site refuge is required for a development, it should comply with the following minimum standards: (a) The minimum on-site refuge level is the level of the PMF. On-site</p> | <p>Some of the planning proposal sites are noted to be in the L4 life hazard category which requires the provision of flood refuges.</p> <p>Future DA's for the sites will ensure that a flood refuge is provided for sites with a L4 risk to life category and above and that a flood risk management plan is prepared to manage the risks.</p> <p>From the desktop review of these sites, it is considered feasible to provide flood refuge based on the elevations. At the detailed building design stage, consideration should be given by a suitably qualified structural engineer that the additional building loads will not affect the ability of the building to withstand the forces due to flood water. This is generally ensured by way of conditions with the DA consent.</p> <p>Overall, CN considers that the Wickham Masterplan areas can be appropriately managed for flood risks and future developments will likely achieve compliance with this part of the DCP.</p> |



| Requirement   | Response |
|---|----------|
| <p>refuges are designed to cater for the number of people reasonably expected on the development site and are provided with emergency lighting. (b) On-site refuges are of a construction type able to withstand the effects of flooding. Design certification by a practising structural engineer that the building is able to withstand the hydraulic loading due to flooding (at the PMF).</p> |          |

## **Section 4**

### **Conclusion**

This assessment has considered the feasibility of implementing the Ministerial Directions 4.1 for Flooding and Council's LEP and DCP requirements for floodplain management purposes.

It can be conclusively stated that the planning proposal increase in height limit to the future developable sites could feasibly achieve the intent with the Ministerial Directions together with achieving compliance with City of Newcastle's LEP and DCP 4.01 and principles for floodplain management requirements with the future building design of the sites.

## APPENDIX 1 - FLOOD MAPS

Figure 1 - PMF Flash Flood Extent

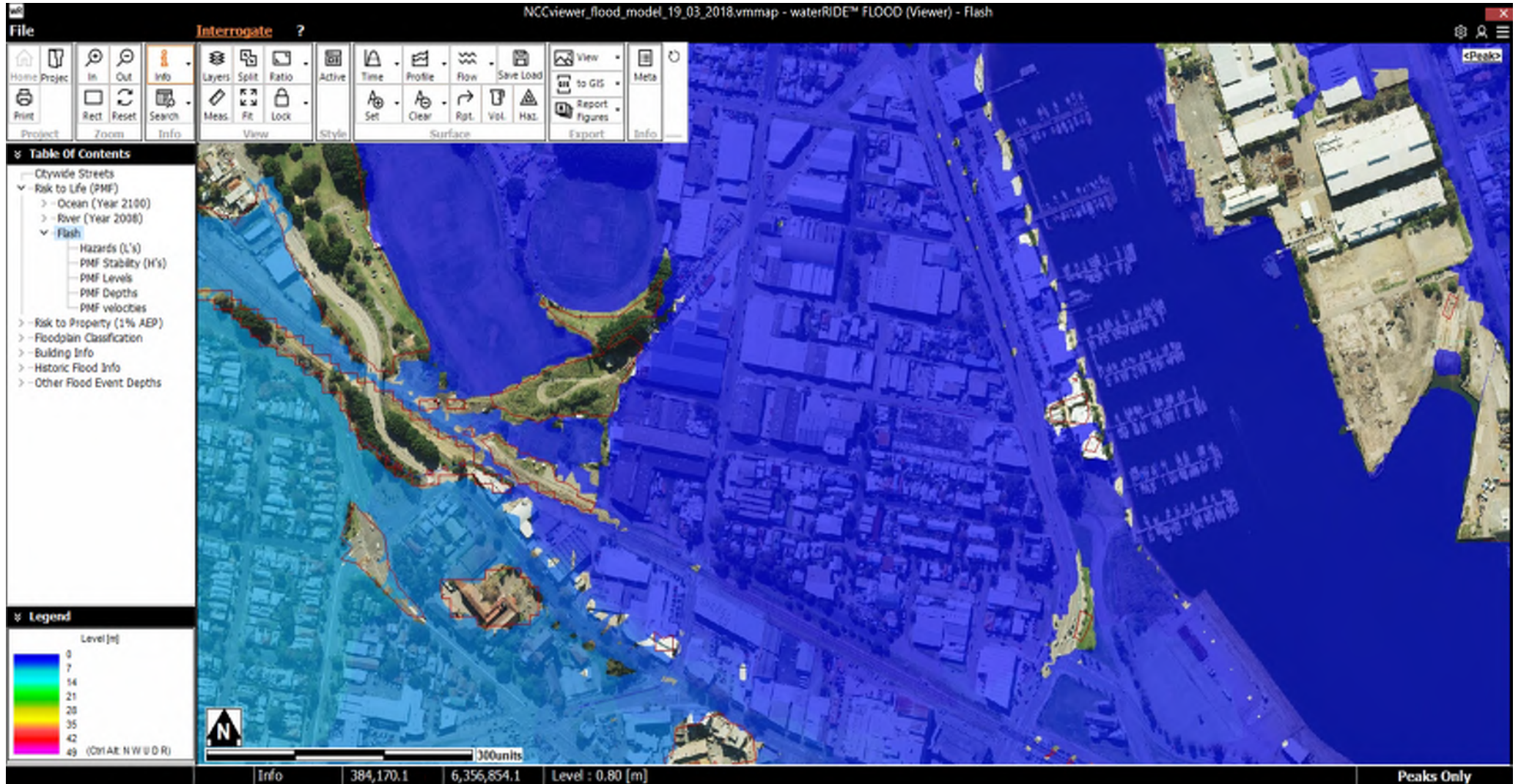




Figure 2 - PMF Flash Flood Risk to Life

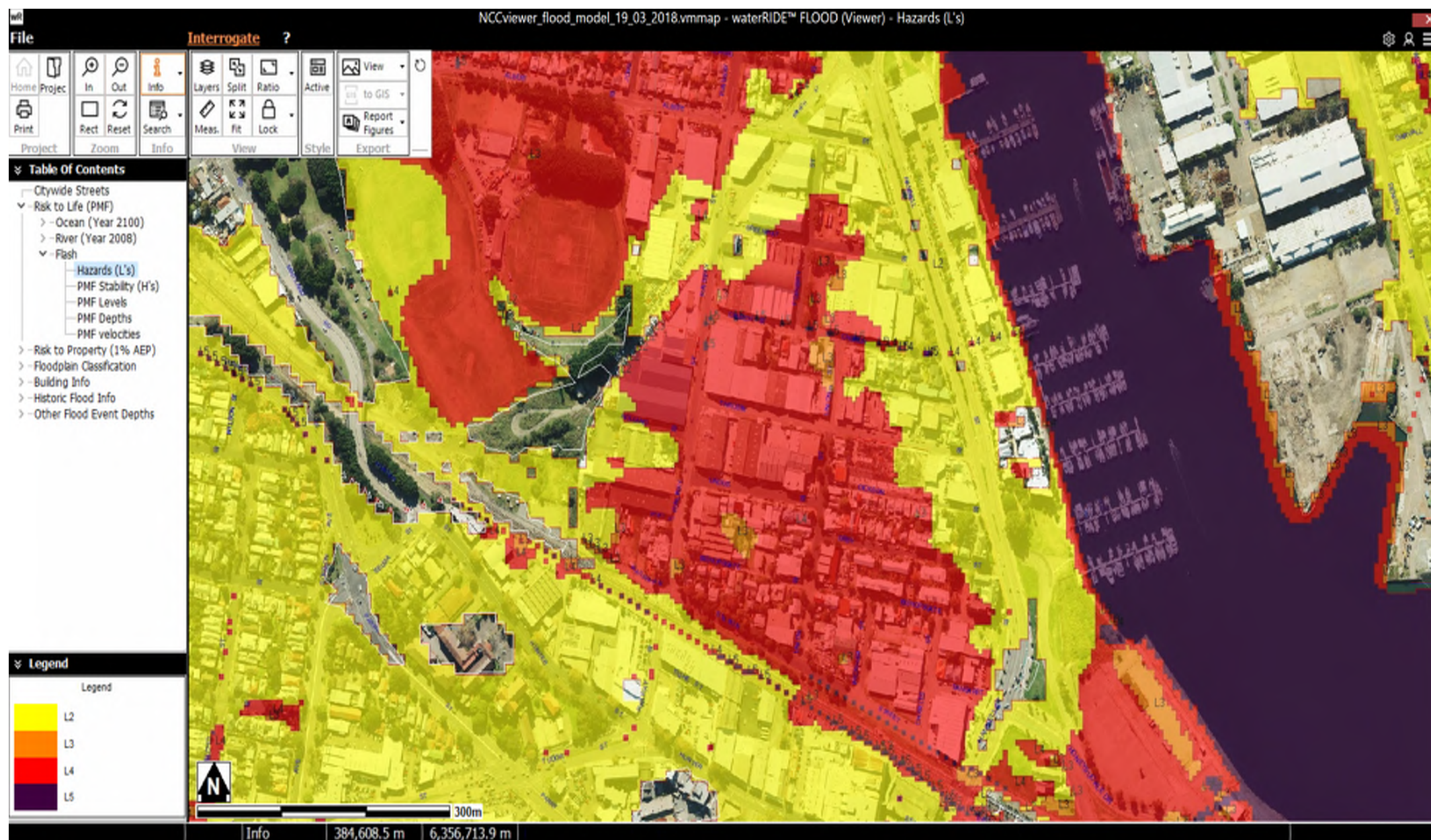




Figure 3 – Flash Flood 1% AEP Flood Extent and Level

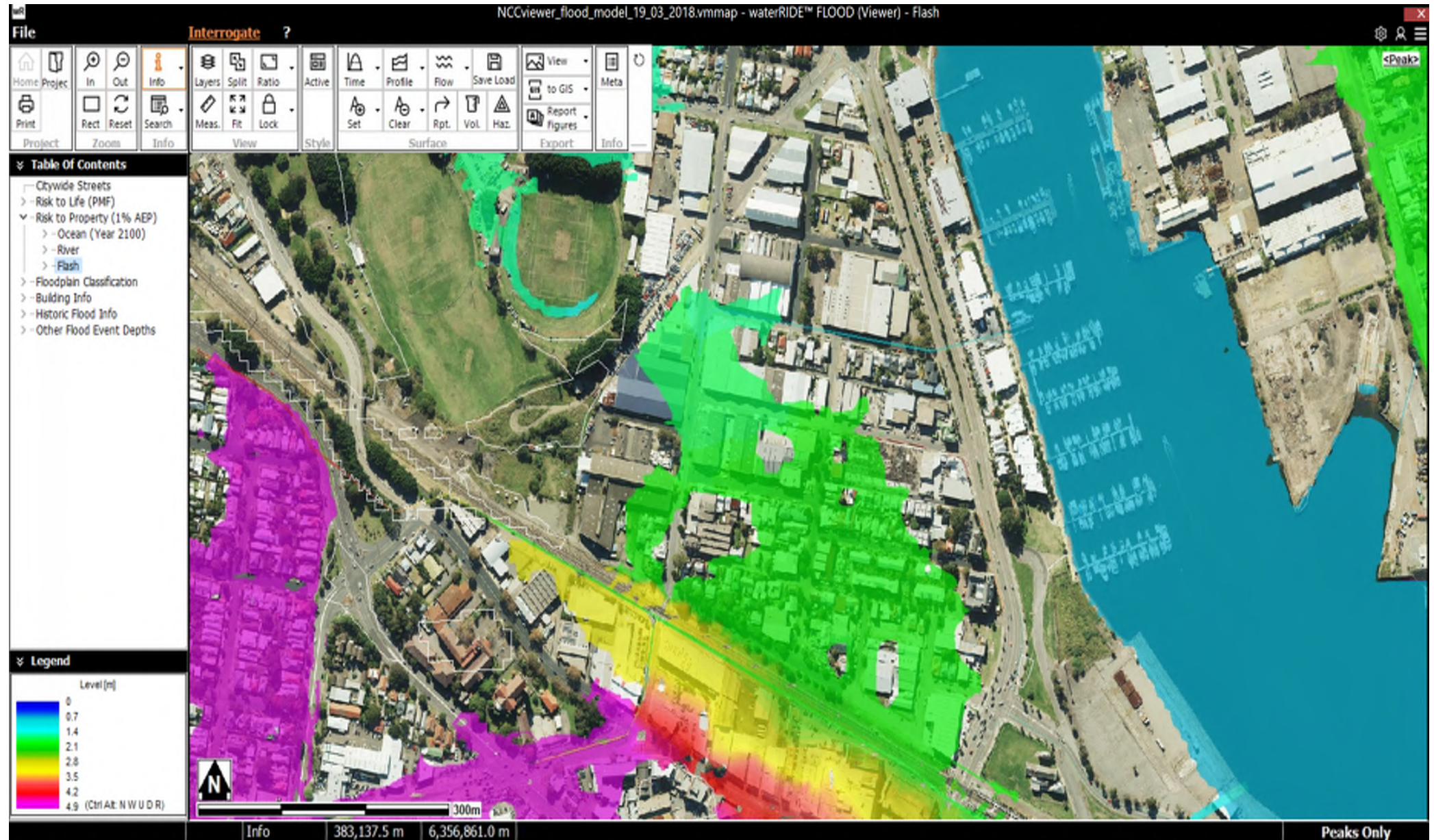




Figure 4 – Flash Flood 1% AEP – Risk to Property

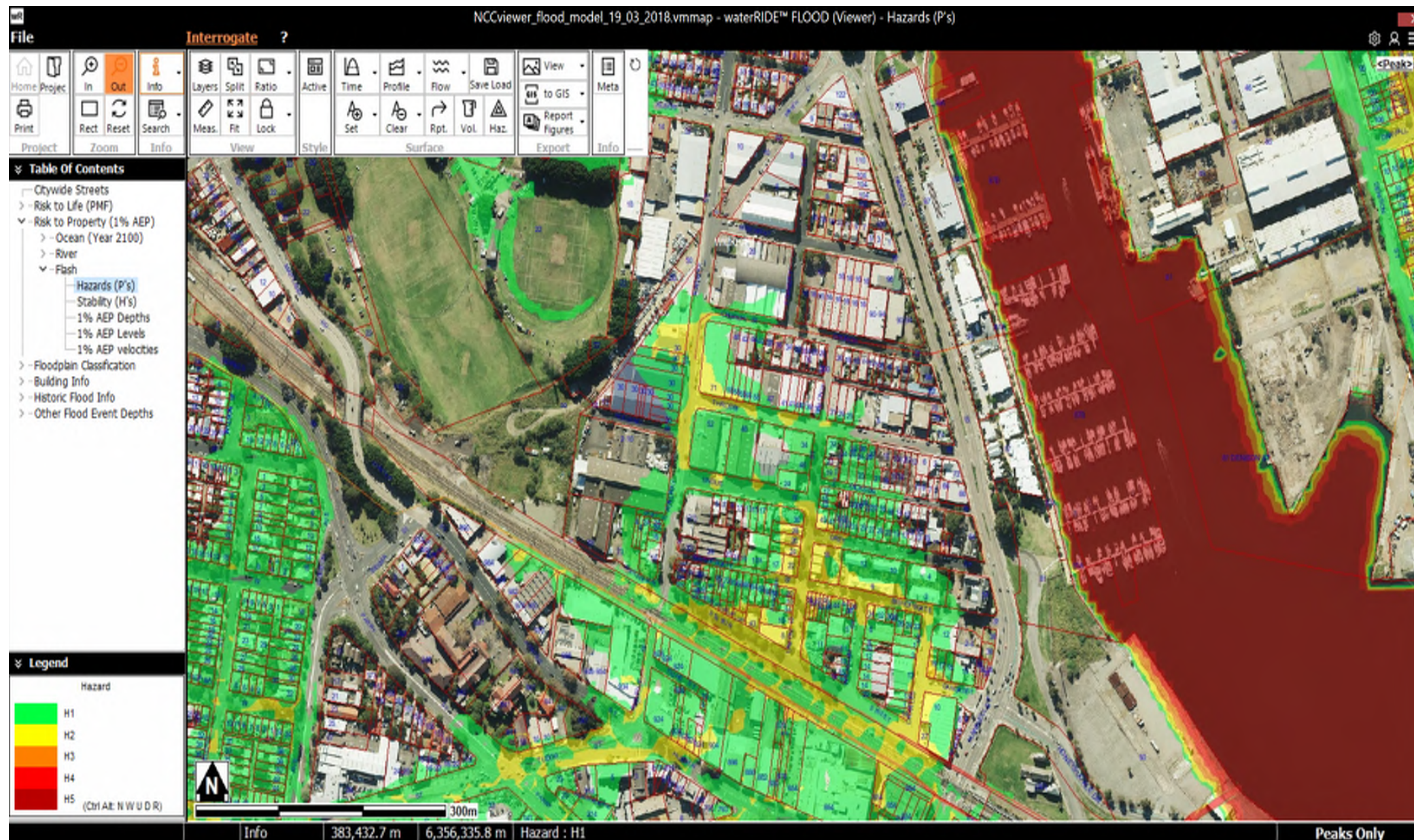




Figure 5 – Flash Flood 1% AEP – Flood Depth

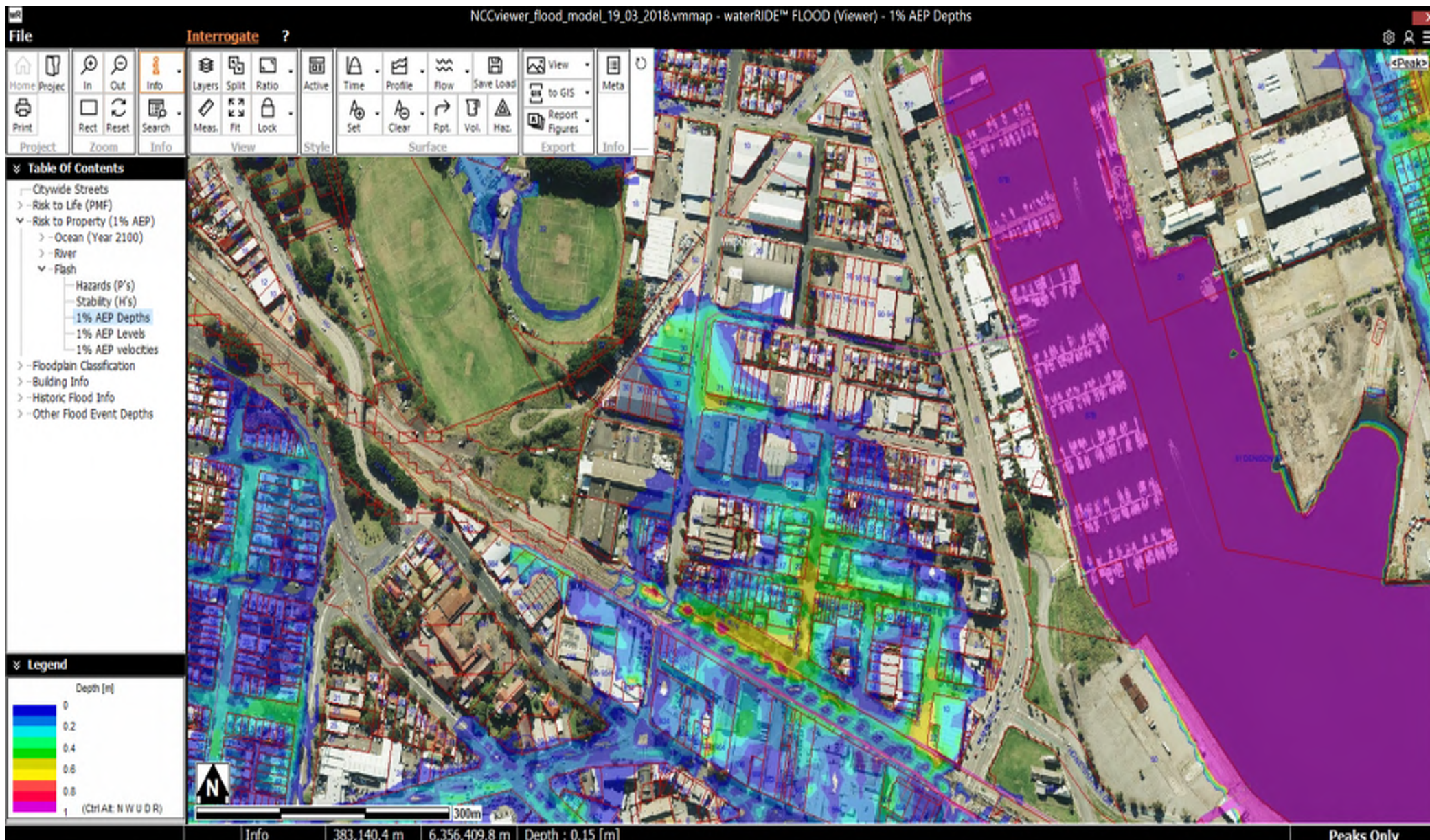




Figure 6 – Flash Flood 1% Flood Classification (BMT) (Wickham area circled)

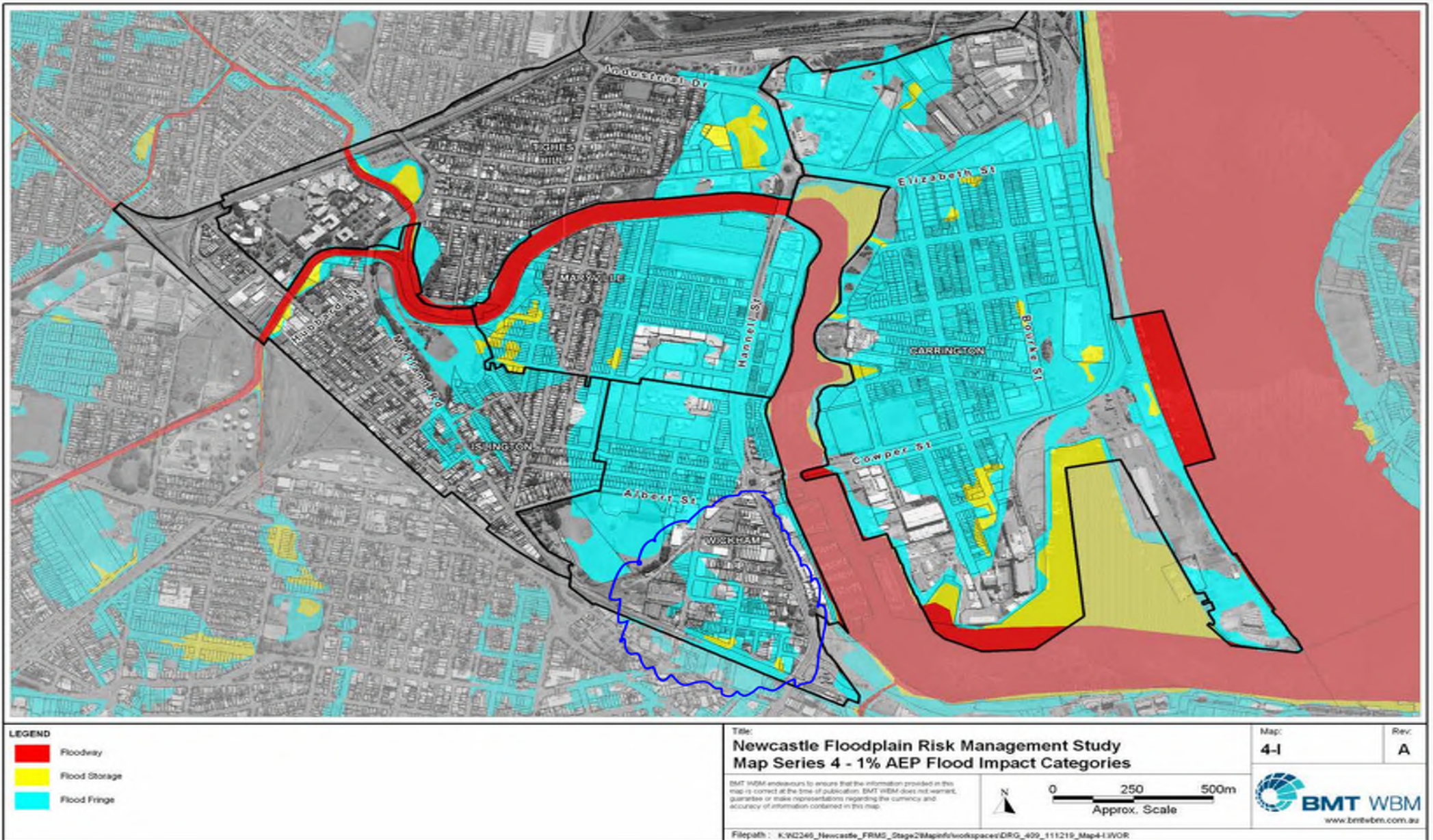




Figure 7 - PMF - Flood Classification





Figure 8 - PMF Ocean Flood Extent (Year 2100)





Figure 9 - Ocean Flood 1% AEP – Risk to Property (Year 2100)

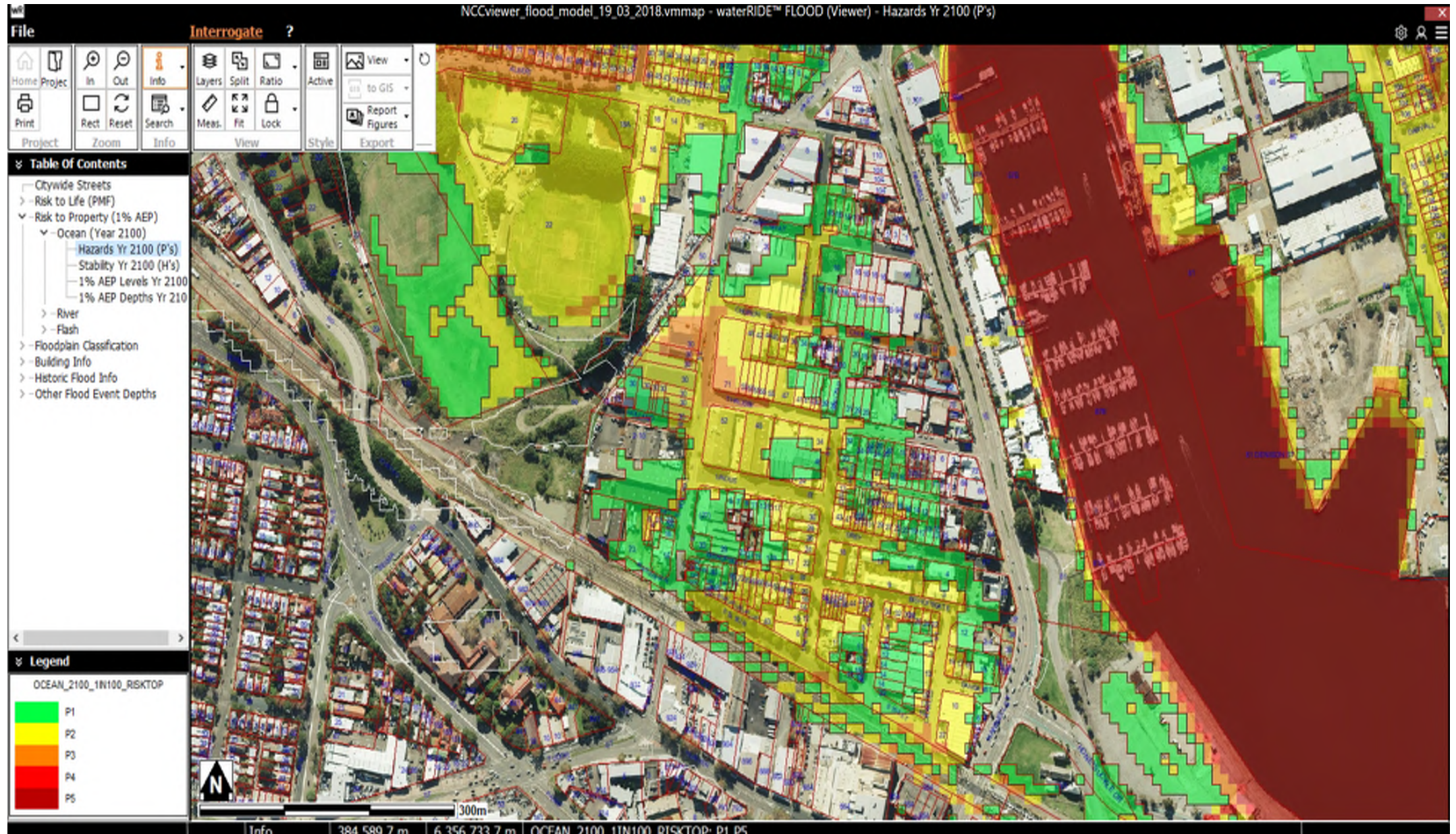




Figure 10 - Ocean Flood 1% AEP – Flood Depth (Year 2100)

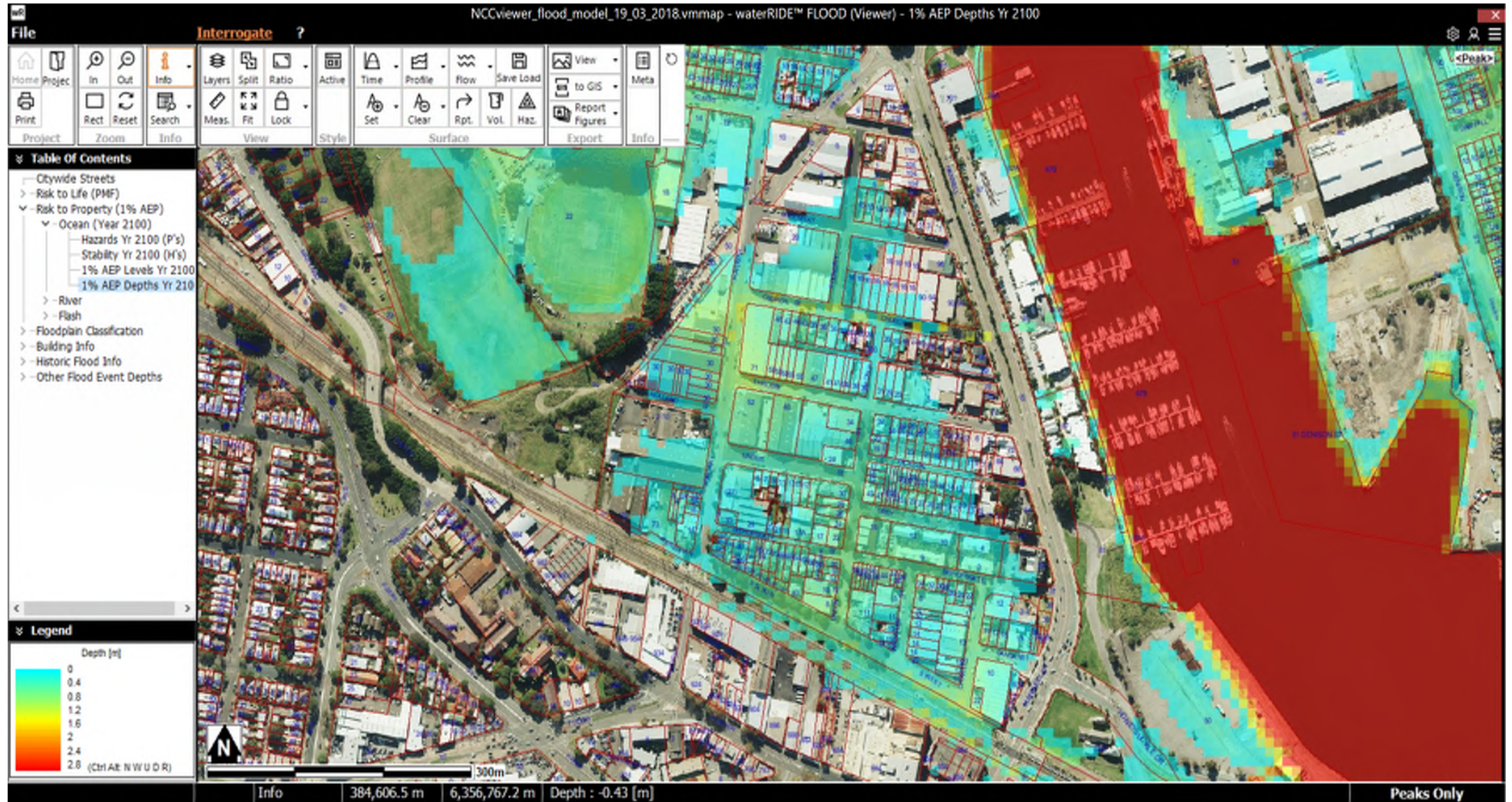




Figure 11 – Flash Flood – 1% AEP Velocity Map

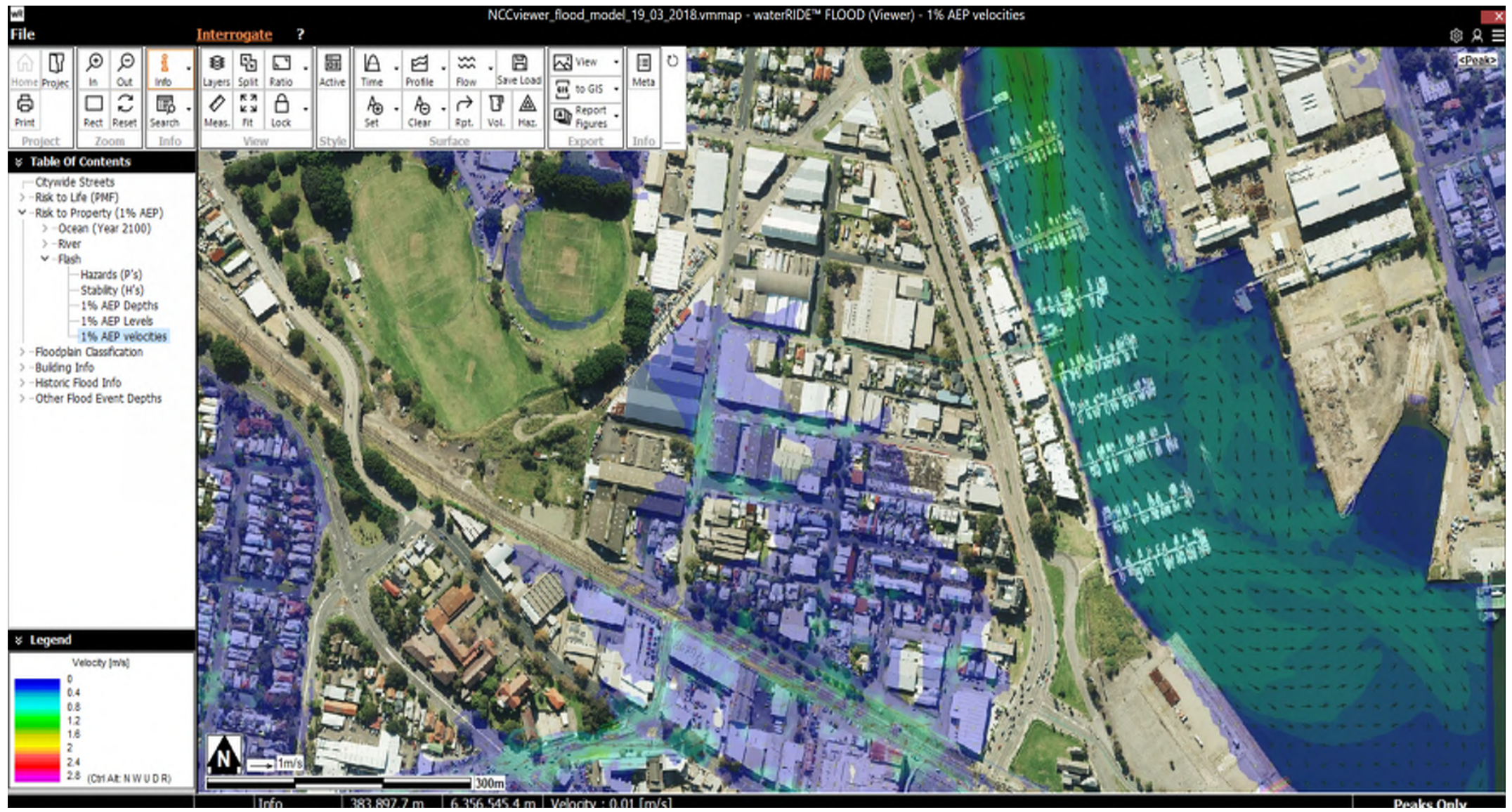
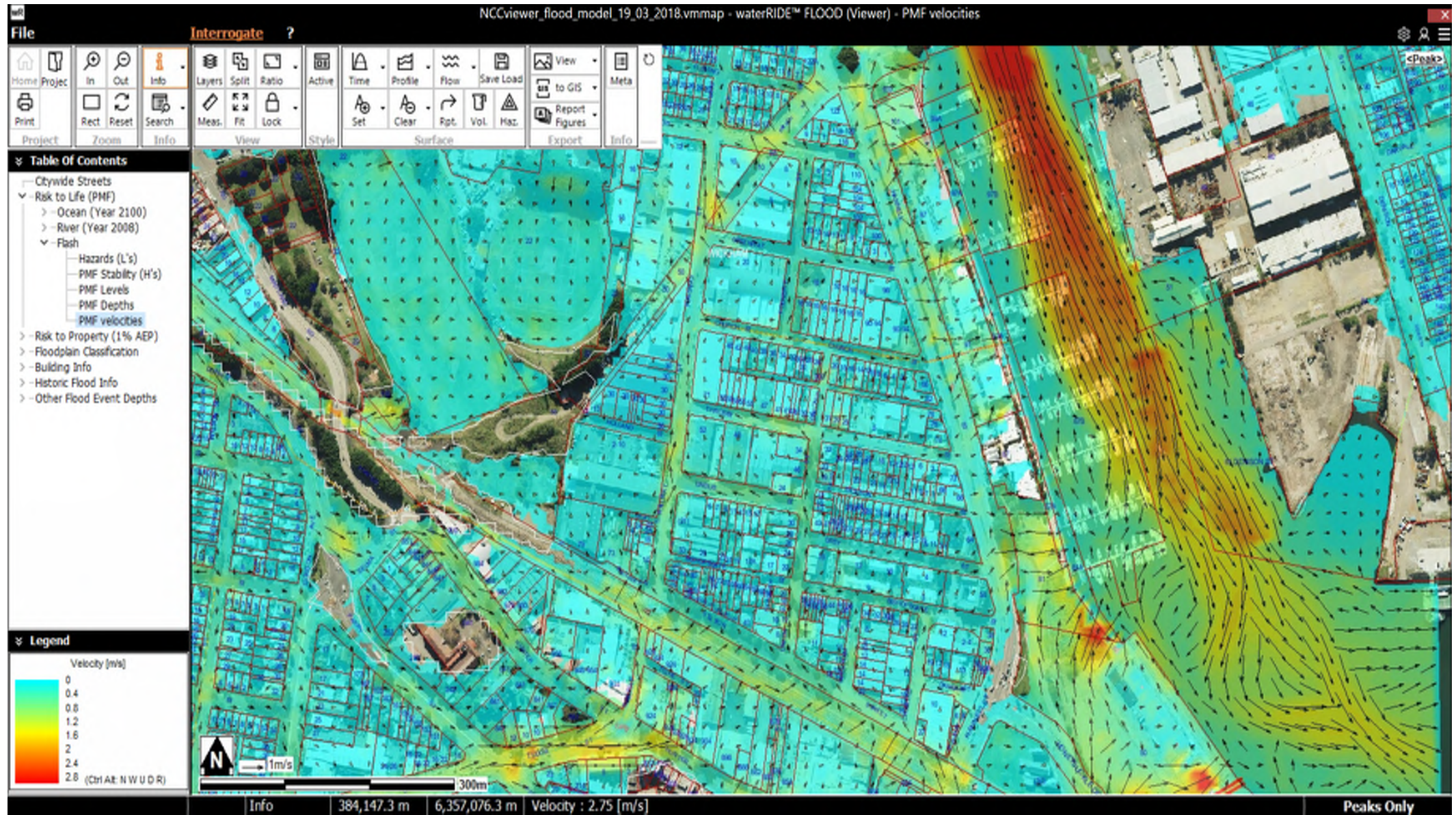




Figure 12 – Flash Flood – PMF Velocity Map





## Appendix 2 – Copy of CN's Additional information for the holders of Flood Information Certificate



### **Additional information for the holders of Flood Information Certificates**

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This information explains the terms used in Newcastle City Council's Flood Information Certificates and provides some basic information on Councils requirements for future development of flood prone land.

Compliance with these requirements in the Development Control Plan does not guarantee approval, however, in most cases, the flood issues can be resolved by adhering to these guidelines.



### **Newcastle City-wide Floodplain Risk Management Plan 2012 Newcastle Development Control Plan**



## FLOOD CERTIFICATE NOTES

### GENERAL:

- The information presented in the Certificate relates to the Newcastle City-wide Floodplain Risk Management Plan and the Newcastle Development Control Plan, which have been developed in accordance with the principles of the NSW Government's Flood Prone Land Policy.
- Council's flood information is compiled from a composite of data. The variability of rainfall itself is a major factor in the uncertainty of flood information and accordingly, this certificate is only an estimate of real flood characteristics. Any particular flood is likely to be different to the conditions described in this certificate.
- Council acknowledges that its flood information is incomplete and varies in accuracy, however it is the best available to Council at the time of issue.
- Where information is presently not known, it is denoted by "unknown"
- From time to time, on going research and studies will replace or add to Council's flood information. Accordingly, the information in this certificate is not warranted after the day of issue.
- Should you disagree with Council's assessment of the flood behaviour, you may conduct your own investigations or enquires and submit them to Council for consideration. Where revision of this assessment is warranted, Council is committed to making such amendments to its information.

### EXPLANATIONS FOR TERMS USED IN THE FLOOD INFORMATION CERTIFICATE

#### Is any part of the site affected by a Floodway?

Generally, where a property is affected by a floodway, we will provide you with additional information on where we believe the floodway to be by way of a map. In some circumstances it may be possible to redirect a floodway subject to appropriate engineering advice. You should start by discussing the matter with a development officer from Council.

A **Floodway** is a pathway taken by major discharges of floodwaters, the obstruction or partial obstruction of which would cause a significant redistribution of floodwaters, or a significant increase in flood levels. Floodways are often aligned with natural channels and are usually characterised by deep and relatively fast flowing water.

The Newcastle DCP 2012 states:

*"No building or structure is to be erected and no land is to be filled by way of the deposition of any material within any area identified as a floodway except for:*

*Minor alterations to ground levels for roads, parking, below ground structures and landscaping, provided that the fundamental flow patterns are not significantly altered.*

*Where dividing fences across floodways are unavoidable, they are to be constructed only of open type fencing that will not restrict the flow of flood waters and be resistant to blockage. New development shall be designed to avoid fences in floodways."*

#### Is any part of the site affected by a flood storage area?

Where a property is wholly affected by flood storage area, we will answer "yes" to this question on the Flood Information Certificate. Where a property is partly affected, we will provide additional information by way of a map.

**Flood storage area** is an area where flood water accumulates and the displacement of that floodwater will cause a significant redistribution of floodwaters, or a significant increase in

flood levels, or a significant increase in downstream flood frequency. Flood storage areas are often aligned with floodplains and are usually characterised by deep and slow moving floodwater.

The Newcastle DCP 2012 states:

*"Not more than 20% of the area of any development site in a flood storage area is to be filled. The remaining 80% can generally be developed allowing for underfloor storage of floodwater by the use of suspended floor techniques such as pier and beam construction.*

*Where it is proposed to fill development sites, the fill is not to impede the flow of ordinary drainage from neighbouring properties, including overland flow."*

#### **1% Annual Exceedence Probability (AEP) event level:**

The 1% AEP event is the basic benchmark for Council's development controls. It is a flood event that has a 1 in 100 chance of being exceeded in any one year. Conceptually, it is similar to a "1 in 100 year" event, except that the term 1 in 100 years conveys the notion that the event is definitely going to happen in a 100 year time frame, and will only occur once in that time frame. In fact, a 1 in 100 year event has a 67% probability of occurring once in any nominate hundred year period.

Levels are reduced to the Australian Height Datum. This means that the quoted levels are heights above sea level. They can be compared to ground levels determined by a surveyor using the same datum to ascertain the likely flood depth.

In general, the minimum requirement for development of flood prone land is to set floor levels above the **Flood planning level (FPL)**. The flood planning level is the peak flood level for the flood planning event (usually the 1% AEP flood) **plus** the appropriate freeboard (usually, but not always 500mm, depending on the circumstances) to account for uncertainty, wave action and model error.

The Newcastle DCP 2012 states:

*"Floor levels of all occupiable rooms of all buildings are not to be set lower than the FPL."*

*"Garage floor levels are to be set no lower than the 1% AEP flood event. However it is recognised that in some circumstances this may be impractical due to vehicular access constraints. In these cases, garage floor levels should be as high as practicable."*

*"Basement garages may be acceptable where all potential water entry points are at or above the probable maximum flood (PMF), excepting that vehicular entry points can be at the FPL. In these cases, explicit points of refuge should be accessible from the carpark in accordance with the provisions for risk to life set out below."*

*"Electrical fixtures such as power points, light fittings and switches are to be sited above the FPL unless they are on a separate circuit (with earth leakage protection) to the rest of the building."*

*"Where parts of the building are proposed to be below the flood planning level, they are to be constructed of water-resistant materials. "*

#### **Highest Property Hazard Category:**

Property hazards describe the danger that flood waters might pose to the property of persons affected by flooding. Generally, the descriptions are:

- P1** Parked or moving cars remain stable
- P2** Parked or moving heavy vehicles remain stable
- P3** Suitable for light construction (eg timber frame, masonry and brick veneer)

**P4** Suitable for heavy construction (eg steel frame, and concrete)

**P5** Hydraulically unsuitable for normal building construction

They are determined by direct correlation to the Hydraulic Behaviour Threshold (P1 relates to a Hydraulic Behaviour Threshold of H1) as determined at the flood-planning event, usually the 1% AEP flood. The Hydraulic behaviour thresholds used in the determination of these hazards are shown in the figure N1.

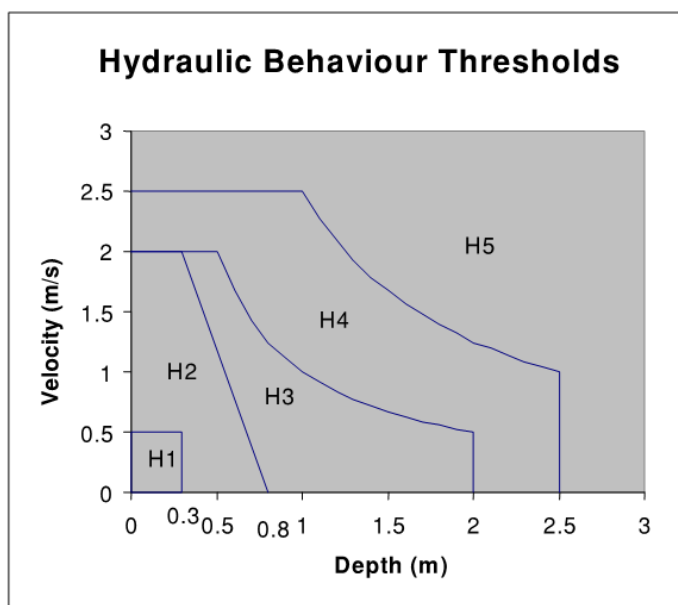


Figure N1 – Hydraulic Behaviour Thresholds

For the purposes of the flood information quoted here, the property hazard relates to the ground level as understood by Council at the time the information was collected. The property hazard cannot be used to determine the ground level of the site.

Property hazards can be reduced by filling a site, or raising floor levels as appropriate provided that the work is compatible with the applicable (if any) floodway or flood storage area.

In general, the minimum requirement for managing property risk is to set floor levels to the Flood planning level. The flood planning level is the level (usually expressed as a reduced level above the Australian Height Datum (AHD)).

The Newcastle DCP 2012 states:

“Areas where cars, vans and trailers etc are parked, displayed or stored are not to be located in areas subject to property hazard of P2 or higher. Containers, bins, hoppers and other large floatable objects also are not to be stored in these areas. Heavy vehicle parking areas are not to be located in areas subject to property hazard P3 or higher.”

“Timber framed, light steel construction, cavity brickwork and other conventional domestic building materials are generally not suitable forms of construction where the property hazard is P4 or higher. Where property hazard is P4, the structure shall be certified by a practising structural engineer to withstand the hydraulic loads (including debris) induced by the flood waters.”

“Property hazards of P5 are generally unsuitable for any type of building construction and building is discouraged from these areas. Where building is necessary, the



structure is to be certified by a practising structural engineer to withstand the hydraulic loads (including debris) induced by the flood waters."

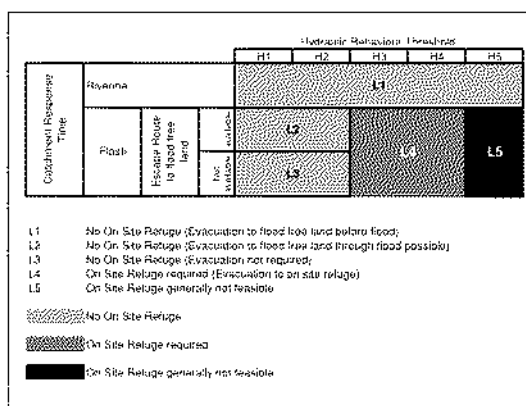
**Highest life Hazard Category:**

Life hazards describe the danger that flood waters might pose to the lives of persons affected by flooding. Generally, the descriptions are:

**Table N1 Life hazard descriptions**

| HAZARD FACTOR   | HAZARD CLASSIFICATION   |   |   |  |  |
|---|---|---|---|--|--|
|   | L1  | L2  | L3  | L4   | L5   |
| Effective Warning   | Y   | N   | N   | N  | N  |
| Effective capacity to allow evacuation to flood free land | Y   | Y   | N   | N  | N  |
| Rate of rise of flood waters                              | Slow  | Fast  | Fast  | Fast   | Fast   |
| Duration of Flooding                                      | Too long for refuge enclosed by floodwaters to be appropriate   | Short enough for occupation during the entire flood to be appropriate   | Short enough for occupation during the entire flood to be appropriate   | Short enough for flood free refuge enclosed by floodwaters to be appropriate   | Short enough for flood free refuge enclosed by floodwaters to be appropriate   |
| Escape routes   | An obvious rising escape route to flood free land outside of the entire flood is available  | An obvious rising escape route to flood free land outside of the entire flood is available  | There is no obvious rising escape route to flood free land outside of the entire flood.                                     | There is no obvious rising escape route to flood free land outside of the entire flood. An obvious rising escape route to flood free land outside of the entire flood is available | There is no obvious rising escape route to flood free land outside of the entire flood.  |
| Nature of encasing floodwaters                            | Flood free land outside of the entire flood can be reached before the flooding affects the site issue                             | Heating flood free land outside of the entire flood requires evacuation through encasing floodwaters, and these flood waters are suitable for wading or heavy vehicles at all times | Encasing floodwaters are suitable for wading and for motor or emergency evacuation by wading or heavy vehicles at all times | Encasing floodwaters are not suitable for wading or heavy vehicles, and require heavy construction for structural stability of buildings (eg steel frame and concrete)             | No form of normal building construction would be able to ensure structural stability in encasing floodwaters   |
| Evacuation need:  | Required to flood free land outside of the entire flood   | Required to flood free land outside of the entire flood   | Not Required  | Required to a suitable flood free refuge within the enclosed flood waters  | Normally not possible (therefore primarily unsuitable for development)   |
| Evacuation problems                                       | Site needs to ensure that any proposed development in these areas will not cause additional burden on emergency response services | Site needs to ensure that any proposed development in these areas will not cause additional burden on emergency response services   | No (for able bodied adults)   | Evacuation shall be self directed and self save.   | Entering flood waters are so hazardous that evacuation by normal means to flood free land outside the entire flood would not be contemplated. The structural stability of an on-site refuge cannot be assured by normally available building types, and therefore a refuge enclosed by floodwaters cannot normally be provided |

Life hazards are used to manage risks to life and accordingly, are determined by considering the hydraulic behaviour threshold (see figure N1) at the Probable Maximum Flood (PMF).



**Figure N2 – Life Hazard determination**

Figure N2 shows how the life hazard categories are determined in accordance with the methodology of the Newcastle City-wide Floodplain Risk Management Plan.

The Newcastle DCP 2012 states:

"On site refuge is to be provided for all development where the life hazard category is L4 or higher unless the proposed development is less than 40m from the perimeter of the PMF extent and the higher ground is accessible. "

"The minimum on-site refuge level is to be the level of the PMF. On site refuges are to be designed to cater for the number of people reasonably expected to be on the development site and are to be provided with emergency lighting."

"On site refuges are to be of a construction type able to withstand the effects of flooding. Design certification by a practising structural engineer that the building is able to withstand the hydraulic loading due to flooding (at the PMF) is required. "

The requirement for on site refuge (where applicable) will generally be satisfied by a two storey building form. However, for residential properties, an attic access ladder and suitable small platform will usually also suffice.

In most cases where on site refuge is required, the duration of the peak flood event is short and accordingly, it is not expected to have to utilise flood refuge areas for long periods of time, especially when their use the chance of them being used is generally less than 1% in any given year. Accordingly, comfort factors are not of large concern to owners, occupiers or Council in determining the suitability of flood refuges.

## **References**

BMT WBM (2008).Throsby, Cottage and CBD Flood Study.

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## 6.03 Wickham

### Amendment history

| Version Number | Date Adopted by Council | Commencement Date | Amendment Type |
|----------------|-------------------------|-------------------|----------------|
| 1              | 15/11/2011              | 15/06/2012        | New            |
| 2              | 27/06/2017              | 10/07/2017        | Amended        |
| 3              | 23/10/2018              | 16/11/2018        | Amended        |
| 4              | 26/07/2022              | 12/09/2022        | Amended        |
| 5              | TBA                     | TBA               | TBA            |

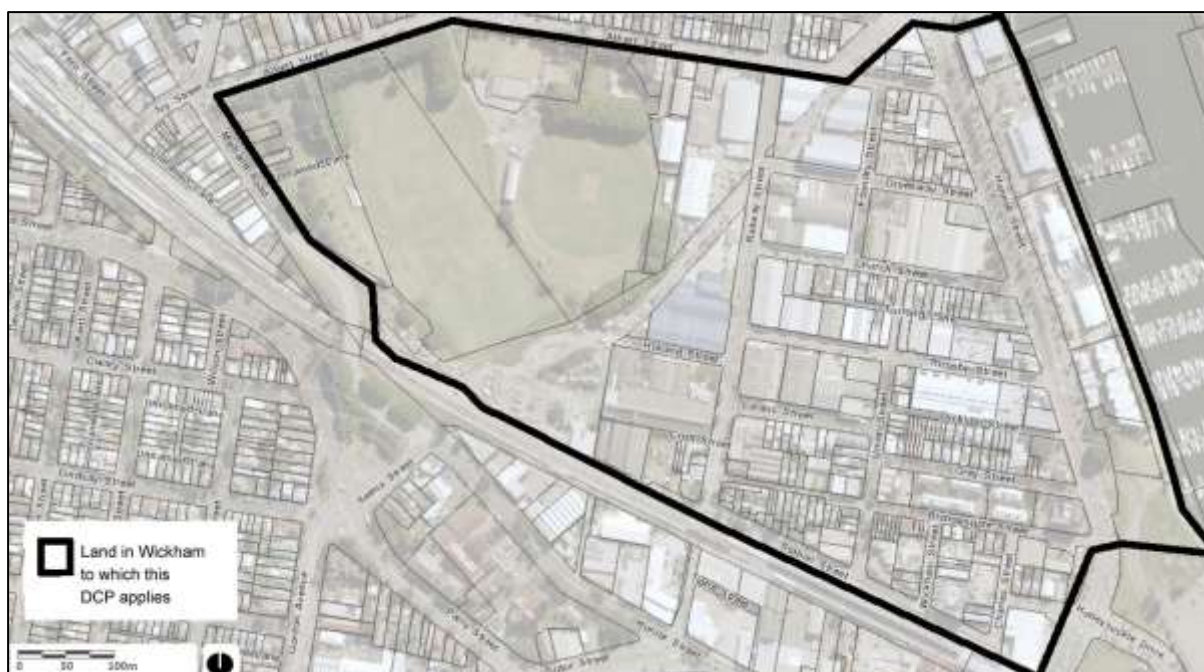
### Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined taking into consideration the provisions of this section.

### Land to which this section applies

This section applies to all land within the heavy black line marked on *Figure 6.03 - 1 - Wickham*.

**Figure 6.03 - 1 - Wickham**





## Development (type/s) to which this section applies

This section applies to all development comprising:

- New buildings or structures
- Additions or alterations to existing buildings or structures
- Subdivision

## Applicable environmental planning instruments and legislation

The provisions of the Newcastle Local Environmental Plan 2012 (LEP 2012) apply to development applications to which this section applies.

Additional environmental planning instruments, including relevant State Environmental Planning Policies may also apply. In the event of any inconsistency between this section and an applicable environmental planning instrument, the environmental planning instrument will prevail to the extent of the inconsistency.

Note: The *Environmental Planning and Assessment Act 1979* enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

## Related sections

The following sections of this DCP **will** also apply to development to which this section applies:

- Any applicable land use specific provision under Part 3.00
- 4.04 Safety and Security
- 7.02 Landscape, Open Space and Visual Amenity
- 7.03 Traffic, Parking and Access
- 7.06 Stormwater
- 7.08 Waste Management

The following sections of this DCP **may** also apply to development to which this section applies:

- 4.01 Flood Management - all land which is identified as flood prone under the Newcastle Flood Policy or within a PMF or area likely to flood
- 4.03 Mine Subsidence - within a mine subsidence area
- 4.05 Social Impact - where required under 'Social Impact Assessment Policy for Development Applications', 1999
- 5.01 Soil Management - works resulting in any disturbance of soil and/or cut and fill
- 5.02 Land Contamination - land on register or where risk from previous use
- 5.03 Vegetation Management - declared vegetation within 5m of a development footprint or likely to be affected by a development
- 5.04 Aboriginal Heritage - known/likely Aboriginal heritage item and/or place of significance and/or potential soil disturbance
- 5.05 Heritage Items - known heritage item or in proximity to a heritage item
- 5.06 Archaeological Management - known/likely archaeological site or potential soil disturbance
- 7.04 Movement Networks - where new roads, pedestrian or cycle paths are required
- 7.06 Energy Efficiency
- 7.07 Water Efficiency
- 7.09 Advertising and Signage
- 7.10 Street Awnings and Balconies - awnings or balconies located over public land.

In the event of an inconsistency between provisions within this section and any other section of the DCP 2012, the provisions of this section will apply to the extent of the inconsistency.

### **Associated technical manual/s**

- Wickham Master Plan 2017
- Wickham Masterplan 2021 (as amended July 2022)
- Any other relevant document adopted by the City of Newcastle (CN), including but not limited to, a plan, policy, guideline, map/s, technical manual, standard drawing/s, publication or the like.

### **Purpose of this section**

This section of DCP 2012 provides detailed standards and guidance for development to implement the Wickham Master Plan 2017 and the changes adopted in the Wickham Masterplan 2021. It integrates place-based planning and design guidelines to inform future redevelopment, consistent with the vision of the area out in the Wickham Masterplan 2021, in particular the characteristic features of each of the five identified interconnecting precincts (Key Precincts) within Wickham.

This section provides *performance criteria* that explain the planning outcomes to be achieved. Accompanying the performance criteria are *acceptable solutions* that illustrate the preferred way of complying with the performance criteria. There may be other ways of meeting the performance criteria and it is up to the applicant to demonstrate how the performance criteria are met.

### **Development Application requirements**

All applications including the erection of a new structure or the extension of an existing structure with a height exceeding 8.5m are to be accompanied with a 3D model of the proposed development within the context of the Newcastle CBD 3D model.

The format should be compatible to that CN uses, format specification requirements for the model can be provided by CN's Geospatial Information Services team.

The 3D Model should be used to illustrate the following information:

- context 'before' and 'after' streetscape drawings/images and/or photomontages;
- shadow diagrams; and
- assessment of impact on view corridors.

### **Definitions**

A word or expression used in this plan has the same meaning as it has in LEP 2012, unless it is otherwise defined in this plan.

Other words and expressions defined in Section 9.00 - Glossary, of this plan include:

- **Urban activation space** - a small public space that acts as a 'micro-scale' neighbourhood park that contributes to the public domain through plantings and/or specific use or functions (e.g. small playground, community garden, or gathering space). Urban activation space is usually provided on corner sites within the development setback to the street and is incorporated into the road reserve.
- **Community Infrastructure Incentives** - as described within the Newcastle Community Infrastructure Incentives Policy (July 2021) development incentives

provided to development, by way of additional gross floor area under LEP 2012, where development provides identified community infrastructure.

### 6.03.01 Urban Character

Wickham will continue to evolve from a semi-industrial area at the outer fringe of Newcastle City Centre into a mixed use urban neighbourhood supporting the emerging commercial core within Newcastle West.

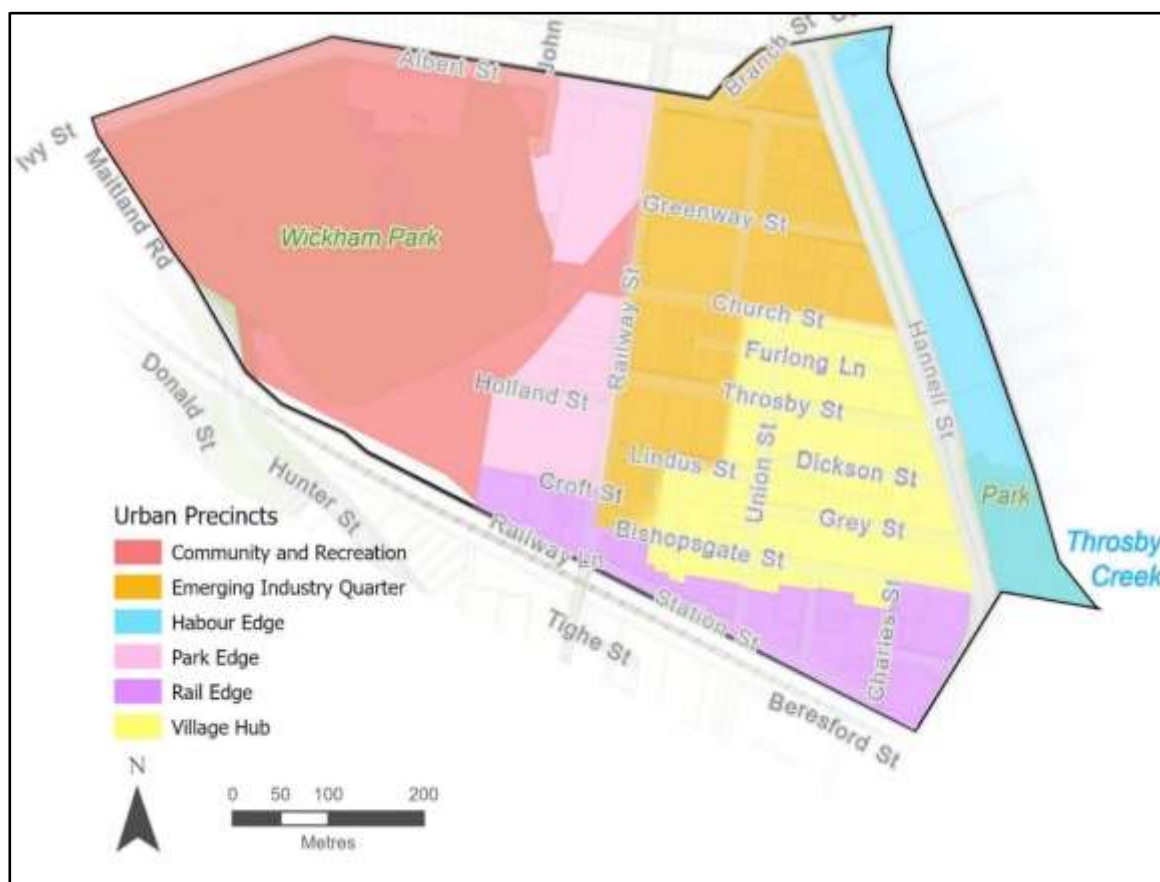
Urban renewal is envisaged to build on the existing urban structure to deliver greater connectivity, improved public domain amenity and built form which reflects the area's function and character.

#### Urban Precincts

The controls applying to this section of the DCP are based on achieving the intended future character of each urban precinct, as identified in *Figure 6.03 - 2 Urban precincts*, consistent with the vision of the Wickham Masterplan (2021 Update).

Any variation to the 'acceptable solutions' proposed as an alternative means of meeting the specific 'performance criteria,' will need to be justified having regard to achieving the future character of the relevant precinct.

**Figure 6.03 - 2 - Urban precincts**



## **A. Rail Edge**

### *Existing character*

The majority of this precinct has already been redeveloped given the proximity to the Transport Interchange and the already generous development standards.

The Rail Edge precinct is predominantly characterised by higher density residential development with a mix of uses at street level. The larger podium tower building types reflect the precinct's location at the interface to the emerging commercial core of Newcastle West.

### *Future character*

The precinct is envisaged to support high density residential development that capitalises on its location adjacent to Newcastle Transport Interchange and provides ground level commercial uses with neighbourhood level retail and services activating street corners. Building scale and form transitions down to integrate with the lower scale Village Hub precinct fronting Bishopsgate Street.

## **B. Village Hub**

### *Existing character*

The Village Hub retains much of the original residential subdivision patterns established in the 1800s, characterised by narrow streets and a mix of lower scale residential building typologies. Buildings are set back from the front boundary and the front setback typically contains landscaping and forecourts.

The existing scale of the precinct allows for 3 storey buildings. The building height along the southern side of Bishopsgate Street is currently 24m.

### *Future character*

Redevelopment and infill development is envisaged to continue to include terrace style housing, shop top housing and smaller residential apartment buildings. A street wall height is anticipated to be up to three storeys along each street fronting setback, incorporating design elements that complement that of existing housing stock.

Redevelopment of small residual sites for infill housing will also enable urban renewal where amalgamation of sites is not possible or unlikely to result in increased residential densities.

Opportunities for onsite car parking and driveway access are limited to ensure priority to pedestrian amenity and safety.

Union Street provides the main north-south pedestrian connection with wide footpaths and street trees, linking the predominantly residential precinct to the Newcastle Transport Interchange. Retail and commercial activity are focused on corner sites along Union Street while the east-west orientated streets maintain a residential focus, except for Throsby Street, which continues to support a mix of business uses at street level.

The interface to the adjoining Emerging Industry Quarter precinct mid-block along Bishopsgate, Church, Lindus and Throsby Streets focuses on creating a consistent character along the street edge by continuation of identified front setbacks, landscape provision, use of design elements that emphasise the lower levels, with upper levels setback from the street.



Where additional building height is permissible in this precinct, the use of upper-level setbacks and design elements will ensure development presents at a consistent scale and character when viewed from street level. Tree planting and other landscape elements within urban activation areas of the public domain will also help to soften the visual dominance of larger development and improve the visual amenity for pedestrians.

**Figure 6.03 - 3 - Envisaged character of the Village Hub based on permissible scale and densities**



## **C. Harbour Edge**

### *Existing character*

The precinct is characterised by predominately three storey buildings with uses that reflect the mixed residential, maritime, tourism and entertainment activities along Throsby Creek.

### *Future character*

The Harbour Edge Precinct will continue to build on the recreational and economic opportunities in this prime waterfront location. This will be through intensification of uses that respect the Port of Newcastle's operational functions and allowing for vistas and connections between Hannell Street and Throsby Creek.

The parkland at the southern end of this precinct will connect to the public domain areas of the final stage of the Honeysuckle redevelopment area.

## **D. Emerging Industry Quarter**

### *Existing character*

The Emerging Industry Quarter to the east of Railway Street extends to land north of Church Street due to its characteristically larger sites that accommodate a range of remnant light industrial buildings with high occupancy rates of employment uses including service industries, small scale niche manufacturing, research and development technologies.

Redevelopment within this precinct is likely to occur on land unrestricted by mine subsidence, based on the feasibility and availability of land for current businesses to relocate, particularly where owner-occupied.

#### *Future character*

Redevelopment is envisaged to foster business and employment generation, particularly on sites less conducive to residential amenity, such as Hannell Street and where residential densities are restricted by mine subsidence risk.

Where residential uses are accommodated within the precinct as part of a mixed-use development, the challenge is to ensure these provide genuine economic generating uses on ground level, rather than provision of a token commercial space sleeving at grade car parking.

Ground level floor areas are of an area and dimensions conducive to supporting a range of low impact and clean business uses, including high technology industries, manufacturing and creative industries.

Development on land within this precinct adjoining the Village Hub, will be designed to address the scale and character it presents along the streetscape, using architectural elements, articulation of setbacks and upper levels set further back from the street.

CN will seek to acquire the former rail corridor passing through this precinct to deliver a public space incorporating active transport that links to adjoining areas.

## **E. Park Edge**

#### *Existing character*

The Park Edge precinct is characterised by large sites containing commercial, light industrial, storage and warehouse uses backing onto the eastern side of Wickham Park.

Land within this Precinct is likely to redevelop within the next development cycle when market demand increases, particularly if the former rail corridor land is transformed into a useable public space with active transport links.

#### *Future character*

The Park Edge precinct is envisaged to transform into a mixed-use area including medium to high density residential development with building scales reflective of mine subsidence restrictions.

The precinct will activate the eastern edge of Wickham Park and provide natural surveillance to the active transport corridor diagonally dissecting the precinct. There are opportunities to improve public access through to Wickham Park with a key connection for pedestrians and cyclists being proposed through a widened Holland Street, the extension of Croft Street, the end of railway lane and a wide opening to the former Bullock Island rail corridor and through to Wickham Park on land opposite from Church Street along the western side of Railway Street.

## F. Community and Recreation

### *Existing character*

This precinct combines land previously identified in WMP as 'Wickham Park' with part of the adjacent 'Park Edge', being the land known as the former Wickham to Bullock Island Railway Corridor. This land continues to act as a physical barrier between the City Centre and Wickham Park. The land contains some rail infrastructure along its southern extent, is partly leased to adjoining landowners along Railway Street but has otherwise remained vacant since it was last used as a works depot during the construction of the Newcastle Transport Interchange.

CN intends to acquire the majority of the former rail corridor land from its current owner, through its inclusion on the Land Reservation Acquisition (LRA) map in LEP 2012.

Wickham Park continues to cater for the recreational and social needs of both local residents and the wider Newcastle community. CN will prepare a comprehensive plan of management for Wickham Park to improve amenity, connectivity, and surveillance, as identified in the WMP and reiterated in the Newcastle Strategic Sports Plan 2020.

### *Future character*

The precinct will continue to cater for sporting, community events and festivals, which will benefit from improved pedestrian and cycle links to public transport and adjoining areas.

The former rail corridor will support active transport including shared pedestrian and cycleways extending from Maitland Road along a new roadway at the southern boundary of the precinct, to existing cycleways east of the intersection of Cowper and Hannell Streets at Throsby Creek, as shown in *Map 4 - Traffic and Transport, Wickham Masterplan (2021 Update)*.

The rail corridor will include appropriate interpretive treatments acknowledging its local heritage listing within LEP 2012 and lined by distinctive planting to differentiate it from other street tree planting within the area.

Redevelopment of the larger triangle shaped part of the former railway corridor lands is significantly restricted due to former mine workings. If acquired by CN, this land will provide a vital role in supporting the precinct through provision of community facilities, formalised parking areas that can cater for both commuters and city workers during the week and park users on weekends, as well as infrastructure that supports a range of events and activities.

## 6.03.02 Building Envelopes

### A. Setbacks to streets

#### *Performance criteria*

- P1. Buildings setbacks define the street edge and public domain and reinforce the envisaged character of each precinct.

### Acceptable solutions

- A1. Ground level building setbacks to street boundaries are consistent with *Figure 6.03 - 4*.
- A2. Where land is identified for acquisition by Council, in *Figure 6.03 - 4*, the minimum setback includes the land to be acquired plus any additional identified setback.
- A3. Where building setbacks are not specified in *Figure 6.03 - 4*, buildings may be built to the street edge (zero setback) at ground level but only for:
- non-residential uses where the street facing façade has a minimum of 50% windows and /or other openings; or
  - residential uses consisting of the covered private open space (outdoor living) component and where screened and/or elevated from the adjacent footpath/public domain area.

Note: Further design criteria for development interface to the public domain are provided in Section 6.03.03 Urban Design.

- A4. The upper levels for any development in an identified Urban Precinct (Column 1), which is located at a height above that described in Column 2, is setback at the minimum distance identified in Column 3 from the street front boundary (measured along the horizontal) as identified in *Table 6.03 - 1*, below:

**Table 6.03 - 1 - Upper level setbacks**

| Urban Precinct            | Upper-level setback applies to any part of the building above the following height: | Minimum setback to street front (for the upper-level setback) |
|---------------------------|---|---|
| Rail Edge                 | 12m   | 6m  |
| Village Hub               | 10m   | 6m*   |
| Harbour Edge              | 12m   | N/A   |
| Emerging Industry Quarter | 12m   | 6m  |
| Park Edge                 | 12m   | 6m  |

\*Refer to A7 for land at 29 Bishopsgate Street.

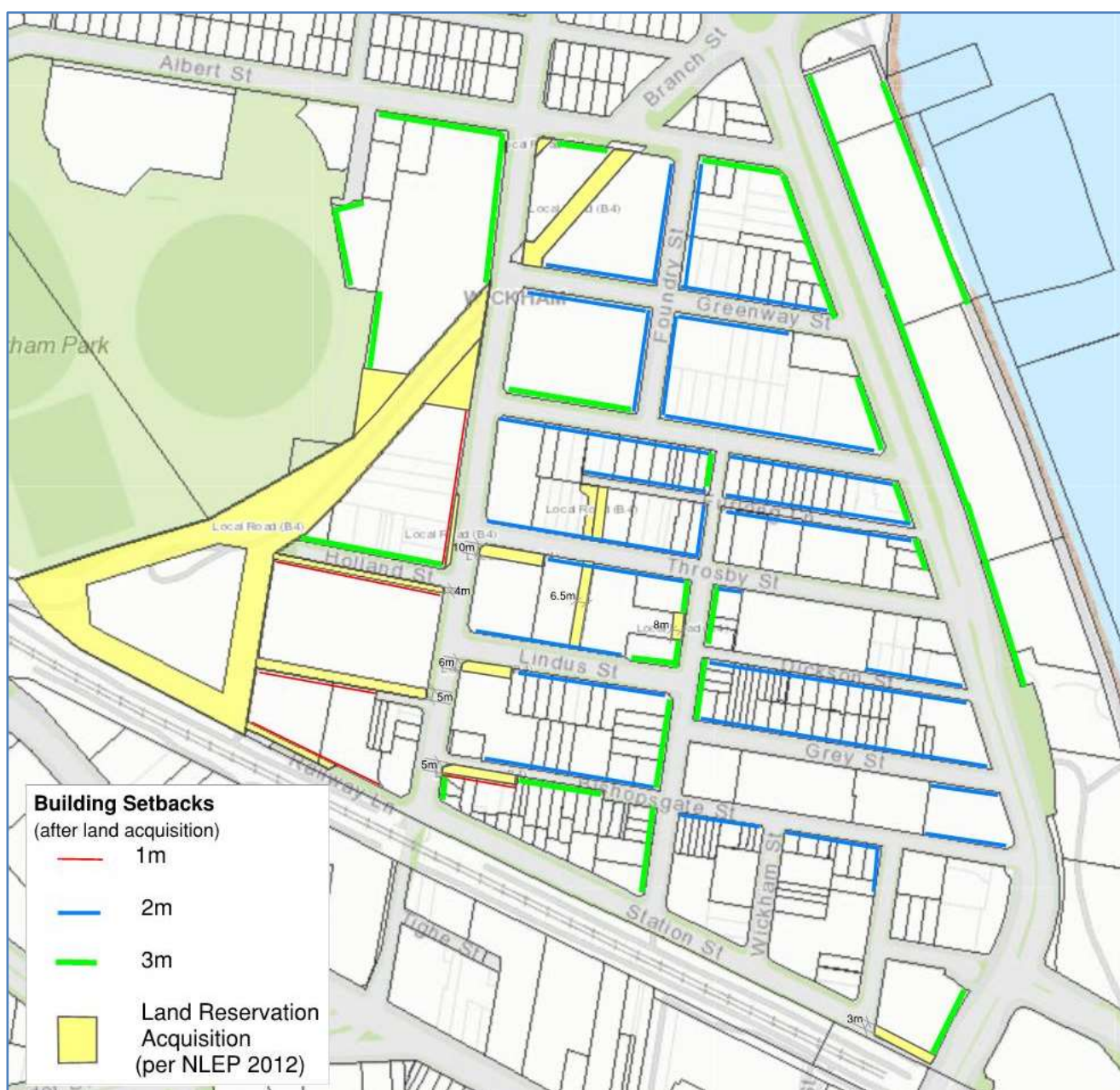
Note: Where the requirements of SEPP 65 and/or the Department of Planning and Environment's 'Apartment Design Guide' apply to development proposals subject to this section, any inconsistencies in minimum setbacks will be resolved by the greater of the two setbacks applying.



*Additional acceptable solutions applying to development within the Village Hub Precinct*

- A5. Within the Village Hub precinct development may encroach into the minimum street setback at the first level (i.e. second storey) for 50% of the frontage but only where the encroachment is for private open space such as a veranda, balcony, pergola or deck.
- A6. Large scale development incorporates building articulation such that the building form is broken into smaller elements that relate to the fine grain pattern of development along Bishopsgate Street.
- A7. Notwithstanding the upper level setbacks identified in A4, development on land at 29 Bishopsgate Street has an upper level setback of 15m from the street boundary for parts of the building above 10m.

**Figure 6.03 - 4 - Ground level building setbacks to street boundaries**



## **B. Setbacks to neighbouring sites**

### *Performance criteria*

- P1. Side setbacks provide opportunity for landscaping and protect amenity to adjoining sites.
- P2. Development provides natural surveillance to side and rear setback areas.
- P3. Redevelopment within the Harbour Edge precinct provides for public access and views to Throsby Creek.

### *Acceptable solutions for all precincts, except the Village Hub*

- A1. Development may be built to the side boundary (zero setback) for a height up to 8.5m where a landscaped setback of at least 3m from the side boundary is provided within the first 6m from any street fronting boundary, as shown in *Figures 6.03 - 5 and 6.03 - 6*.
- A2. The landscaped side setback (described above):
  - (a) consists of deep root planting with suitable trees, shrubs and groundcovers; and
  - (b) is visible from adjoining uses (within the site) through the placement of windows and open space areas.
- A3. Development adjoining the Village Hub precinct has an upper level setback for any part of the development above 12m, of 8m to the side or rear boundary that adjoins the Village Hub precinct.

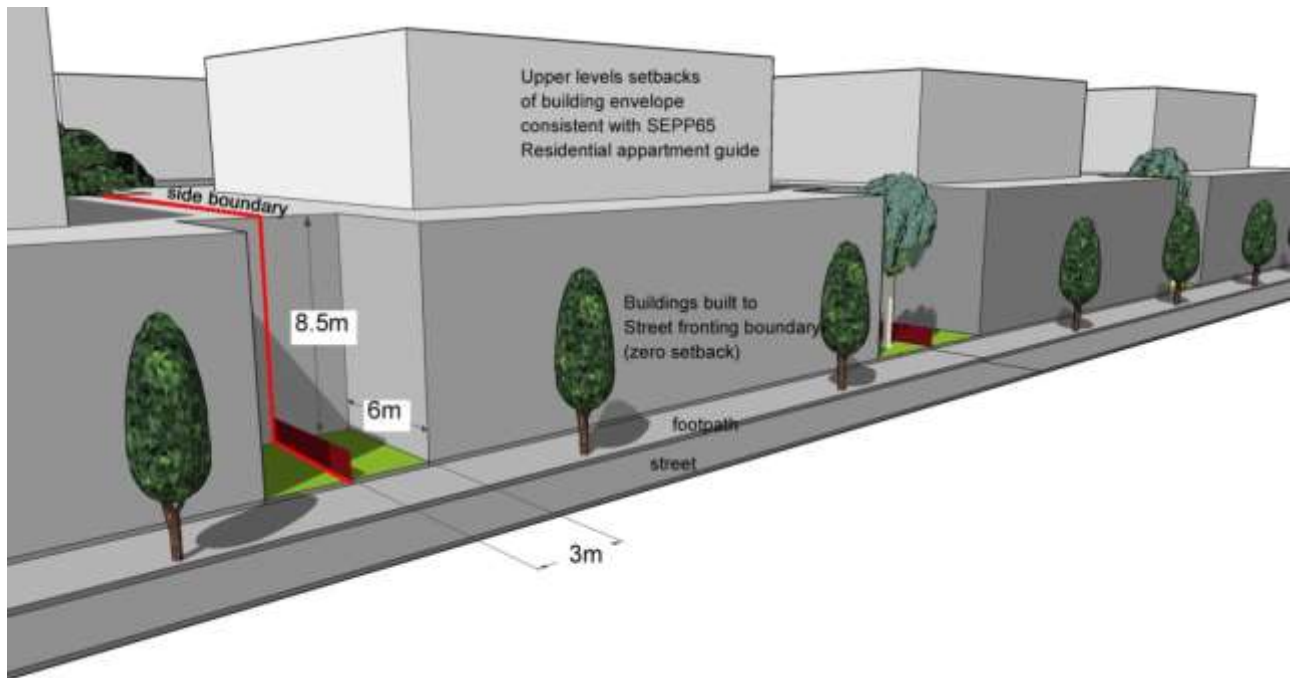
### *Additional acceptable solutions for the Harbour Edge precinct*

- A4. Development provides pedestrian and cycling links between Hannell Street and Throsby Creek.
- A5. Built form within the Harbour Edge precinct enables view lines to Throsby Creek from the east-west orientated streets to the west of Hannell Street.

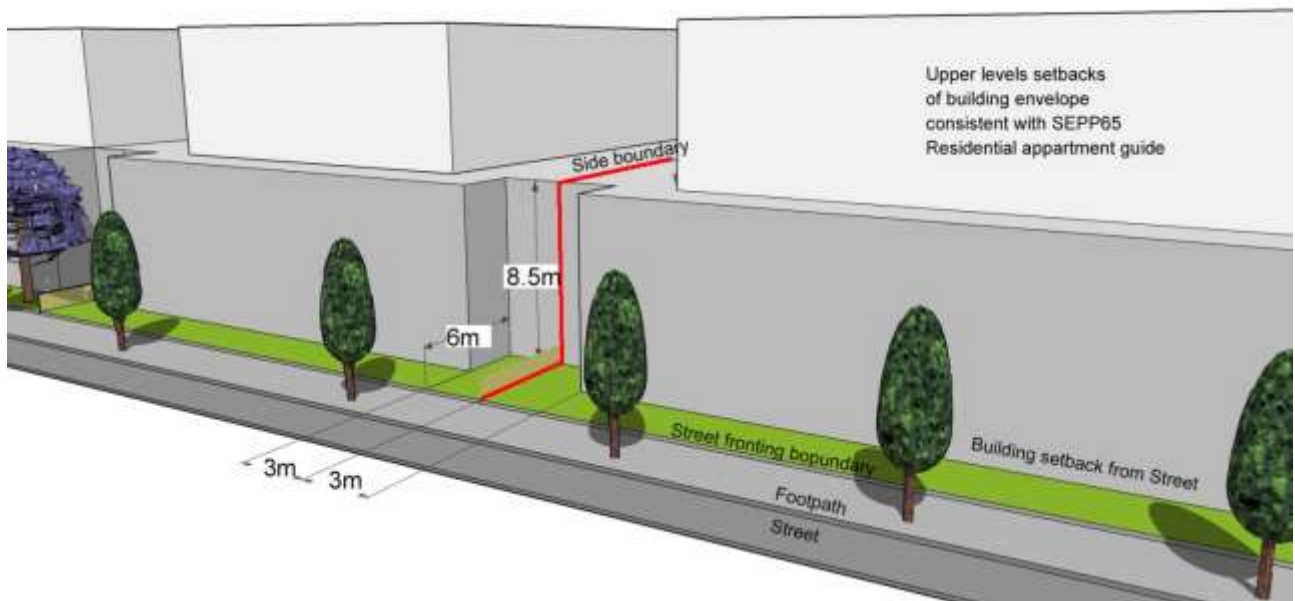
### *Additional acceptable solutions for the Village Hub precinct*

- A6. Development within the Village Hub that has a building height greater than 10m, has an upper level setback for any part of the development above 10m of 8m to the side or rear boundary of any land that is also within the Village Hub precinct.

**Figure 6.03 - 5 - Example of building envelopes with no setback to street front (zero setback)**



**Figure 6.03 - 6 - Example of building envelopes with front setback to street boundary**



### 6.03.03 Urban Design

#### A. Public domain

##### *Performance criteria*

- P1. Enhance public domain amenity and maximise opportunities for movement, walking and cycling.

##### *Acceptable solutions*

- A1. All development must upgrade the public domain for the full width of all site frontage to CN specifications. Where the proposed works will adjoin and connect into existing or approved works on an adjoining site, then suitable transitions are required beyond the property frontage.

##### *Explanatory note*

- E1. When determining the requirement for public domain works, considerations by CN may include, but are not limited to the following:
- (a) The development type, scale and density.
  - (b) Planned or likely intensification of an area.
  - (c) Adjoining or surrounding footpath infrastructure and surface treatments.
  - (d) Condition of any existing footpath and need for replacement.
  - (e) CN forecasted infrastructure and asset projects or capital works programs.
  - (f) Topography of the road reserve along subject site frontage.
  - (g) The presence of any utilities, services, assets, street trees, street furniture or the like.
  - (h) CN public domain plans and standard drawings for footpaths.
  - (i) Consideration of heritage conservation principles

#### B. Interface to the street

##### *Performance criteria*

- P1. Ground level uses promote pedestrian activation of the public domain.
- P2. Development facilitates natural surveillance of the public domain.
- P3. Building form reflects the envisaged precinct character and takes design cues from existing built elements within the streetscape.

##### *Acceptable solutions*

- A1. The following design elements are incorporated in development facing a street or public domain area:
- (a) building name and/or street number signage are easily identifiable;
  - (b) building entries are well-lit;
  - (c) individual ground floor uses have direct pedestrian access to footpath;



- (d) universal access is provided to non-residential ground floor uses where the finished floor level is above or below the footpath;
  - (e) non-residential ground floor uses are visible from the street;
  - (f) the floor level of residential ground floor uses may be elevated not more than 1m above the footpath;
  - (g) building street setbacks incorporate gardens and/or landscaped forecourts; and
  - (i) green walls and/or street art (e.g. murals) are provided to reduce and/or break up non active building facades (i.e. blank walls, screened areas, services and utility cabinets, and/or garage doors).
- A2. Development on corner sites activate at least 50% of each façade.
- A3. Residential development at ground level has a minimum 4m ceiling height and is designed to enable change of use in the future.

### **C. Urban activation spaces**

#### *Performance criteria*

- P1. Development incorporates space that provides relief from the hard surfaces of the urban environment and for residents and the local community to gather or participate in activities.

#### *Acceptable solutions*

- A1. Urban activation spaces are located:
- (a) In central locations along identified pedestrian and cycle routes and at street corners as identified in *Figure 6.03 - 10 – Location of community infrastructure projects in Wickham*; and
  - (b) Within the front setback of larger development sites and partly incorporated into the road reserve; and
  - (c) Adjoining supporting retail or community activities that provide natural surveillance, but do not commercialise the space for their own business.
- A2. Urban activation spaces incorporate landscape elements or facilities as identified in the *Wickham Community Infrastructure Plan*.

**Figure 6.03 - 7 - Urban activation space examples**



## **D. Vehicle access to land**

### *Performance criteria*

P1. Vehicle and service entries ensure the safety and amenity of pedestrians.

### *Acceptable solutions*

- A1. Vehicle access and service entries are located consistent with *Figure 6.03 - 8*.
- A2. Driveway crossings are consolidated or eliminated along the primary frontage of new developments.

### *Acceptable solutions - Village Hub*

- A3. For development consisting of two or more dwellings, on-site car parking is consolidated to minimise the number of driveways.
- A4. Driveway access is single vehicle width at the footpath crossover.

**Figure 6.03 - 8 - Vehicle access restrictions to new development**



## 6.03.04 Car Parking

### A. Car parking demand management

#### *Performance criteria*

- P1. Provision of car parking caters for the demands of different uses and reflects the proximity to the city centre and active and public transport options.
- P2. Consumer choice and affordability is provided in the ownership of car parking spaces.

#### *Acceptable solutions*

- A1. Car parking spaces are created as separate lots in the strata plan and are not allocated to individual units.

Note: Residential parking permits are not available to owners or occupants of new developments and this information is required to be provided by the developer to all potential owners and occupants.

- A2. Designated car sharing spaces are retained as common property in the strata plan and are:
  - (a) clearly marked and sign-posted as car share spaces; and
  - (b) located so that they accessible to the public at all times.

### B. Design of parking structures

#### *Performance criteria*

- P1. Parking structures are integrated into new buildings and are not visually prominent from the public domain.
- P2. The design and construction method of at grade and above ground car parking areas enable adaptable reuse in the future for residential or commercial uses.
- P3. Car parking areas are able to be adapted in response to changing future transport mode or demands.

#### *Acceptable solutions*

- A1. All parking is located within the building footprint, either in a basement or integrated into the building.
- A2. Ground level or above ground parking areas are not visible from the public domain by:
  - (a) being located behind other uses; or
  - (b) using green walls and roofs; or
  - (c) using architecturally designed façade treatment or artwork.



- A3. Car parking is located on level flooring and has a minimum ceiling height of:
- 4m where located on ground level; and
  - 3m where located on any upper levels.

### 6.03.05 Constraints on development

#### A. Flooding

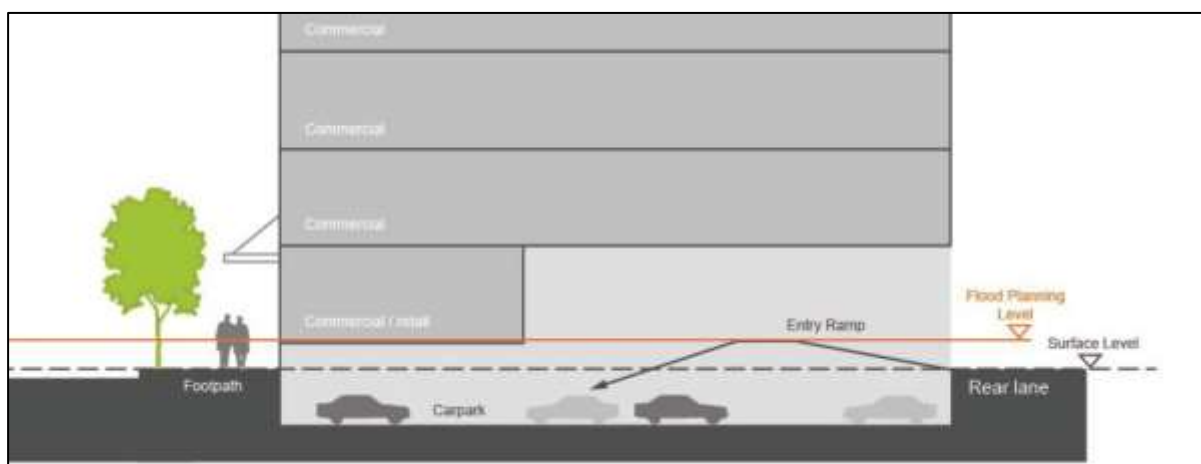
##### *Performance criteria*

- P1 Basement car parks minimise the entry of flood water and include information on emergency egress.

##### *Acceptable solution*

- A1. The development is designed to minimise flood waters from entering car parking levels by:
- orienting access points away from overland flow paths;
  - designing access points to be above the 1 in 100 year flood level plus freeboard as shown in *Figure 6.03 - 9*; and
  - ensuring any aboveground perimeter walls are impermeable up to the 1 in 100 year flood level plus freeboard.
- A2. A plan is developed detailing emergency egress procedures during a flood, as well as any refuge areas in reasonable proximity of the development. The plan is to be positioned in the basement car park in an easily recognisable location/s.

**Figure 6.03 - 9 - Basement ramp design to minimise inundation**



*Additional performance criteria for land in Park Edge precinct*

- P2 Development on land bounded by the former Bullock Island rail corridor, Railway and Holland Streets does not adversely impact the local hydrology or increase the risk of localised flooding on adjoining land in a stormwater event.

*Additional acceptable solution for land in Park Edge precinct*

- A2. Where the area to be filled and/or built upon exceeds 20% of the land, development includes an overland flow path (designed and certified by a suitably qualified engineer) for the relief of stormwater from Railway Street to Wickham Park.

## **B. Mine Subsidence**

Note: All proposed development on land in Wickham identified within the Newcastle Mine Subsidence District will need to be assessed on application by Subsidence Advisory NSW. Due to the nature of the old mine workings in the area, redevelopment is likely to include significant and costly engineering controls including extensive grouting.

Council advises prospective applicant to first contact Subsidence Advisory NSW to gain an understanding of the potential risks, limitations and financial costs associated with developing over the old mine workings.

## **C. Operational requirements of Port of Newcastle**

Note: Applicants for development within the Harbour Edge precinct are advised to engage with Port of Newcastle prior to lodgement regarding the location and requirements for maintaining navigation aids in this locality to ensure the safe and efficient operation of the Port.

## 6.03.06 Community infrastructure incentives in Wickham

### Performance criteria

- P1. In accordance with Clause 7.11 of LEP 2012 an incentive height of building and floor space ratio may be achievable on land where CN and an applicant have agreed to or entered into a planning agreement on the basis of providing identified community infrastructure.
- P2. Community infrastructure may be provided to CN in the form of land, capital works, cash contribution, or a combination of these that will deliver the nominated community infrastructure projects identified in the *Wickham Community Infrastructure Plan*.
- P3. Applicants will obtain in-principle agreement from CN to the provision of community infrastructure being offered prior to lodging a formal DA.

### Explanatory note

- E1. Community infrastructure is identified in the *Wickham Community Infrastructure Plan*. It includes development for the purpose of community facilities, recreation areas, recreation facilities (outdoor) or public roads.
- E2. The 'Incentive GFA Rate for Wickham' is identified in the *Wickham Community Infrastructure Plan* and is subject to indexation.
- E3. A planning agreement is the means by which identified community infrastructure will be delivered on a given site. This community infrastructure is provided in addition to infrastructure contributions payable under s7.11 and s7.12 of the EP&A Act.

**Figure 6.03 - 10 – Location of community infrastructure projects in Wickham**



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# Wickham Community Infrastructure Plan

August 2022

[newcastle.nsw.gov.au](http://newcastle.nsw.gov.au)



City of  
Newcastle

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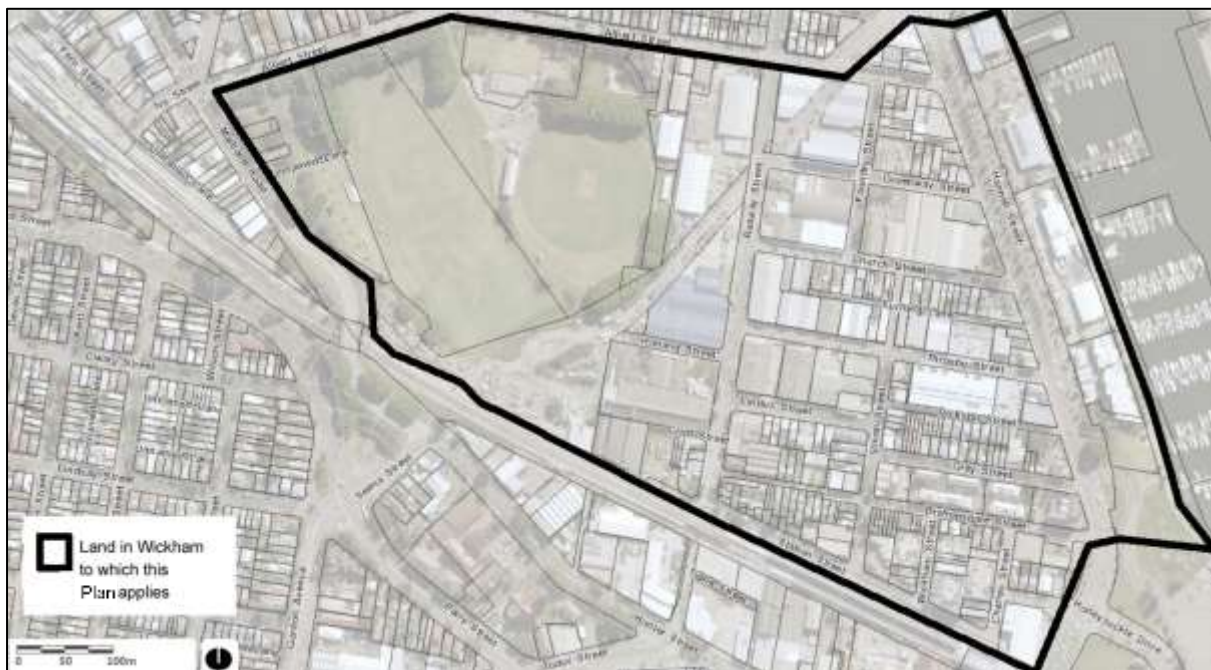
## 1. INTRODUCTION

The Wickham Community Infrastructure Plan provides details on how community infrastructure is to be delivered as part of the urban renewal of Wickham.

The Wickham Masterplan 2021 adopted as amended in July 2022 (WMP 2021) outlines the vision for Wickham. It builds on the vision established in the Wickham Master Plan 2017 (WMP 2017).

This plan supports clause 7.11 of the *Newcastle Local Environmental Plan 2012* (NLEP 2012) and should be read in conjunction with Section 6.03 Wickham of *Newcastle Development Control Plan 2012* (DCP 2012).

The Wickham area to which this plan applies is shown in Figure 1:



**Figure 1: Wickham**

## 2. PURPOSE OF THIS PLAN

The purpose of this plan is to:

- Explain why community infrastructure is needed to support the growth and function of Wickham as part of its urban renewal
- Detail the community infrastructure needed to support redevelopment
- Describe how community infrastructure can be delivered through the development process and Planning Agreements
- Outline how the value of the community infrastructure works is calculated

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### 3. WHY IS COMMUNITY INFRASTRUCTURE NEEDED IN WICKHAM?

Wickham is undergoing significant change as it transitions from a post-industrial suburb at the fringe of Newcastle City Centre into a mixed-use urban neighbourhood supporting the new commercial core of Newcastle West. It takes advantage of significant State government investment such as the Newcastle Transport Interchange.

The *Wickham Masterplan 2021* identifies community infrastructure needed in Wickham beyond that delivered under City of Newcastle's (CN) infrastructure contributions framework. This community infrastructure will support the envisaged urban renewal outcomes in Wickham while incentivising development that delivers new housing and business floorspace in a strategic location.

The community infrastructure outlined in this plan will support the existing and new residents in Wickham, as well as the wider Newcastle community.

### 4. WHAT IS COMMUNITY INFRASTRUCTURE?

Community infrastructure in Wickham refers to the infrastructure, public domain and physical facilities that support the growth and function of Wickham and benefit the existing and new population as well as the wider Newcastle population.

The community infrastructure described in this plan is additional to the Newcastle s7.11 and s7.12 contributions plans requirements. It is not being levied under any other contributions scheme or planning instrument.

The following community infrastructure contribution will be considered by CN:

- A monetary contribution
- Dedication of land or property
- Carrying out works
- A combination of the above

A full schedule of works to be delivered in Wickham including mapping and specifications is at **Appendix 1**.

Any community infrastructure contribution must be consistent with this plan, NLEP 2012 and NDCP 2012.

Other forms of community infrastructure in Wickham may be considered by CN, consistent with the Community Infrastructure Incentives Policy. Such forms are to be negotiated via a Planning Agreement, consistent with CN's *Planning Agreements Policy (2022)* and *Planning Agreements Procedure (2021)*.



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## 5. THE PLANNING FRAMEWORK

### Newcastle Local Environmental Plan 2012

The *Newcastle Local Environmental Plan 2012* (NLEP 2012) is the principal document that controls development and regulates land use in the Newcastle Local Government Area (LGA). It is supported by a series of maps including land use zoning, height of buildings and floor space ratio.

Clause 4.3 *Height of buildings* of NLEP 2012 sets out the maximum height of buildings (HOB) for development shown on the Height of Buildings Map.

Clause 4.4 *Floor space ratio* of NLEP 2012 sets out the maximum floor space ratio (FSR) for development shown on the Floor Space Ratio Map.

Clause 7.11 *Community Infrastructure height of buildings and floor space at Wickham* refers to the provision of community infrastructure in Wickham. It aims to allow greater building heights and densities in Wickham where community infrastructure is also provided. Sites subject to clause 7.11 are identified on the HOB and FSR maps of NLEP 2012.

### Newcastle Development Control Plan 2012

The *Newcastle Development Control Plan 2012* (NDCP 2012) contains detailed planning and design guidelines to support the provisions in NLEP 2012.

Section 6.03 relates to Wickham. NLEP 2012 contains controls for community infrastructure provision and the achievement of additional height and floor space on identified sites in Wickham.

### Community Infrastructure Incentives Policy

The *Community Infrastructure Incentives Policy* (2021) outlines the approach and mechanisms to enhance the delivery of community infrastructure in the City of Newcastle. It uses a transparent, equitable and evidence-based approach based on community engagement.

The Community Infrastructure Incentives in Wickham Planning Proposal seeks to implement the *Community Infrastructure Incentives Policy* in Wickham in select areas identified in the *Wickham Masterplan 2021*.

### Wickham Master Plan

The NSW Government's *Newcastle Urban Renewal Strategy* (2014) identified Wickham as an area requiring further planning to inform future redevelopment decisions and recommended preparing the *Wickham Master Plan 2017* (WMP 2017).

The WMP 2017 includes strategies and actions for achieving the provision of community infrastructure. It uses developer incentives (including an increase in development standards within NLEP 2012) where development provides for improvements to connectivity and the public domain, above what may be achieved through CN's contributions framework.

The Wickham Masterplan 2021 Update (WMP 2021) provides further strategic guidance for CN's planning decisions and coordinated delivery of urban renewal within Wickham. WMP 2021 provides further guidance on the land suitable to achieve a development incentive and identifies the community infrastructure projects to be delivered through redevelopment.

CN made minor amendments to the WMP 2021 in July 2022.

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## Planning Agreements

Planning Agreements (PAs) are governed by Section 7.4 of the *Environmental Planning and Assessment Act 1979*. Planning Agreements are legal agreements between a consent authority (e.g. City of Newcastle) and a developer, under which the developer voluntarily agrees to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit to be used towards a public purpose. Planning Agreements are required to consider and be consistent with CN's *Planning Agreements Policy (2022)* and *Planning Agreements Procedure (2021)*, which are available on the CN website.

## Infrastructure Contributions

Under Section 7.11 and 7.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), CN can impose conditions of consent requiring monetary contributions from development for the provision of transport and social infrastructure required to meet the demands of that development.

The Community Infrastructure Incentives in Wickham planning proposal seeks to implement an additional means of delivering community infrastructure in Wickham through development incentives. These are complementary and completely independent to contributions made under Section 7.11 and 7.12 of the EP&A Act.

## **6. HOW IS THE CONTRIBUTION TOWARDS COMMUNITY INFRASTRUCTURE DETERMINED?**

### Provision of community infrastructure

The additional gross floor area (GFA) available to a development, up to the maximum HOB/FSR under Clause 7.11, is determined by dividing the agreed value of the identified community infrastructure by the 'Incentive GFA Rate' for Wickham.

The additional GFA made available as an incentive to individual development is based on:

- Planning grounds
- Regard for the net public benefit to Wickham
- The monetary value (\$) of community infrastructure proposed
- The 'incentive GFA rate' (\$/sqm) for Wickham

CN has determined the incentive GFA rate by dividing the combined estimated cost (\$) of all nominated community infrastructure projects (see Appendix 1) by the potential combined increase in GFA available to development in Wickham.

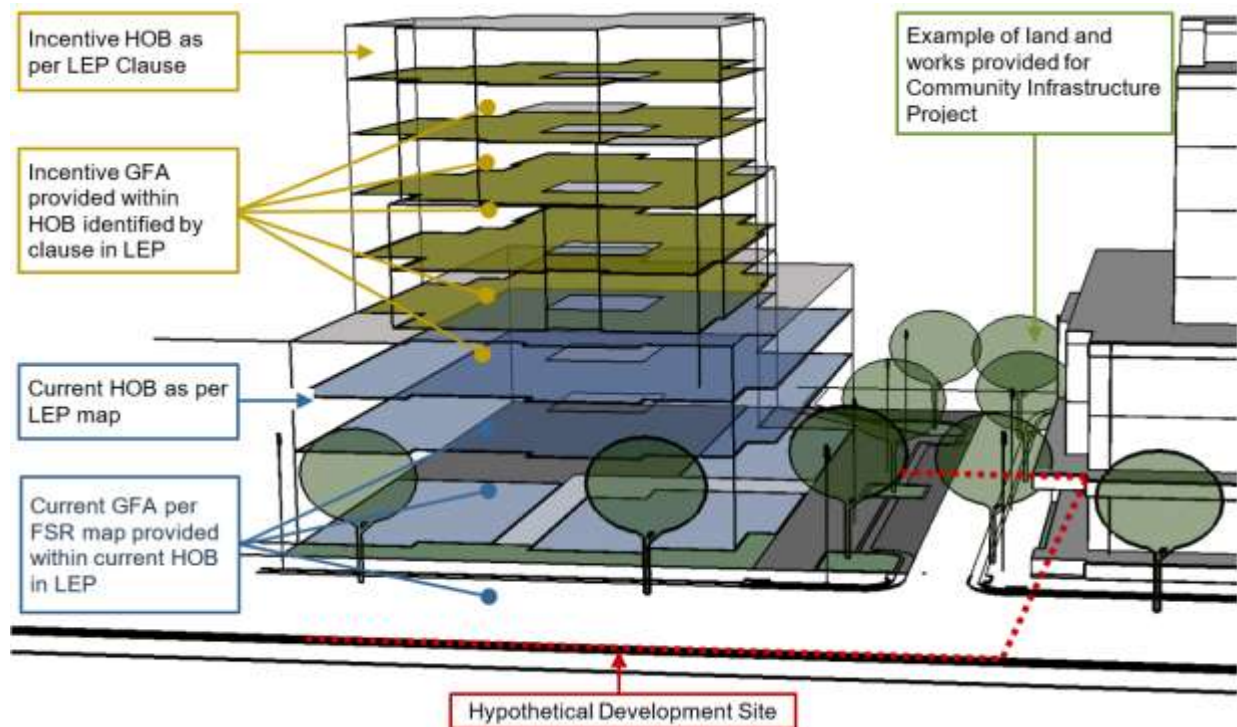
**The community infrastructure incentive GFA rate in Wickham is \$519.10\* per square metre of additional residential floor space.**

The incentive GFA rate represents the value applied per square metre (\$/sqm) of additional GFA achieved by development.

\*The \$519.10 per square metre GFA rate is subject to indexation from when it was endorsed by Council, being March 2022.

For the purposes of calculating the community infrastructure contribution, additional GFA must be rounded to the nearest whole number. The definition of GFA is the same as the definition within NLEP 2012.

**Figure 2 – Diagram showing how incentives are applied to development under this plan**



The resulting HOB and FSR of development cannot exceed the maximum as identified in Clause 7.11 of NLEP 2012. Any development is to ensure its consistency with the place-based controls contained within Section 6.03 Wickham of NDCP 2012.

Notwithstanding the merits of the development proposal, CN will consider the following prior to accepting any offer of community infrastructure in the form of capital works and improvements via a Planning Agreement:

- The value of works and embellishment is based on the cost to CN for undertaking the same works to the required standard. An independent quantity surveyor (at no cost to CN) will verify the cost of works and embellishment.
- The design and functionality of any proposed improvements or capital works being delivered by or on behalf of the developer, to ensure these are fit for their intended purpose having regard to:
  - Any public domain plan or guidelines prepared for Wickham
  - Compliance with CN nominated technical specifications and standards
  - The full cost of the project's lifecycle and any anticipated recurring cost to CN

Where community infrastructure in relation to a development incentive involves the offer of land, it will comprise the entire area identified in Appendix 1 of this plan at no cost to CN.

#### Dedication of land

CN may allow an additional 25% of the area of land to be dedicated to CN to be included as additional GFA, where:

- The land being dedicated to CN is identified in this plan
- The landowner has not otherwise been compensated for the land
- The value of land, or part thereof is not otherwise used to offset the payment of a contribution under Section 7.11 or Section 7.12 of the EP&A Act
- The resultant HOB and FSR of the development does not exceed the maximum identified for the land under Clause 7.11 within NLEP 2012

The component of land provided as community infrastructure for a development incentive will be dedicated to CN at no cost subject to the available GFA being made available to the development at a factor of 1.25 (i.e. GFA x 1.25).

This is based on the assumption that despite the GFA of land dedicated to CN being transferred to the development, the residual land still has a nominal value (despite having no development potential).

CN will assign a value of 25% of the value of the GFA transferred from the land to be dedicated to CN at no cost. As such, the total value of the land is 125% (or 1.25 times) the achievable GFA.

This GFA is calculated using the existing (non-incentive) FSR for that land. An example of how this is calculated is shown below:

A development site with a site area of 1200sqm with an existing, non-incentive FSR of 1.5:1 has an identified community infrastructure project with an area of 200sqm.

If the applicant dedicates the 200sqm area to CN, the available GFA applying to the dedicated land is provided to the development at a rate of 1.25.

The GFA transferred to development =  $1.25 \times (200\text{sqm} \times 1.5:1 \text{ FSR}) = 375\text{sqm}$

The residual development land (development site) will have a GFA =

$[(1200\text{sqm} - 200\text{sqm}) \times 1.5:1 \text{ FSR}] + 375\text{sqm}$

=  $1500\text{sqm} + 375\text{sqm}$

= 1875sqm

This equates to an additional 75sqm to the development from what would have otherwise been achieved. ( $1200 \times 1.5:1 \text{ FSR} = 1800\text{sqm}$ )

This additional GFA based on the existing, non-incentive FSR applicable to a site is provided in addition to that calculated using the incentive GFA rate.

### Monetary contributions

Community infrastructure provided as a cash contribution will be collected by CN and allocated toward the delivery of projects nominated in Appendix 1.

Monetary contributions payable are to be calculated based on the increase in GFA above what would be allowed if the incentive heights and FSRs afforded under Clause 7.11 of NLEP 2012 were not applied.



## 7. HOW IS THE MONETARY CONTRIBUTION INDEXED?

The rate is to be indexed to reflect quarterly variations in the Consumer Price Index, All Group Index Number for Sydney.

All monies are payable to CN prior to an Occupation Certificate being issued for the development.

The formula governing indexation of a community infrastructure contribution is to be paid as follows:

$$\text{IDC} = \text{ODC} \times \text{CP2/CP1}$$

Where:

**IDC** = the indexed community infrastructure contribution to be paid

**ODC** = the original community infrastructure contribution determined by City of Newcastle

**CP2** = the Consumer Price Index, All Groups, Sydney, as published by the ABS in respect of the quarter ending immediately prior to the date of payment.

**CP1** = the Consumer Price Index, All Groups, Sydney as published by the ABS as of <date of Council endorsement>).

## 8. WHAT IS THE COMMUNITY INFRASTRUCTURE PROCESS?

A Planning Agreement (PA) is the legal instrument that sets out the applicant's offer to contribute towards community infrastructure in association with a development proposal. The offer is made voluntarily by the applicant so as to access additional floor space and height achievable under Clause 7.11 of NLEP 2012. The details of any community infrastructure contribution made under this plan is to be prepared and finalised consistent with the EPA Act, the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) and CN's *Planning Agreement Policy (2021)* and *Planning Agreements Procedure (2021)*.

**Table 1** shows the process to deliver community infrastructure in association with the development application (DA):

|         |  |
|---------|--|
| Step 1: | The applicant/landowner calculates the total dollar value of the additional gross floor area sought using the Incentive GFA Rate for Wickham and guided by the provisions contained in NLEP 2012.                          |
| Step 2: | The applicant/landowner makes an offer to Council outlining their willingness to enter into a Planning Agreement to provide community infrastructure (works, land or monetary contribution, or a combination of these).    |
| Step 3: | The applicant/landowner and Council negotiate the terms of the Planning Agreement and prepare a draft Planning Agreement and Explanatory Note  |
| Step 4: | The development application (DA) is lodged. Refer to draft Planning Agreement and Explanatory Note.  |
| Step 5: | The draft Planning Agreement and Explanatory Note are reported to Council for public exhibition.   |
| Step 6: | The DA and draft Planning Agreement and Explanatory Note are placed on public exhibition for minimum of 28 days.   |
| Step 7: | The Planning Agreement and Explanatory Note are reported to Council for finalisation and reflect submissions received.   |
| Step 8: | If endorsed by Council, the PA is either executed before the relevant application is determined or not long after (as agreed by the parties), the application is determined. The applicant is to register the PA on Title. |

For further information on this process, please refer to CN's *Planning Agreements Procedure (2021)*.

---

## 9. TIMING AND IMPLEMENTATION

Any Planning Agreement is required to be registered on the title of land prior to the issue of any Construction Certificate.

Payment of monetary contributions are required prior to the issue of any Occupation Certificate for development the subject of the development consent.

Any development application lodged but not determined prior to this Community Infrastructure Plan coming into effect will be determined taking into consideration the provisions of this plan.

## APPENDIX 1 – SCHEDULE OF COMMUNITY INFRASTRUCTURE

**Table 1: Schedule of community infrastructure projects in Wickham**

| Ref | Location   | Category                                 | Approx. area        | Approx. dimensions            | Description   |
|-----|--|--|---------------------|-------------------------------|---|
| 1.  | 29 Bishopsgate Street (corner of Railway and Lindus Street)            | Public domain activation                 | 210m <sup>2</sup>   | 6m x 35m                      | Wickham green - consisting of lawn/paved areas/landscaping and shade trees, furniture, potential small podium/stage. See note below.  |
| 2.  | 52 Throsby Street, (corner of Railway and Throsby Street)              | Public domain activation                 | 440m <sup>2</sup>   | 10m x 43.91m                  | Rain and play garden - consisting of WSUD and robust landscaping elements including dry creek bed with feature boulders, logs, steppingstones, and siting areas.  |
| 3.  | 46 Union Street  | Public domain activation                 | 145m <sup>2</sup>   | 8m x 17.84m                   | Village veggie patch - community garden consisting raised garden beds with irrigation, and other items typically included for such a facility.  |
| 4.  | 30 Railway Street (Railway Street opposite Church Street intersection) | Public domain activation                 | 830m <sup>2</sup>   | 32m x 50m                     | Outdoor fitness area - gym/equipment and open space area creating link that extends to Wickham Park. Opportunities to incorporate urban wetland consistent with Wickham Public Domain Plan (PDP).   |
| 5.  | In corridor west of Holland Street                                     | Public domain activation                 | 200m <sup>2</sup>   |                               | Rail heritage interpretation - public art space.  |
| 6.  | 2-10 Holland Street (extension of Croft Street)                        | New laneway                              | 590m <sup>2</sup>   | 5m x 117m                     | Laneway for slow one-way local traffic to parking areas/potential loading zones.  |
| 7.  | 48 Throsby Street, (between Lindus and Throsby Streets)                | Active transport link                    | 380m <sup>2</sup>   | 6.5m x 60m                    | Pedestrian connection including footpath, lighting, and open landscaping elements that enable clear line of sight for surveillance from street and adjoining uses.  |
| 8.  | 55 Throsby Street (between Throsby Street and Furlong Lane)            | New laneway and public domain activation | 290m <sup>2</sup>   | 6.5m x 36.5m                  | Widening laneway - adjacent to one-way traffic lane and footpath on 47 Throsby. Widening to consist row of parallel parking on western side of traffic lane plus wide pedestrian area with street trees/soft landscape area, lighting, and furniture. |
| 9.  | Former Bullock Island Rail corridor                                    | Active transport link                    |                     | 470m length                   | Promenade - pavement and interpretive elements identifying path of railway tracks, adjacent landscape area including trees species with distinctive/coloured foliage, lighting, furniture.  |
| 10. | Southern edge of Wickham Park  | New laneway                              | TBD                 | 450m length                   | Park edge laneway - one-way travel lane, potential parking lane, adjacent shared pedestrian cycleway, and suitable shade trees.   |
| 11. | 80 Bishopsgate Street (corner with Railway Street)                     | Road widening                            | 321.5m <sup>2</sup> | 5m x 51m                      | Street widening - parallel parking lane and footpath.   |
| 12. | 10 Dangar Street   | Active transport link                    | 131 m <sup>2</sup>  | 3m wide                       | Pedestrian/cycle lane - paved laneway with activated edge at corners. Lighting and public art.  |
| 13. | Various locations connecting footpaths between developments            | Active transport link                    | Up to 1000m         | Detail subject to Wickham PDP | Public domain improvements - areas where redevelopment is unlikely to occur.  |

Figure 1: Map of community infrastructure projects in Wickham







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## ATTACHMENT B – SUBMISSIONS TABLE – COMMUNITY INFRASTRUCTURE INCENTIVES IN WICKHAM PLANNING PROPOSAL

This table summarises key matters raised during the exhibition of the Community Infrastructure Incentives in Wickham Planning Proposal and provides responses. During the exhibition, 1 December 2022 to 19 January 2023, City of Newcastle (CN) received 20 submissions.

| Theme/issue  | Key matters raised in submissions  | CN response  |
|--|--|--|
| <b>Feasibility and operation of the incentives scheme</b><br>(Raised in 8 submissions) | The evidence is lacking for examples of incentive schemes in NSW.  | Successful incentive schemes are operating in other LGAs including the City of Sydney, Randwick and Burwood. The proposed clause and approach are consistent with those in operation. The Department of Planning and Environment supports this approach.   |
|  | Queries as to how the rate has been developed.   | <p>CN determined the incentive gross floor area (GFA) rate by dividing the combined estimated cost (\$) of all nominated community infrastructure projects by the potential combined increase in GFA available to development in Wickham. HillPDA Consulting's economic analysis supports this approach.</p> <p>No changes are proposed to the incentive GFA rate or operation of the Community Infrastructure Plan. Once the scheme is in place, CN will review this rate as needed.</p>  |
|  | The rate is a single number applying across the Wickham area and does not take into consideration various site-specific factors. | <p>HillPDA tested the potential development scenarios using a feasibility modelling approach to ensure the potential rate is feasible and represents an incentive to development, based on an increase to the potential rate of return for developments that use the incentive controls. HillPDA identified a potential range for the incentive GFA rate, based on the variation in individual site factors and likely building types resulting from the range of incentive densities tested.</p> <p>CN determined a rate that represents the middle to upper end of the identified range that can deliver the community infrastructure projects in the Wickham Masterplan 2021, as amended July 2022 (WMP 2021) identified to support the increased densities.</p> <p>CN proposes no changes to the incentive GFA rate or Community Infrastructure Plan operation. Once the scheme is in place, CN will review this rate as needed.</p> |

|  |   |   |
|--|---|---|
|  | <p>There is no guarantee that transferred GFA bonuses can be achieved within the prescribed height limits.</p>                                    | <p>The maximum proposed increases in Height of Building (HOB) and/or Floor Space Ratio (FSR) is consistent with the urban design assessment and 3D modelling provided as part of Wickham Masterplan 2017 (WMP 2017). The incentives proposed depend on the site area, and generally apply to larger sites that are less constrained.</p> <p>The site areas and incentive controls contained in the proposed new clause 7.11 to Local Environmental Plan 2012 (LEP 2012) ensure development in Wickham is compliant with the Apartment Design Guideline and Section 6.03 Wickham of the Newcastle Development Control Plan 2012 (NDCP 2012), including setbacks, opportunities for landscaping, and car parking requirements.</p> <p>The Community Infrastructure Incentives Policy states where feasibility testing shows the incentive to be unviable, CN may review the priority or scope of potential community infrastructure projects.</p> |
|  | <p>Concern that there is double dipping with proponents required to pay for community infrastructure as well as s7.11 and s7.12 contributions</p> | <p>The intent of the planning proposal is to deliver community infrastructure not funded under CN's development contributions charged under sections 7.11 and 7.12 of the <i>Environmental Planning &amp; Assessment Act 1979</i>. The planning proposal seeks to implement an additional means of delivering community infrastructure in Wickham through development incentives. These are complementary and completely independent to the development contributions made under Sections 7.11 and 7.12.</p>  |
|  | <p>Concern that the additional GFA made available as a result of land dedication is not sufficient to enable feasible development.</p>            | <p>The additional GFA available if land is dedicated to Council is added to that available from dividing the cost of the agreed community infrastructure by the incentive GFA rate for Wickham. This approach is outlined in the Community Infrastructure Plan.</p> <p>The resulting HOB and FSR of development cannot exceed the maximum as identified in Clause 7.11 of NLEP 2012 and is to ensure its consistency with the place-based controls in Section 6.03 Wickham of NDCP 2012.</p>  |
|  | <p>Concern that the incentives proposed will benefit developers and not the community.</p>  | <p>The planning proposal seeks to provide incentives to development to deliver the urban renewal outcomes identified in the WMP 2021 including improved connectivity and amenity of the public domain. It establishes a transparent and equitable means of facilitating increased densities in Wickham.</p>   |

|   |   |  |
|---|---|--|
|   |   | The community infrastructure projects identified in the Wickham Community Infrastructure Plan were identified in WMP 2021. Community comments received during the exhibition of WMP 2021 were considered as part of its finalisation.  |
|   | Concern that the contribution is not mandatory.   | The community infrastructure clause is not mandatory and there is no requirement to use the incentive heights and provide community infrastructure.  |
| <b>Community Infrastructure projects</b><br>(Raised in 6 submissions) | Community infrastructure projects should be reviewed and updated.   | Suggestion not supported as the projects identified in the Wickham Community Infrastructure Plan were identified in the WMP 2021. Community comments were considered as part of its finalisation. Notwithstanding, once the scheme is in place, CN will review these projects as needed.   |
|   | Community infrastructure projects are inconsistent with the Draft Wickham Public Domain Plan.   | <p>The Community Infrastructure Plan and the Draft Wickham Public Domain Plan were reviewed for consistency.</p> <p>Minor amendments to the Community Infrastructure Plan were made. These include adding a notation in the description of community infrastructure project 4 to include 'urban wetland'. It was identified through the draft Wickham Public Domain Plan that this land could support an urban wetland within its landscape design given local stormwater catchment conditions. This project will remain as an outdoor recreation area as proposed in the WMP 2021 and Draft Community Infrastructure Plan. Any other inconsistencies will be considered as part of a future review of the community infrastructure projects, as needed.</p> <p>It is noted that any community infrastructure to be delivered as part of the incentives scheme will be subject to a Planning Agreement and negotiations between CN and an applicant.</p> |
|   | The Wickham Community Infrastructure Plan does not distinguish between the community infrastructure to be delivered under CN's development contributions framework and the community infrastructure that falls within the Plan. | Community infrastructure projects listed in Appendix 1 – Schedule of Community Infrastructure are to be delivered under the Wickham Community Infrastructure Plan. The intent of the planning proposal is to deliver community infrastructure not otherwise funded under CN's (s7.11 and 7.12) contribution plans as reflected in the Wickham Community Infrastructure Plan.   |



|  |  |  |
|--|--|--|
|  | Concern that a modification application would exempt a developer from paying contributions.  | Any application approved that uses the proposed incentive heights and FSR controls will include a Planning Agreement with Council to deliver identified projects. Should a modification application be lodged, CN will review and negotiate with a proponent as to whether a further community infrastructure contribution should be made. A modification application would not affect the Planning Agreement previously executed.   |
| <b>Affordable/ social housing</b><br>(Raised in 5 submissions) | Affordable and social housing should not be identified as community infrastructure in the Community Infrastructure Plan.   | Comments relating to affordable and social housing are not supported. CN can consider proposals that provide affordable housing and seek an increase in density via a planning proposal or variation to development standards. Such proposals must provide affordable housing via a Planning Agreement, consistent with CN's <i>Planning Agreements Policy</i> (2022) and <i>Planning Agreements Procedure</i> (2021). The explicit reference to 'affordable housing' in the Community Infrastructure Plan has been removed. |
| <b>Dedication of land</b><br>(Raised in 3 submissions)         | Where land is shown for community infrastructure, it should be compulsory that the land is provided as part of any future application. If not, no incentive HOB or FSR should be approved. | <p>The following community infrastructure contribution will be considered by CN:</p> <ul style="list-style-type: none"> <li>• A monetary contribution</li> <li>• Dedication of land or property</li> <li>• Carrying out works</li> <li>• A combination of the above</li> </ul> <p>When dedicating land to Council, proponents will receive a further GFA bonus, consistent with the Wickham Community Infrastructure Plan.</p>   |
|  | The community infrastructure identified in the Community Infrastructure Plan requires land dedication.   |  |
| <b>Clause 4.6 variations</b> (raised in 7 submissions)         | Support for the incentive HOB and FSR controls being maximums and not subject to variation via Clause 4.6 of the Newcastle Local Environmental Plan 2012.                                  | The planning proposal was amended to ensure that the proposed community infrastructure clause is not a development standard subject to variation under clause 4.6 of NLEP 2012. This ensures incentive HOB and FSR controls are maximums that are not to be exceeded as part of future development.  |
| <b>Public domain in Wickham</b><br>(Raised in 8 submissions)   | Various suggestions to improve the Draft Wickham Public Domain Plan.   | The draft Wickham Public Domain Plan was exhibited concurrently with the planning proposal. Submissions relating to it were referred to CN's Project Management Office for consideration as part of the finalisation of that plan.   |
| <b>Agency submission – Transport for NSW (TfNSW)</b>           | TfNSW reviewed the information and supports the transport-oriented initiatives in the WMP 2021 (2022 Amendment). The proposal should ensure adequate public transport connections for      | Submission noted.  |

|  |   |  |
|--|---|--|
|  | increased density of buildings, adequate off-street parking for residential developments and identify any required upgrades to existing road infrastructure.                                      |  |
| <b>Agency submission – NSW Biodiversity &amp; Conservation Division</b>            | The Biodiversity Conservation Division (BCD) have reviewed submitted documentation for biodiversity and flooding matters and has no comment.  | Submission noted.  |
| <b>Other – submission from Salvation Army</b>                                      | Submission from Salvation Army requesting their site is identified as a site for incentive HOB and FSR controls as part of the planning proposal.<br><br>Other comments relating to the WMP 2021. | Submission noted. The Salvation Army's site is not identified for incentive HOB and FSR as it is in Zone D Mines Subsidence Restriction, Map 8 of WMP 2021.<br><br>Other comments relate to WMP 2021, not the subject of this exhibition.<br><br>CN met with the Salvation Army to discuss their submission and future potential for their site in Wickham. CN will work with the Salvation Army to realise the full potential of their site through further discussions as part of the DA process.                                    |
| <b>Other – impacts of resulting development.</b><br>(Raised in 2 submissions)      | Concerns regarding impacts of living adjacent to land identified in Area A.   | Development using the proposed incentives cannot exceed the maximums identified in Clause 7.11 of NLEP 2012, ensuring consistency with the place-based controls in Section 6.03 Wickham of NDCP 2012. Any impacts of resulting development will be considered as part of the DA process.   |
| <b>Other – 41 and 47 Throsby Street planning proposal</b> (raised in 1 submission) | Comments in relation to the 41 and 47 Throsby Street planning proposal. Community infrastructure delivered as part of this planning proposal only benefits the developer and not the community.   | The site at 41 and 47 Throsby Street was subject to a separate planning proposal, finalised in 2022. This site is not included in the Community Infrastructure Incentives in Wickham Planning Proposal.<br><br>The need for a laneway between Throsby Street and Furlong Lane was identified in the <i>Wickham Master Plan Traffic and Transport Assessment (2017)</i> prepared and endorsed as part of WMP 2017. It is one of three 'circulation laneways' identified to alleviate traffic management and safety concerns in Wickham. |

**ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER**

**CCL 22/08/23 – URBAN DESIGN REVIEW PANEL (UDRP) ANNUAL  
REPORT 2022**

- 8.3            **Attachment A:**    Urban Design Review Panel Annual  
Report 2022.

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Urban Design Review Panel

# Annual Report

2022



## Acknowledgment of Country

City of Newcastle (CN) acknowledges its Local Government Area (LGA) sits within the Country of the Awabakal and Worimi peoples. We acknowledge that Country for Aboriginal peoples is an interconnected set of ancient relationships. We acknowledge the custodianship of the Awabakal and Worimi peoples and the care and stewardship they have performed in this place since time immemorial. We recognise the history of truth that acknowledges the impact of invasion and colonisation on Aboriginal and Torres Strait Islander people and how this still resonates today.

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## Foreword from the Chair

The City of Newcastle Urban Design Review Panel (UDRP) is reputedly the oldest continuously serving urban design and architectural advisory body in the state of New South Wales.

The Panel was first established under Professor Barry Maitland's leadership as the Urban Design Consultative Group in the 1980s, and ably followed in the chair's role by Emeritus Professor Peter Webber, the former NSW Government Architect and NSW Planning Commissioner, who served some thirty years in the role.

The UDRP's charter was updated in late 2020 to its current format, and the Panel has greatly enjoyed the opportunity to contribute to the City's remarkable metamorphosis, while always aiming at providing the high standards of design guidance established by the former Consultative Group.

Design excellence has been a particular focus of the UDRP, while maintaining an insight into the challenges to applicants of managing costs in an environment in which construction costs in the city are comparable to those of Sydney. But good design does not necessarily mean high construction costs – in fact, good design can save costs and assist in ensuring that good value is achieved and the built outcome will be more enduring and sustainable.

Newcastle has been recognised in recent years with a range of urban design and architectural awards, including the Premier's Award, that acknowledge the City's outstanding built environment outcomes and places.

A remarkable number of new developments have been considered by the UDRP in the three years since its establishment, which range from major urban renewal projects, to places of worship, to the revision of the Master Plan for Stages 3 and 4 of the East End development in the historic centre of the City of Newcastle.

Good design is not merely creating good looking public spaces and buildings. It is anchored in an understanding of city making, and in creating enduring, functional and uplifting environments, for work, recreation and living. Good design recognises and celebrates our heritage and culture – both Indigenous and post-colonial. Meaningful recognition of place and Country are key to informing a design response to a site or an area, and the UDRP has particularly enjoyed joining with project proponents and their expert consultants in exploring how this informative inheritance can be better integrated into the built environment, landscape and artistic expression.

### **Dr Philip Pollard**

Chair

Urban Design Review Panel



# Objectives of the Urban Design Review Panel

**The Urban Design Review Panel independent, expert advice to City of Newcastle (CN) and applicants about the quality of the urban design and amenity of developments.**

In 2002, the State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65) was introduced, which included provisions for the creation of Design Review Panels. The City of Newcastle has a rich tradition of establishing and maintaining a Design Review Panel, previously referred to as the Urban Design Consultative Group. However, in 2020, an updated Urban Design Charter was adopted, leading to the formation of a new Urban Design Review Panel.



Render of Design Excellence Competition – Cambridge Hotel

**Since the adoption of the revised Urban Design Review Charter in 2020 and the establishment of the Urban Design Review Panel in 2021, the key objectives have been to:**

- Examine, evaluate and critique the urban design aspects of major commercial, industrial, residential, community and civic developments.
- Assess the design quality of development proposals and identify how development proposals could be improved by design changes.
- Critique plans for proposed developments and provide comments to applicants and their consultants on recommended modifications to improve the design quality of development proposals.
- Identify and recommend improvements to development proposals necessary to achieve consistency with the design quality principles and the Apartment Design Guide.
- Advise CN Officers on the design quality of development proposals, to assist with assessment of whether such applications warrant support because they contribute to an improvement in the built fabric of the local area.



# Membership

UDRP membership and meeting attendance during the period is shown below. The panel met 15 times during 2022.



**Dr Philip Pollard**

**Chair**

Meetings attended: **14**



**Colin Brady**

**Member**

Meetings attended: **8**



**Kristy Cianci**

**Member**

Meetings attended: **10**



**Kerry Hunter**

**Member**

Meetings attended: **6**



**Justin Hamilton**

**Member**

Meetings attended: **3**



**David Moir**

**Member**

Meetings attended: **1**

At the end of 2020 Expressions of Interest were called for panel members to join UDRP for a period of three years. A selection panel was convened by the CEO and selected the UDRP Chairperson and Members having regard to the relevant selection criteria which included prioritising candidates with strong ties to Newcastle.

The UDRP panel members were also selected having regards to ensuring an expertise balance within the panel and the following criteria:

- Appropriate qualification and demonstrated experience in the design of apartment developments in relation to architecture, landscape architecture or urban design.
- Demonstrated highly developed skills and experience in urban analysis of local planning strategies and policies. Knowledge or understanding of local Council policies and development controls.
- Knowledge of the design issues of the Newcastle Local Government Area.
- Ability to analyse, evaluate and report on complex design quality issues for development applications and strategic planning.
- Ability to develop design options and / or recommendations to ensure appropriate application of SEPP 65 design quality principles and the Apartment Design Guide. Ability to work in a multi-disciplinary team.
- Ability to liaise / negotiate with Local Government as well as the private sector.
- Written and verbal communication skills including the ability to translate technical information into plain English.
- Knowledge, commitment and ability to implement CN standards, including those that relate to integrity, ethics, safety, antidiscrimination and equity.

After a successful and competitive selection process, the Chair and five panel members were selected at the end of June 2021. The new members attended their first UDRP meeting on 28 July 2021. Since this time the Panel has considered 150 applications and their expertise has assisted CN in ensure the delivery of high-quality built outcomes across the City.



# Applications considered by the panel

During 2022, the UDRP considered 71 applications as well as providing input on strategic planning projects such as the revised Development Control Plan and the renewal corridor review. The UDRP Chairperson also acted as CNs Jury Member two on the City's first Design Competition. Key examples of significant proposals considered during 2022 are illustrated in this report.



**DA2021/01459**

## 924 Hunter Street, Newcastle West (Dairy Farmers)

**\$100.1 million**

Mixed-use development - commercial premises and two residential towers containing 182 units

Approved by the Hunter Central Coast Regional Planning Panel in July 2022.





DA2021/01530  
**854 Hunter  
Street,  
Newcastle  
West  
(The Store)**

Mixed use development – commercial and retail premises and two residential towers containing 365 dwellings.

**\$117.78 million**

Approved by the Hunter Central Coast Regional Planning Panel in July 2022.





DA2021/01338

# 292 Maitland Road, Mayfield

Shop top housing – ground floor retail and commercial and 58 residential units.

**\$26.6 million**

Approved by the Development Applications Committee in November 2022.





DA2022/00448

# 10 Dangar Street, Wickham (Bowline)

Alterations and additions to an approved mixed-use development (commercial, retail and shop top housing) comprising alterations to approved floor plans and three additional floors of shop top housing above the approved structure

**\$67.4 million**

Approved by the Development Applications Committee in December 2022.



DA2019/00061

# 11-17 Mosbri Crescent, The Hill

**\$67.3 million**

Residential accommodation, strata subdivision, earthworks and demolition – 161 units and 11 two-storey multi-dwellings

Approved by the Hunter Central Coast Regional Planning Panel in July 2022.



# Design Excellence Competitions

Design competitions are an independent jury process which is to be run under the governance of both City of Newcastle and the NSW Government Architect's Office. City of Newcastle's Jury Representative is UDRP Chairperson Dr. Philip Pollard



## DEC2022/00001 Design Excellence Competition East End Stage 3 & 4

Competition held in August 2022 and included four architectural firms including EJE Architecture, Plus Architecture, PTW and SJB Architecture.

The winner of the design competition was decided by the Competition Jury consisting of three members, including CNs Jury Representative UDRP Chairperson Dr. Philip Pollard. Ultimately, the Jury awarded SJB Architecture the design competition winner, in collaboration with Durbach Block Jagggers and Curious Practice.







# DEC2022/00002

## Design Excellence Competition

# Cambridge Hotel

Competition held in December 2022 - Proposal - 538 Bed student housing complex under the Co-living provisions of State Environmental Planning Policy (Housing).  
Approximate cost - \$81 Million.

The winner of the design competition was decided by the Competition Jury consisting of three members, including CNs Jury Representative UDRP Chairperson Dr. Philip Pollard. Ultimately, the Jury awarded Group GSA Architecture the design competition winners.





# Attachment

## Determined applications considered by the UDRP in 2022

| Application ID  | Property  | Description Details  |
|-----------------|---|--|
| UD2015/0008.01  | 32 Georgetown Road, Georgetown NSW 2298         | Sec 4.55(1A) modification to DA2015/0546 - shop top housing - changes to use incorporating seniors housing, floor plan, elevations and site plan.  |
| UD2019/00003.02 | 11-17 Mosbri Crescent, The Hill NSW 2300        | Residential Accommodation comprising three residential flat buildings multi dwelling housing, strata subdivision, car parking, landscaping demolition and site works   |
| UD2019/00004.02 | 1 National Park Street, Newcastle West NSW 2302 | Proposed amendment to approved development application DA2019/00711 for the following:<br>1. Changes to External Building Materials<br>2. Reconfigure Building Lift/Stair Cores<br>3. Reconfigure basement ramp location and parking layout<br>4. Updated Unit Mix to provide wider range of typologies<br>5. Additional Level to North Tower<br>6. Minor Internal Updates |
| UD2019/00004.03 | 1 National Park Street, Newcastle West NSW 2302 | Proposed amendment to DA2019/00711 - changes to external finishes, changes to ground floor entrance area, recon car park, update unit mix, additional level, additional communal space, minor internal updates, staging.   |
| UD2019/00005.01 | 20 Denison Street, Newcastle West NSW 2302      | Modification seeks to relocate the communal open space, re-arrange the car parking configuration, slightly increase the number of dwellings by splitting dual key apartments, and rationalising the floor plans for better use of space.   |
| UD2019/00016.02 | 291 King Street, Newcastle NSW 2300             | Extension to existing car park, serviced apartments, commercial premises.  |
| UD2020/00018.02 | 40 King Street, Adamstown NSW 2289              | A series of minor design amendments, attributed to both external and internal elements, as a result of the detailed design process and market feedback.  |
| UD2021/00008.01 | 297 Sandgate Road, Shortland NSW 2307           | Boarding house - construction of two storey 25 room boarding house including managers accommodation, associated car parking, landscaping and site works including demolition of existing dwelling, garage, swimming pool and ancillary structures  |
| UD2021/01108.01 | 50 Heaton Street, Jesmond NSW 2299              | Boarding house - includes demolition of single storey dwelling house and erection of 3 storey boarding house (22 rooms)  |
| UD2021/01109.01 | 204 Union Street, The Junction NSW 2291         | Centre-Based Child Care Facility   |
| UD2021/01370.01 | 182 Hunter Street, Newcastle NSW 2300           | Mixed-use development (commercial and shop top housing) - involving alterations and additions to locally listed heritage building  |
| UD2021/01373.01 | 9 Wentworth Street, Wallsend NSW 2287           | Centre-Based Child Care Facility - includes demolition of existing structures & construction of business identification signage  |
| UD2021/01374    | 12 Pacific Street, Newcastle NSW 2300           | Proposed retail tenancy and parking with 6 levels of apartments over.  |
| UD2021/01375    | 24 Kokera Street, Wallsend NSW 2287             | Centre Based Child Care Centre and Retail Premises - includes business identification signage  |
| UD2022/00002    | 43 Date Street, Adamstown NSW 2289              | Health services facility   |
| UD2022/00005    | 12 Crest Road, Wallsend NSW 2287                | Co-living housing - including demolition of existing structures  |
| UD2022/00008    | 4 Tighe Street, Newcastle West NSW 2302         | Commercial Car park & retail premises - including demolition of existing structures  |

| Application ID  | Property                                   | Description Details   |
|-----------------|--|---|
| UD2022/00010    | 194 Michael Street, Jesmond NSW 2299       | Sec 4.55(2) modification to DA2017/01586 - residential flat building - changes to site plan, floor plan and elevations  |
| UD2022/00012    | 42 Georgetown Road, Georgetown NSW 2298    | Demolition of existing structures, site remediation including removal of underground fuel storage tanks, construction of a four storey shop top housing development with related earthworks, landscaping and connection of utility services.  |
| UD2022/00012.01 | 42 Georgetown Road, Georgetown NSW 2298    | Site remediation shop top housing including 25 lot strata subdivision and demolition of existing structures   |
| UD2022/00012.02 | 42 Georgetown Road, Georgetown NSW 2298    | Site remediation shop top housing including 25 lot strata subdivision and demolition of existing structures   |
| UD2022/00013    | 1A Karaola Road, Lambton NSW 2299          | Demolition of existing dwelling, erection of 14 semi-detached dwellings; 1 into 15 lot subdivision  |
| UD2022/00015    | 29 Moate Street, Georgetown NSW 2298       | Mixed use development featuring ground floor commercial unit, parking for 22 vehicles, resident bike storage and foyer, and 16 x 2-bedroom and 1 x 3-bedroom units over three storeys plus communal roof top terrace.   |
| UD2022/00015.01 | 29 Moate Street, Georgetown NSW 2298       | Mixed use - commercial premises and shop-top housing, includes demolition - DA2022/01233 and 1 into 19 lots strata subdivision.   |
| UD2022/00016    | 28 Denison Street, Newcastle West NSW 2302 | Co-living development   |
| UD2022/00017    | 301/28 Bolton Street, Newcastle NSW 2300   | Shop top housing - alterations and additions  |
| UD2022/00018    | 134 King Street, Newcastle NSW 2300        | Renovation and Additions to existing 5 story Commercial building, including expansion of existing top floor and one additional level. The proposed uses of the building are Basement Car-parking, Ground Floor Retail, Levels 1-3 renovation of existing Commercial including Co-Working spaces, Level 4 expansion of existing Commercial, Level 5 new Commercial.  |
| UD2022/00019    | 154 Maitland Road, Mayfield NSW 2304       | Demolition of existing commercial buildings and construction of a mixed used multi storey building  |
| UD2022/00021    | 57 Station Street, Waratah NSW 2298        | Demolition of existing commercial building and construction of shoptop housing  |
| UD2022/00023    | 970 Hunter Street, Newcastle West NSW 2302 | 13 storey mixed use development   |
| UD2022/00024    | 132 Brunner Road, Adamstown NSW 2289       | Mixed use development - demolition of existing structures and erection of a five storey building comprising 39 apartments, four business premises and associated carparking (47 spaces)   |
| UD2022/00031    | 60 Patrick Street, Merewether NSW 2291     | Mixed use development consisting of residential accommodation and a health service facility   |
| UD2022/00033    | 49 Hunter Street, Newcastle NSW 2300       | Proposed Alterations and Additions to existing office building to create a residential flat building.   |
| UD2022/00034    | 2 Milford Street, Islington NSW 2296       | A storage premises with ancillary facilities (spaces suitable for limited light industrial and recreational activities including a gymnasium) and 3 multi-dwelling houses.  |
| UD2022/00035    | 113-125 Darby Street, Cooks Hill NSW 2300  | 4 Storey Mixed Use Development Comprising of 29 Apartments, 491msq of Ground Floor Commercial Space.  |
| UD2022/00036    | 237 Wharf Road, Newcastle NSW 2300         | A seven storey mixed use (commercial and residential) development including the following:<br>- Basement: Carparking for 34 spaces, 4 visitor spaces and 1 accessible space<br>- Podium level: Foyer and lobby area, amenities, sauna, store room, gym, commercial space, 2 residential units (3 bedroom), terraces and landscaping and communal pool<br>- High end 3 bedroom apartments (Levels 1 - 4) and penthouse apartments on the top floor |
| UD2022/00038    | 199 Corlette Street, The Junction NSW 2291 | Commercial Premises - includes demolition   |

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**CCL 22/08/2023 – ADOPTION OF DARBY STREET REVISED  
TRAFFIC CALMING DESIGNS**

- 8.4 Attachment A:** Darby Street 30km/h zone: Northern Entry Infrastructure Upgrades
- 8.4 Attachment B:** Darby Street 30km/h zone: Southern Entry Infrastructure Upgrades
- 8.4 Attachment C:** Summary of Exhibition Submissions – Darby Street Revised Traffic Calming Designs

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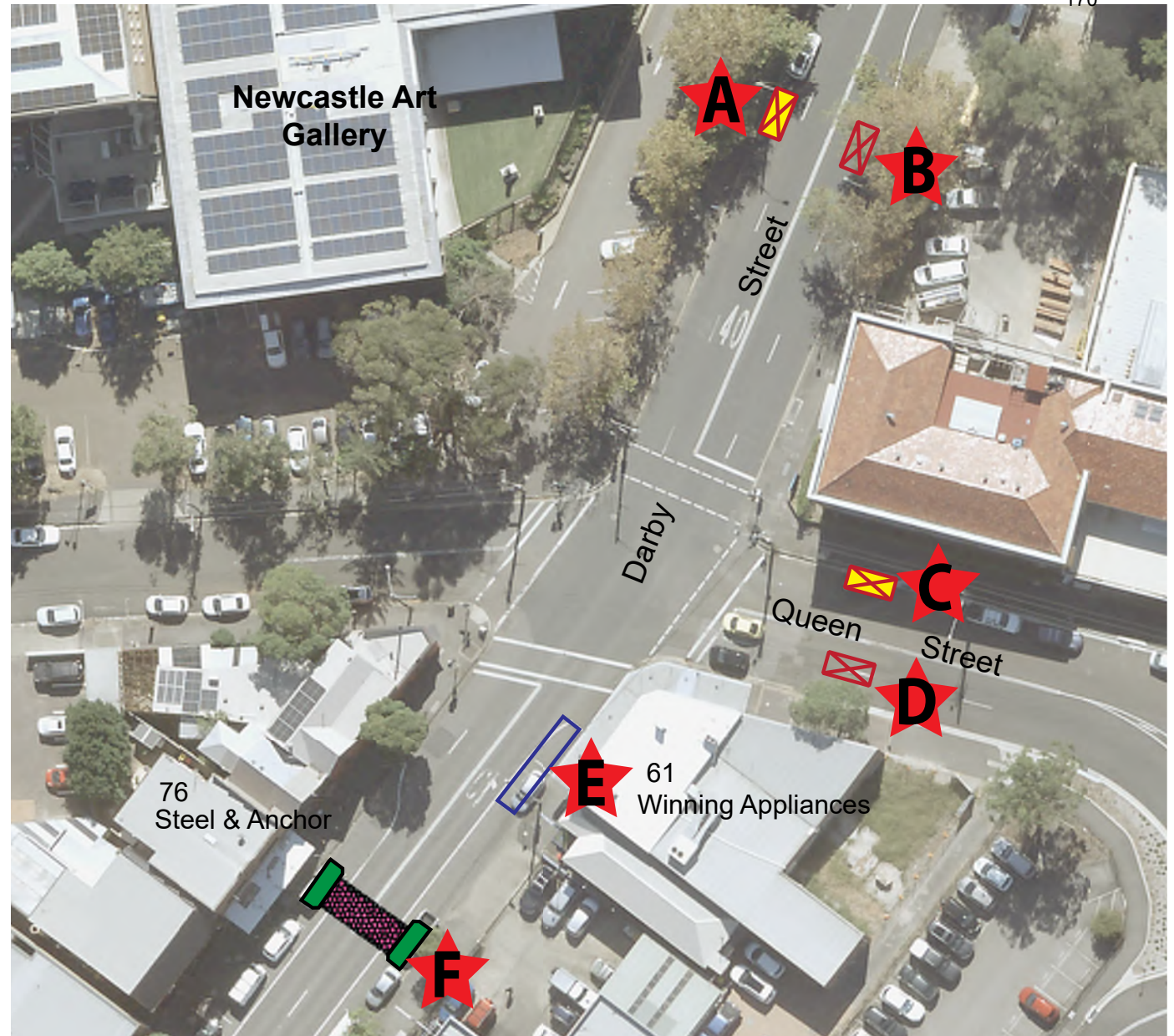
# Key

- A** Existing concrete island removed and 1 parking space created
- B** Existing concrete island removed and no parking space created
- C** Existing concrete island removed and 1 parking space created
- D** Existing concrete island removed and no parking space created
- E** Optional proposed loading zone with time restrictions
- F** Proposed entry gateway to 30km/h zone with tactile pavement treatment and concrete or landscaped islands (2 parking spaces removed)

## Notes:

Excluding the optional loading zone this proposal results in net zero loss of parking (2 parking spaces are removed and 2 are gained).

The installation of the loading zone and any appropriate timings will be based off feedback from the businesses in the area.



# Darby Street 30km/h zone: Northern Entry Infrastructure Upgrades (April 2023)







## Summary of exhibition submissions Darby Street Revised Traffic Calming Designs (Exhibition held from 5 May to 2 June 2023)

A total of 46 submissions were received and respondent's fell into the following self-identified categories:

| Respondent category (self identified)                     | Quantity |
|---|----------|
| Business owner or operator                                | 7        |
| Employee of a local business                              | 0        |
| Local resident (Cooks Hill/The Hill)                      | 31       |
| A resident of Newcastle LGA (outside Cooks Hill/The Hill) | 8        |
| A visitor (from outside Newcastle LGA)                    | 0        |

## Summary of responses to short-answer questions – Darby Street Revised Traffic Calming Designs

### Summarised Submission Issues – Short Answer Questions

| Question  | Answer    |    |        |            |        |            |
|---|-----------|----|--------|------------|--------|------------|
|   | Yes       | No | Unsure | Yes (%)    | No (%) | Unsure (%) |
| Do you support the proposal to make the northern entry safer by moving it south of the traffic lights?  | <b>29</b> | 10 | 7      | <b>63%</b> | 22%    | 15%        |
| Do you support the proposal to include a loading zone outside 61 Darby Street (Winning Appliances)?<br><br><i>(note only business owners were asked this question)</i>                | <b>4</b>  | 1  | 2      | <b>57%</b> | 14%    | 29%        |
| Do you support the proposal to upgrade the existing southern entry near to 192 Darby Street (Nesbitt Hair) to more effectively slow vehicles prior to the first set of speed humps?   | <b>38</b> | 6  | 2      | <b>83%</b> | 13%    | 4%         |
| Do you support the proposal to replace the speed cushions outside 185 Darby Street (Pure Performance) with a raised threshold platform to reduce noise?                               | <b>28</b> | 10 | 8      | <b>61%</b> | 22%    | 17%        |
| Do you support the proposal to relocate the Bull Street entry islands adjacent to 175 Darby Street (Bohemian Traders) and 171 Darby Street (Terrace on Darby) to fit in more parking? | <b>35</b> | 7  | 4      | <b>76%</b> | 15%    | 9%         |



## Summary of online survey general comments and individual submissions - Darby Street Revised Traffic Calming Designs

(Exhibition held from 5 May to 2 June 2023)

A total of 46 submissions were received.

### Summarised Submission Issues – Written Submissions

| Submission Issue   | Number of related submissions | Submitted Solutions (by community)   | City of Newcastle Comments  |
|--|-------------------------------|--|---|
| <b>Entries and 30km/h zone</b>                                       |                               |  |   |
| Support upgrading entries - but have concerns and design suggestions | 6                             | <p>The entries should allow vehicles and cyclists to fit side by side – not force command the lane</p> <p>Don't force cyclists into the middle of the road</p> <p>Tactile surface should not be slippery when wet</p> <p>Integrate landscaping</p> <p>Address speeding</p> | <p>State Government design guidelines require entry treatments to significantly narrow the road width to slow vehicles. Maintaining a 4.2m wide lane does not achieve the required narrowing.</p> <p>The 30km/h zone is designed for cyclists to command the lane rather than riding next to parked cars where there is a risk of being hit by a car door opening. This arrangement requires cyclists to move into the command the lane position ahead of the entry treatment.</p> <p>Preference for landscaped treatments and non-slippery tactile surface is noted.</p> <p>Investigate requesting TfNSW install speed cameras</p> |

| Submission Issue   | Number of related submissions | Submitted Solutions (by community)   | City of Newcastle Comments   |
|--|-------------------------------|--|--|
| Keep the existing 30km/h zone northern entry location or move the entry/extend 30km/h zone northward                   | 7                             | <p>Keep the start of the 30km/h zone where it is and have a cycle lane.</p> <p>Start the 30km/h zone near to the Laman St/Tyrrell Street intersection</p> <p>The northern entry should be at the intersection of Darby Street and King Street</p> <p>Make Darby Street 30km/h adjacent Civic Park – better safety at the pre-school.</p> <p>If 30km/h zone is expanded north, still install the proposed islands south of the Queen St intersection (at location F) to reinforce 30km/h zone</p> | <p>Future expansion of the 30km/h zone northward to be investigated as part of future CBD public domain works.</p> <p>The 30km/h zone is designed so that cyclists command the lane making a cycle lane unnecessary.</p> |
| General support for 30km/h zone (has increased safety for vehicles and pedestrians) and request to extend it southward | 6                             | <p>Extend the 30km/h zone south</p> <p>Extend the 30km/h zone to Harris Farm/gym area</p> <p>Improve policing of speed</p> <p>Support how the 30km/h zone was trialled before establishing it permanently</p>  | <p>Support for the 30km/h zone is noted</p> <p>Future expansion of the 30km/h zone southward to be investigated</p> <p>Investigate requesting TfNSW install speed cameras</p>  |

| Submission Issue   | Number of related submissions | Submitted Solutions (by community)   | City of Newcastle Comments  |
|--|-------------------------------|--|---|
| Change from 30km/h back to 40km/h zone   | 1                             |  | The 30km/h zone has strong community support and was retained based on the results of a successful 6 month trial.   |
| Turning right into King St and having to slow down to 30km/h so quickly is dangerous, traffic backs up between King and Queen Streets. | 1                             |  | This perceived issue is (in theory) resolved by the proposed relocation of the northern 30km/h zone entry to south of the signalised Queen Street intersection (location F). However, the signalised intersection at Queen Street is the main cause of traffic backing up between King and Queen Streets, and the minor transition from a 40km/h speed limit to a 30km/h zone has minimal impact. |
| People speed along Darby St at night   | 1                             | Install speed cameras  | Upgraded traffic calming infrastructure will help reduce speeds<br><br>Investigate requesting TfNSW install speed cameras   |
| Don't understand how moving the northern entry improves things for cyclists  | 1                             |  | Refer to notes on concept plans and FAQs  |
| <b>Noise Issues</b>  |                               |  |   |
| Design southern entry to reduce noise  | 6                             | Ensure the raised threshold does not have severe height/approach/departure angles and can be traversed by low vehicles with 100mm ground clearance | The proposed treatments are intended to reduce noise at the southern entry and the reduction of noise will be a key detail design objective   |



| Submission Issue   | Number of related submissions | Submitted Solutions (by community)  | City of Newcastle Comments  |
|--|-------------------------------|---|---|
|  |                               | <p>Gradual slope/long gradient on threshold<br/>Needs to reduce speed and the noise of loose loads lifting and dropping</p> <p>Make sure tactile surface is not noisy</p> <p>Install speed cameras to reduce vehicle speeds</p> <p>Reduce speed limit to 10km/h</p> | <p>Darby Street has high traffic volumes and would not meet the requirements for a 10km/h shared zone</p> <p>Investigate requesting TfNSW install speed cameras</p> |
| Prefer landscaped islands over concrete islands                                    | 2                             |   | Noted for inclusion as a detail design objective – where possible   |
| Expand the scope and fully upgrade the Bull St intersection with a holistic design | 1                             | Upgrade pram ramps and refuge for better accessibility and integrate with the new entry islands. Upgrade refuge to direct traffic left.   | Noted for consideration at detail design stage  |
| <b>Parking Issues</b>  |                               |   |   |
| Difficult to get a parking spot when visiting businesses – discouraging visitors.  | 1                             |   | The importance of parking to local businesses is understood.  |
| Don't revise Darby St traffic and parking at all                                   | 1                             |   | CN has to address safety and noise issues related to the existing infrastructure.   |

| Submission Issue   | Number of related submissions | Submitted Solutions (by community)   | City of Newcastle Comments   |
|--|-------------------------------|--|--|
| More unmetered parking on Darby St (and CBD generally)   | 1                             |  | Parking on Darby Street is already unmetered (except the small section adjacent the Newcastle Art Gallery)   |
| Parking should be removed from Darby St and provided as off-street parking   | 1                             |  | A balance of on-street and off-street parking is required to support the needs of local businesses and their customers   |
| Instead of removing parking spaces at location F incorporate parking spaces into the islands                         | 1                             | This is the approach being used at the southern entry. There is an example at 246 Lawson St Hamilton South | The suggested detail can't be used at location F as a driveway is required to allow vehicles to reverse park into the parking space integrated into the island.  |
| Combine the raised threshold with the southern entry to retain parking outside 185 Darby Street                      | 1                             | Combine the raised threshold with the southern entry to retain parking                                     | <p>Slowing vehicles with an entry narrowing before they reach a raised threshold is a better option for noise reduction.</p> <p>The proposal only impacts one parking space outside 185 Darby Street and 2 additional parking spaces created on Bull Street will result in a net gain of 1 parking space for the southern end of Darby Street.</p> |
| Driveway access at 176 Darby St is often blocked by parked vehicles, the proposed design will make the problem worse | 1                             |  | The design of traffic calming devices has no bearing on poor parking behaviour by individuals  |

| Submission Issue   | Number of related submissions | Submitted Solutions (by community)  | City of Newcastle Comments  |
|--|-------------------------------|---|---|
| Driveway access to property on Bull St is often blocked by parked cars               | 1                             |   | The design of traffic calming devices has no bearing on poor parking behaviour by individuals                                       |
| <b>Loading Zone</b>  |                               |   |   |
| Support implementation of the loading zone and retaining as much parking as possible | 1                             |   | The proposed loading zone would be timed and still allow parking at other times of the day.   |
| Don't support loading zone – keep parking  | 1                             |   | The proposed loading zone would be timed and still allow parking at other times of the day.   |
| <b>Disruption</b>  |                               |   |   |
| No more disruptive traffic works   | 1                             | Keep speed humps at 185 as they are   | CN has received multiple complaints about noise related to the speed cushions at 185 Darby St and this issue needs to be addressed. |
| <b>Out of Scope</b>  |                               |   |   |
| Improve existing Bull St pedestrian crossing   | 1                             |   |   |
| Improve streetscape activation on Darby Street for economic benefit                  | 2                             | Remove parking to widen footpaths<br>Improve public transport<br>Increase bicycle parking |   |
| Outdoor dining is taking up all the space  | 1                             | Push bikes off the roads and widen roads  |   |



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## ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

### CCL 22/08/23 – EXECUTIVE MONTHLY PERFORMANCE REPORT

**ITEM-8.10**      **Attachment A:**      EXECUTIVE MONTHLY PERFORMANCE  
REPORT – JULY 2023

**DISTRIBUTED UNDER SEPARATE COVER**

# Monthly Performance Report

July 2023



# Income Statement

Result for the financial period ending 31 July 2023

| Full Year<br>Budget                        |   | YTD Budget    | YTD Actual<br>Result | Variance<br>(\$) | Variance (%) |
|--|---|---------------|----------------------|------------------|--------------|
| \$'000                                     |   | \$'000        | \$'000               | \$'000           | \$'000       |
| <b>Income from continuing operations</b>   |   |               |                      |                  |              |
| 219,236                                    | Rates & annual charges  | 18,270        | 18,270               | -                | 0%           |
| 117,640                                    | User charges & fees   | 9,220         | 9,843                | 623              | 7%           |
| 9,341                                      | Other revenues  | 741           | 590                  | (151)            | -20%         |
| 21,220                                     | Grants & contributions - operating                                      | 575           | 422                  | (152)            | -27%         |
| 38,626                                     | Grants & contributions - capital  | 308           | 308                  | -                | 0%           |
| 9,315                                      | Interest & investment revenue   | 776           | 1,315                | 539              | 69%          |
| 7,089                                      | Other income  | 680           | 1,547                | 867              | 128%         |
| <b>422,467</b>                             | <b>Total income from continuing operations</b>                          | <b>30,569</b> | <b>32,295</b>        | <b>1,726</b>     | <b>6%</b>    |
| <b>Expenses from continuing operations</b> |   |               |                      |                  |              |
| 131,648                                    | Employee benefits & on-costs  | 9,931         | 9,676                | (255)            | -3%          |
| 112,483                                    | Materials & services  | 6,368         | 4,168                | (2,200)          | -35%         |
| 4,039                                      | Borrowing costs   | 339           | 341                  | 2                | 1%           |
| 69,601                                     | Depreciation & amortisation   | 5,944         | 5,915                | (28)             | 0%           |
| 52,147                                     | Other expenses  | 3,868         | 4,375                | 506              | 13%          |
| 7,002                                      | Net loss from the disposal of assets                                    | 307           | 307                  | -                | 0%           |
| <b>376,920</b>                             | <b>Total expenses from continuing operations</b>                        | <b>26,756</b> | <b>24,782</b>        | <b>(1,975)</b>   | <b>-7%</b>   |
| <b>45,547</b>                              | <b>Operating result from continuing operations</b>                      | <b>3,813</b>  | <b>7,514</b>         | <b>3,701</b>     | <b>97%</b>   |
| <b>6,921</b>                               | <b>Net operating result before grants &amp; contributions - capital</b> | <b>3,505</b>  | <b>7,206</b>         | <b>3,701</b>     | <b>106%</b>  |

## Operating Analysis as at 31 July 2023

Over budget by more than 5%



Over budget by 5% or less



Result within budget



| Financial Statement Line Item        | Indicator | Var (\$'000) | Var(%) | Issue | Explanation   |
|--------------------------------------|-----------|--------------|--------|-------|---|
| <b>Operating Revenue</b>             |           |              |        |       |   |
| Rates & annual charges               |           | -            | 0%     |       |   |
| User charges & fees                  |           | 623          | 7%     |       | \$0.9m increase in revenue related to additional Commercial Tonnes from Summerhill Waste Management Centre<br>\$0.1m decline in Parking Meter and Regulatory Fees   |
| Other revenues                       |           | (151)        | -20%   |       | \$0.1m reduction in income from Car Parking fines   |
| Grants & contributions - operating   |           | (152)        | -27%   |       | Related to timing of grant payments   |
| Grants & contributions - capital     |           | -            | 0%     |       |   |
| Interest & investment revenue        |           | 539          | 69%    |       | Increased return from investments   |
| Other income                         |           | 867          | 128%   |       | \$0.8m Fair Value adjustment in TCorp Long Term Growth Fund   |
| <b>Operating Expenses</b>            |           |              |        |       |   |
| Employee benefits & on-costs         |           | (255)        | -3%    |       |   |
| Materials & services                 |           | (2,200)      | -35%   |       | \$0.5m saving related to timing of delivery within the Works Program<br>\$0.3m saving in Fleet maintenance related to timing of expenditure<br>\$0.2m saving in City Greening and Natural Areas related to timing of expenditure<br>\$0.2m in Planning, Transport & Regulatory related to timing of consultants and compliance fees<br>\$0.2m in Training costs related to scheduling of projects |
| Borrowing costs                      |           | 2            | 1%     |       |   |
| Depreciation & Amortisation          |           | (28)         | 0%     |       |   |
| Other expenses                       |           | 506          | 13%    |       | \$0.5m increase in State Waste Levy related to additional tonnes at Summerhill Waste Management Centre  |
| Net loss from the disposal of assets |           | -            | 0%     |       |   |



# Capital Statement

Result for the financial period ending 31 July 2023

| Full Year<br>Budget<br>\$'000                        | YTD Budget<br>\$'000 | YTD Actual<br>Result<br>\$'000 | Variance (\$)<br>\$'000 | Variance (%)<br>\$'000 |
|--|----------------------|--------------------------------|-------------------------|------------------------|
| <b>Capital funding</b>                               |                      |                                |                         |                        |
| 70,107 General fund contribution to capital          | 8,494                | 12,194                         | 3,701                   | 44%                    |
| 2,410 Stormwater Management Service Charge           | 201                  | 201                            | -                       | 0%                     |
| 32,127 Capital Grants & Contributions                | 308                  | 308                            | -                       | 0%                     |
| 719 Proceeds from the sale of assets                 | 7                    | 7                              | -                       | 0%                     |
| (3,339) Net Loans Borrowings / (Repayments)          | (278)                | (278)                          | -                       | 0%                     |
| <b>Funding available for capital</b>                 |                      |                                |                         |                        |
| <b>102,024 expenditure</b>                           | <b>8,731</b>         | <b>12,432</b>                  | <b>3,701</b>            | <b>42%</b>             |
| <b>Capital Expenditure</b>                           |                      |                                |                         |                        |
| 42,956 Asset Renewal                                 | 1,924                | 2,741                          | 817                     | 42%                    |
| 41,764 New / Upgrade                                 | 996                  | 612                            | (384)                   | -39%                   |
| <b>84,720 Total capital expenditure</b>              | <b>2,920</b>         | <b>3,353</b>                   | <b>433</b>              | <b>15%</b>             |
| <b>17,304 Transfer to or (Draw down on) reserves</b> | <b>5,811</b>         | <b>9,079</b>                   | <b>3,268</b>            | <b>56%</b>             |

# Debtors Report as at 31 July 2023

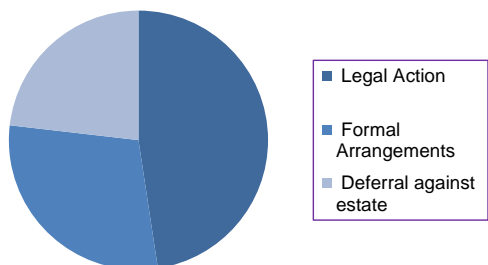
### Outstanding Rates

| Debt Recovery Action    | No. of Properties | \$ Amount        |
|-------------------------|-------------------|------------------|
| Legal Action            | 167               | 965,984          |
| Formal Arrangements     | 226               | 592,990          |
| Deferral against estate | 17                | 470,216          |
| <b>Total</b>            | <b>410</b>        | <b>2,029,190</b> |

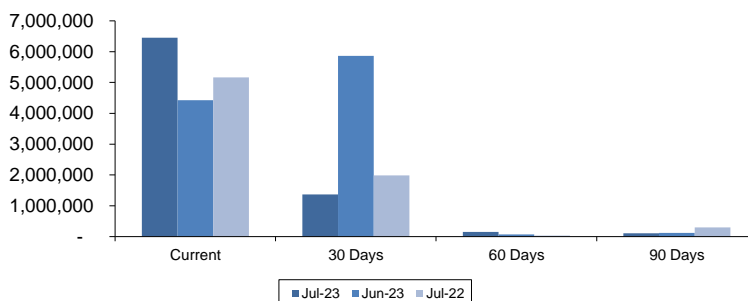
### Aged Debtors Report (Major Debtors Report)

| Period       | Jul-23<br>\$     | Jun-23<br>\$      | Jul-22<br>\$     |
|--------------|------------------|-------------------|------------------|
| Current      | 6,456,003        | 4,429,351         | 5,166,030        |
| 30 Days      | 1,371,476        | 5,868,708         | 1,984,574        |
| 60 Days      | 154,688          | 68,045            | 32,291           |
| 90 Days      | 108,175          | 123,156           | 296,243          |
| <b>Total</b> | <b>8,090,342</b> | <b>10,489,260</b> | <b>7,479,138</b> |

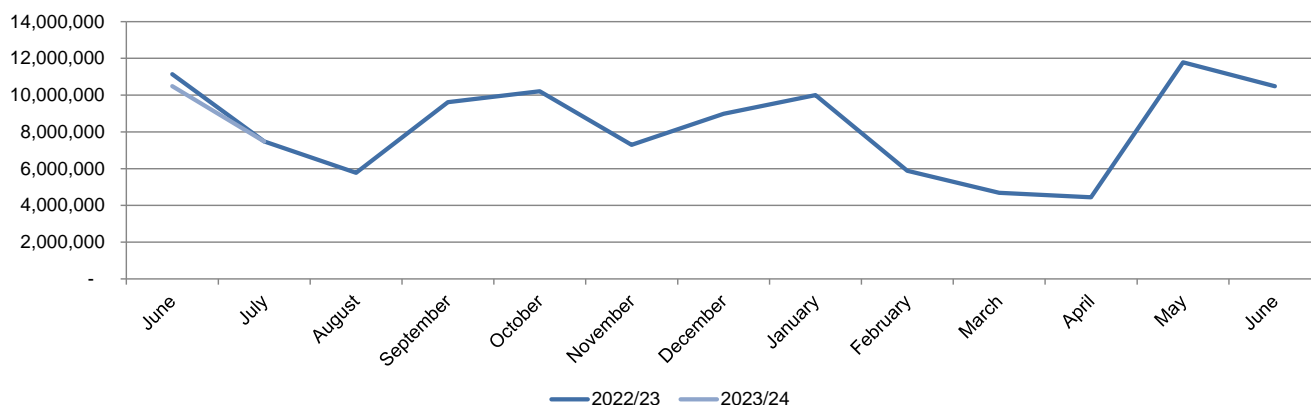
### Outstanding Rates (\$)



### Debtors balances



### Trend of Debtors Balance (\$)



## Works Program Summary

Result for the financial period ending 31 July 2023

| Full Year Budget \$'000 | Portfolio/Program  | YTD Budget \$'000 | YTD Actual Result \$'000 | Variance to YTD budget (%) \$'000 | % of FY Budget Spent \$'000 |
|-------------------------|--|-------------------|--------------------------|-----------------------------------|-----------------------------|
| <b>35,313</b>           | <b>City Infrastructure - Assets &amp; Facilities</b>                 | <b>918</b>        | <b>1,569</b>             | <b>71%</b>                        | <b>4%</b>                   |
| 260                     | Buildings - Council Support Services                                 | 8                 | 5                        | -43%                              | 2%                          |
| 150                     | Public Toilets   | 5                 | -                        | -100%                             | 0%                          |
| 140                     | Retaining walls  | 9                 | 61                       | 587%                              | 43%                         |
| 7,780                   | Bridges  | 23                | 1                        | -96%                              | 0%                          |
| 1,160                   | Footpaths  | 38                | 101                      | 170%                              | 9%                          |
| 1,983                   | Roadside Furniture   | 20                | 37                       | 87%                               | 2%                          |
| 7,240                   | Road Rehabilitation  | 566               | 77                       | -86%                              | 1%                          |
| 7,500                   | Road Resurfacing   | 31                | 1,210                    | 3762%                             | 16%                         |
| 300                     | Parking Infrastructure   | 10                | 3                        | -74%                              | 1%                          |
| 4,975                   | Stormwater System  | 165               | 75                       | -55%                              | 2%                          |
| 3,825                   | Fleet Replacement  | 43                | 0                        | -99%                              | 0%                          |
| <b>5,000</b>            | <b>Planning &amp; Environment - Transport</b>                        | <b>169</b>        | <b>302</b>               | <b>79%</b>                        | <b>6%</b>                   |
| 3,610                   | Cycleways  | 82                | 19                       | -77%                              | 1%                          |
| 250                     | Pedestrian Access and Mobility Plan (PAMP)                           | 7                 | 266                      | 3460%                             | 106%                        |
| 1,140                   | Local Area Traffic Management (LATM)                                 | 79                | 17                       | -79%                              | 1%                          |
| <b>13,458</b>           | <b>Planning &amp; Environment - Environment &amp; Sustainability</b> | <b>259</b>        | <b>89</b>                | <b>-66%</b>                       | <b>1%</b>                   |
| 1,050                   | Blackbutt Reserve  | 34                | 2                        | -95%                              | 0%                          |
| 254                     | Flood Planning   | 8                 | 6                        | -28%                              | 2%                          |
| 8,009                   | Coast, Estuary and Wetlands  | 89                | 17                       | -81%                              | 0%                          |
| 1,810                   | Bushland and Watercourses  | 64                | 17                       | -73%                              | 1%                          |
| 1,660                   | Street and Park Trees  | 55                | 22                       | -60%                              | 1%                          |
| 675                     | Sustainability & Climate   | 8                 | 24                       | 216%                              | 4%                          |
| <b>6,400</b>            | <b>Corporate Services</b>  | <b>186</b>        | <b>78</b>                | <b>-58%</b>                       | <b>1%</b>                   |
| 800                     | Digital Enablement   | 21                | 0                        | -100%                             | 0%                          |
| 5,600                   | Core Systems Development & Maintenance                               | 165               | 77                       | -53%                              | 1%                          |
| <b>41,160</b>           | <b>City Shaping</b>  | <b>572</b>        | <b>90</b>                | <b>-84%</b>                       | <b>0%</b>                   |
| 36,500                  | Citywide   | 572               | 71                       | -87%                              | 0%                          |
| 4,660                   | Summerhill   | -                 | 18                       | 0%                                | 0%                          |
| <b>22,334</b>           | <b>Creative &amp; Community Services</b>                             | <b>363</b>        | <b>198</b>               | <b>-45%</b>                       | <b>1%</b>                   |
| 7,450                   | Aquatics   | 25                | 110                      | 345%                              | 1%                          |
| 349                     | Community Buildings  | 11                | 12                       | 6%                                | 3%                          |
| 920                     | Civic Venues / Civic Services  | 30                | 4                        | -88%                              | 0%                          |
| 12,245                  | Recreation & Sport   | 262               | 66                       | -75%                              | 1%                          |
| 475                     | Economic Development   | 6                 | 1                        | -78%                              | 0%                          |
| 150                     | Art Gallery  | 5                 | 0                        | -93%                              | 0%                          |
| 745                     | Museum / Libraries / Historic Fort Scratchley                        | 24                | 5                        | -79%                              | 1%                          |
| <b>4,375</b>            | <b>Waste Services</b>  | <b>1,312</b>      | <b>1,464</b>             | <b>12%</b>                        | <b>33%</b>                  |
| 4,375                   | Waste Management   | 1,312             | 1,464                    | 12%                               | 33%                         |
| <b>9,216</b>            | <b>City Infrastructure - Revitalisation</b>                          | <b>500</b>        | <b>244</b>               | <b>-51%</b>                       | <b>3%</b>                   |
| 5,620                   | City Centre  | 382               | 128                      | -67%                              | 2%                          |
| 2,300                   | Coastal  | 4                 | 25                       | 493%                              | 1%                          |
| 1,296                   | Urban Centres  | 115               | 91                       | -20%                              | 7%                          |
| <b>137,255</b>          | <b>Total Works Program</b>   | <b>4,279</b>      | <b>4,033</b>             | <b>-6%</b>                        | <b>3%</b>                   |

Note: The Budget above is inclusive of operational and capital works

Councillors' Expense Register 2023/2024

|                        | Annual Budget Allotments |  |  |                          |  |                        |                                       |                      |                          | Council Term Budget Allotments  |                       |                        |
|------------------------|--------------------------|--|--|--------------------------|--|------------------------|---------------------------------------|----------------------|--------------------------|---|-----------------------|------------------------|
|                        | EVENTS                   | ACCOMPANYING PERSON<br>(Official Business) | OVERSEAS TRAVEL  | PROFESSIONAL DEVELOPMENT | LGNSW / NGA ANNUAL CONFERENCE  | COMMUNICATION EXPENSES | SPECIAL REQUIREMENTS & CARER EXPENSES | HOME OFFICE EXPENSES | TOTAL ANNUAL EXPENDITURE | AICD COURSE FEES  | COMMUNICATION DEVICES | TOTAL TERM EXPENDITURE |
| <b>LORD MAYOR</b>      |                          |  |  |                          |  |                        |                                       |                      |                          |   |                       |                        |
| Policy Provision       | \$4,000                  | \$1,000                                    | Paid in accordance with a specific resolution of Council | \$5,000                  | \$20,000 (shared among elected representatives inclusive of both events) | \$3,000                | \$6,000                               | \$2,000              |                          | \$4,000 (may be combined with Professional Development expenses in the year undertaken) | \$4,000               |                        |
| NELMES Nuatali         | -                        | -  | -  | -                        | -  | 20.91                  | -                                     | -                    | 20.91                    | 563.64  | 4,378.21              | 4,941.85               |
| <b>ALL COUNCILLORS</b> |                          |  |  |                          |  |                        |                                       |                      |                          |   |                       |                        |
| Policy Provision       | \$2,000                  | \$500                                      | See Above  | \$5,000                  | See Above  | \$3,000                | \$6,000                               | \$500                |                          | \$4,000   | \$4,000               |                        |
| CLAUSEN, Declan        | 363.27                   | -  | -  | -                        | -  | 20.91                  | -                                     | -                    | 384.18                   | -   | 2,537.85              | 2,537.85               |
| CHURCH, John           | -                        | -  | -  | -                        | -  | 20.91                  | -                                     | -                    | 20.91                    | -   | 2,428.59              | 2,428.59               |
| MACKENZIE, John        | -                        | -  | -  | -                        | -  | 73.64                  | -                                     | -                    | 73.64                    | -   | 3,219.67              | 3,219.67               |
| DUNCAN, Carol          | -                        | -  | -  | -                        | -  | 73.64                  | -                                     | -                    | 73.64                    | 563.64  | 3,392.58              | 3,956.22               |
| BARRIE, Jenny          | -                        | -  | -  | -                        | -  | 73.64                  | -                                     | -                    | 73.64                    | -   | 3,219.67              | 3,219.67               |
| McCABE, Charlotte      | -                        | -  | -  | -                        | -  | 73.64                  | -                                     | -                    | 73.64                    | -   | 3,047.73              | 3,047.73               |
| WINNEY-BAARTZ, Peta    | -                        | -  | -  | 420.00                   | -  | 73.64                  | -                                     | -                    | 493.64                   | -   | 3,219.67              | 3,219.67               |
| WOOD, Margaret         | -                        | -  | -  | -                        | -  | 73.64                  | -                                     | -                    | 73.64                    | -   | 3,219.67              | 3,219.67               |
| WARK, Katrina          | -                        | -  | -  | -                        | -  | 73.64                  | -                                     | -                    | 73.64                    | -   | 3,219.67              | 3,219.67               |
| RICHARDSON, Deahna     | -                        | -  | -  | -                        | -  | 73.64                  | -                                     | -                    | 73.64                    | 4,000.00  | 3,646.94              | 7,646.94               |
| ADAMCZYK, Elizabeth    | -                        | -  | -  | -                        | -  | 73.64                  | -                                     | -                    | 73.64                    | -   | 3,646.03              | 3,646.03               |
| PULL, Callum           | -                        | -  | -  | -                        | -  | 73.64                  | -                                     | -                    | 73.64                    | -   | 3,219.67              | 3,219.67               |
| <b>TOTAL (exc LM)</b>  | <b>363.27</b>            | <b>-</b>                                   | <b>-</b>   | <b>420.00</b>            | <b>-</b>   | <b>778.22</b>          | <b>-</b>                              | <b>-</b>             | <b>1,561.49</b>          | <b>4,563.64</b>   | <b>38,017.74</b>      | <b>42,581.38</b>       |
| <b>TOTAL (inc LM)</b>  | <b>363.27</b>            | <b>-</b>                                   | <b>-</b>   | <b>420.00</b>            | <b>-</b>   | <b>799.13</b>          | <b>-</b>                              | <b>-</b>             | <b>1,582.40</b>          | <b>5,127.28</b>   | <b>42,395.95</b>      | <b>47,523.23</b>       |

CEO and Lord Mayor Offices Expenses

|                                 | YTD Budget<br>\$'000 | YTD Actual<br>\$'000 |
|---------------------------------|----------------------|----------------------|
| Employee costs                  | 88                   | 88                   |
| Materials & contracts           | 19                   | 7                    |
| Other operating expenses        | 0                    | 0                    |
| <b>Total Operating Expenses</b> | <b>107</b>           | <b>95</b>            |



# Ward 4

At 31 July 2023



City of  
Newcastle

## Wallsend Capital Works Update

### Wallsend Local Centre Public Domain Plan

- Phase 1 survey engagement explored the community's views on urban design themes, safety and order of priority for future revitalisation stages. The final report is available on our website at: <https://haveyoursay.newcastle.nsw.gov.au/wallsend-engagement-hub>
- Phase 2 of this engagement will include ongoing targeted community consultation and Placemaking engagement activities for individual project stages as they progress.

**Stage 3:** Detail design and construction of the intersection of Cowper and Kokera Streets, including:

**Stage 3A:** Ironbark creek widening and realignment, Cowper Street culvert bypass

**Stage 3B:** Installation of traffic signals at the intersection of Cowper and Kokera Streets

#### Stage 3A:

- Flood assessment and modelling underway to achieve flood mitigation goals
- Detailed design tender scheduled for release in September 2023, with the detailed design process to progress through 2023/24.

#### Stage 3B:

- Detailed design has been amended and forwarded to Transport for NSW (TfNSW) for fourth round of review and feedback.

**Stage 4:** Boscawen Street and Nelson Street Bridge replacement works

#### Boscawen Street Bridge:

- Detailed design complete.
- Construction commencement scheduled in 2023/24.

#### Nelson Street Bridge:

- 100% detail design submitted and reviewed by internal stakeholders.
- Construction tender scheduled for 2023/24.

**Stage 5:** Detailed design of: Traffic lights and shared path at Nelson Street and Cowper Street intersection

- Detailed design and construction of Stage 5 will follow the construction of Stages 3A and 3B.

Proposed roundabout at the intersection of Cowper Street and Newcastle Road

# Ward 4

At 31 July 2023



City of  
Newcastle

## Wallsend Capital Works Update, continued...

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### Wallsend Active Hub amenities

- Building installation scheduled for second half of August 2023.
  - Installation of concrete pathways will follow amenities installation.
- 



Concept Render: Boscawen Street Bridge, Wallsend – View from north

# Investment Policy compliance report

July 2023

## Executive summary:

### 1 **Socially Responsible Investment:**

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

### 2 **Portfolio holdings:**

As at the end of July 2023 CN's overall investment portfolio holdings are \$368.8million. These holdings are split between Income producing/defensive and Capital Growth asset classes.

### 3 **Performance commentary – Income producing/Defensive funds:**

As at the end of July 2023 CN's allocation to the income producing/defensive assets sat at 87%.

The 1-month annualised yield was 3.90% as at 31 July 2023. The monthly yield generated by CN's Defensive portfolio has steadily increased since a low in February 2022 of 1.03%. The continued increase is in response to upward movements in the Cash Rate set by the RBA.

The diversified nature of CN's portfolio has enabled the portfolio to participate in capturing a significant proportional share of the upward movement in interest rates.

As demonstrated by this month's returns, our expectation remains unchanged that in the short term the steep upward movement in interest rates witnessed since early in calendar year 2022 will challenge CN's ability to exceed the performance of the benchmark.

This challenge will continue until such time as existing long-term fixed investments placed prior to calendar year end 2021 begin to mature and/or the RBA Cash Rate declines.

### 4 **Performance commentary – Capital growth funds:**

For the month of July 2023, the TCorp Fund posted a fair value increment, being a positive return of 2.05% (Preliminary month end closing balance. Final not yet available at the time of writing).

Again the large monthly gain was primarily driven by the performance of equity markets in developed economies. July 2023 witnessed the release of better-than-expected economic data, including corporate earnings, unemployment, and inflation. It was this economic data that led to the robust performance of equity markets in developed economies.

Reiterating the comment made in last month's report, it is the same large exposure to this asset class that means the fund could incur an equally large fair value decrement in the event of a significant equity market contraction. Since TCorp first created the Long-Term Growth Fund in 2006, the Fund has proven to be relatively resilient with the ability to recover fair value losses following broader global equity downturns.

CN remains confident in the long-term strategic rationale that supports this investment, and therefore our strategy as a long-term holder remains unchanged.

### 5 **Risk management compliance:**

CN's temporary surplus funds are invested consistent with its adopted Investment and Borrowing Policy and The Local Government Act and Regulations.

Actual performance against CN's Policy limits is disclosed later in this report.

### 6 **New and matured investments:**

New investments placed during July 2023 continued to focus on meeting the objectives outlined in CN's Investment and Borrowing Policy.

# Investment Policy compliance report

July 2023

Further disclosure of investment portfolio composition and details of any investment placements or maturities during the reporting period are detailed later in this report.

**7 Income producing/Defensive funds – Actual v Budget:**

Net returns for the month to July 2023 from the Income producing/Defensive funds totalled \$1.31m against a budget of \$0.74m (excluding Newcastle Airport and non-investment portfolio sources of interest). This resulted in Interest and Investment income outperforming the budget by \$0.57m for the month.

From the commencement of 2023, when the interest income budget was set, to now the RBA Cash Rate has continued to reset higher than budget formulated assumptions. This is likely to result in an upward revision to the full year budget at a future quarterly review.

**8 Capital Growth Funds – Actual v Budget:**

Net returns for the month to July 2023 from the Capital Growth Fund totalled an increment of \$1.00m against a budgeted increment of \$0.23m. This resulted in net returns outperforming budget by \$0.77m for the financial year to date.

**9** In accordance with Council's resolution of 30 May 1995, the schedules of investments (new placements and maturities) from the two previous meetings of Council are provided in detail at the conclusion of this report.





# Investment Policy compliance report

July 2023

## Risk Management compliance:

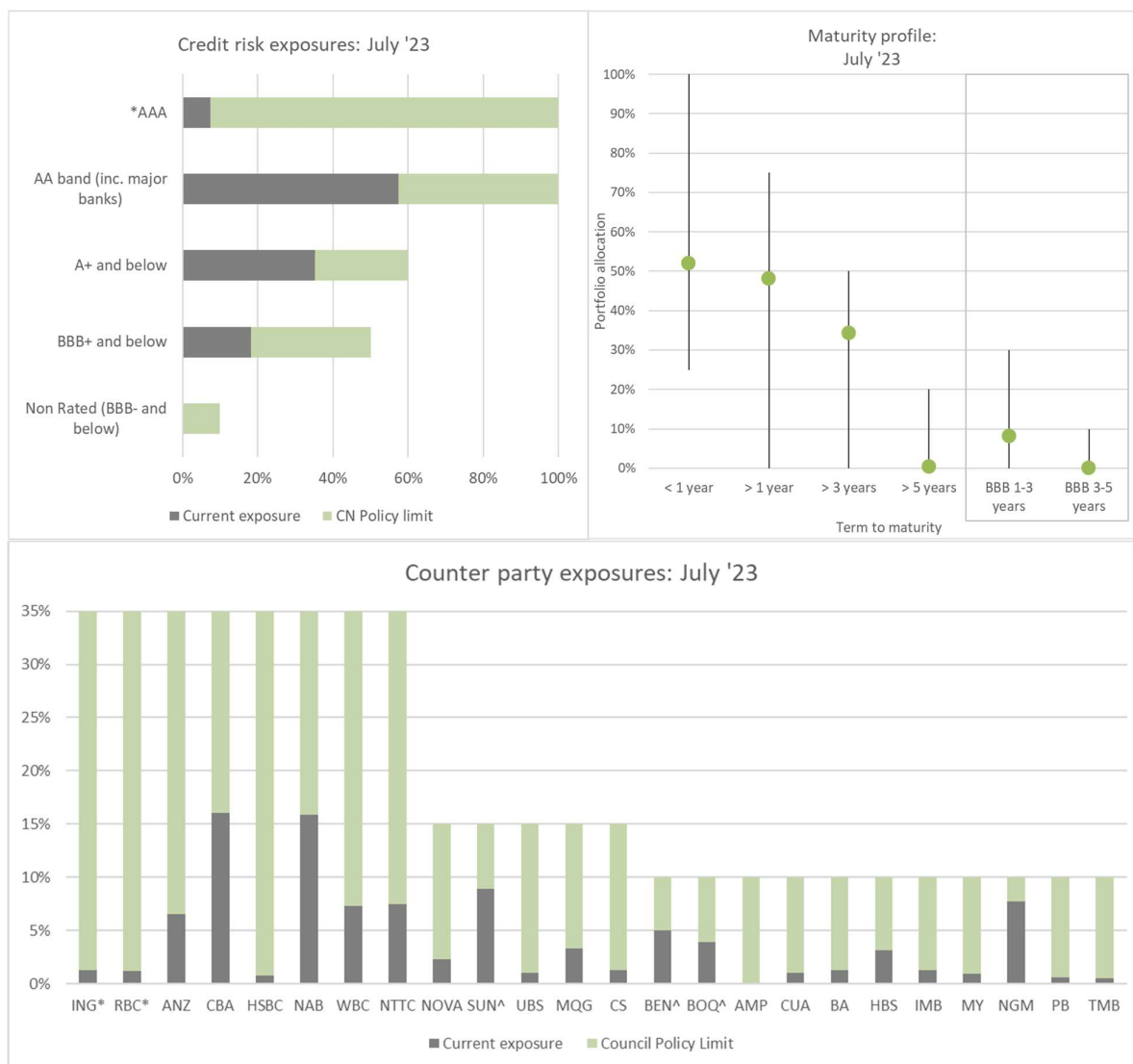
### Portfolio exposure:

| Investment category          | Minimum exposure | Maximum exposure | CN exposure |
|------------------------------|------------------|------------------|-------------|
| Income producing / Defensive | 80%              | 100%             | 87%         |
| Capital Growth <sup>^</sup>  | 0%               | 30%              | 13%         |

<sup>^</sup> Capital Growth category consists solely of CN's exposure to TCorp Individually Managed Growth Funds.

### Income producing/Defensive risk limits:

The below risk limits apply only to the Income producing/Defensive category of CN's investment portfolio.



\*Where there is an Asterisk marked in the above graphs all of CN's investments in this category are assigned a AAA rating due to additional credit support of the investment class.

<sup>^</sup> = Total exposures to Suncorp Bank, Bank of Queensland, and Bendigo Adelaide Bank include a component of AAA rated individual investments.

# Investment Policy compliance report

July 2023

## New and matured Investments:

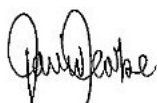
### New Investments:

| Contract date | Settlement date | Institution                  | Long Term Credit rating (S&P) | Asset Class              | Face value   | Rate of Return | Term   | Maturity date |
|---------------|-----------------|------------------------------|-------------------------------|--------------------------|--------------|----------------|--------|---------------|
| 19 Jul '23    | 19 Jul '23      | NGM Group                    | BBB                           | Term Deposit: Fixed rate | \$10,000,000 | 5.30%          | 91days | 18 Oct '23    |
| 19 Jul '23    | 19 Jul '23      | Heritage and People's Choice | BBB                           | Term Deposit: Fixed rate | \$10,000,000 | 5.20%          | 91days | 18 Oct '23    |
| 19 Jul '23    | 19 Jul '23      | Suncorp Bank                 | A+                            | Term Deposit: Fixed rate | \$10,000,000 | 5.10%          | 91days | 18 Oct '23    |
| 31 Jul '23    | 31 Jul '23      | NAB                          | AA-                           | Term Deposit: Fixed rate | \$5,000,000  | 5.05%          | 93days | 1 Nov '23     |

### Matured Investments:

| Date matured | Institution | Asset Class                 | Face value   | Rate of Return   | Original Term | Original date invested |
|--------------|-------------|-----------------------------|--------------|------------------|---------------|------------------------|
| 5 Jul '23    | IMB         | Term Deposit: Fixed rate    | \$7,000,000  | 4.28%            | 147days       | 8 Feb '23              |
| 5 Jul '23    | CBA         | Term Deposit: Fixed rate    | \$8,000,000  | 4.39%            | 132days       | 23 Feb '23             |
| 12 Jul '23   | NAB         | Term Deposit: Fixed rate    | \$8,000,000  | 4.40%            | 134days       | 28 Feb '23             |
| 14 Jul '23   | Westpac     | Term Deposit: Floating rate | \$2,000,000  | 90d bbsw + 1.03% | 5years        | 29 Jun '18             |
| 19 Jul '23   | NAB         | Term Deposit: Fixed rate    | \$20,000,000 | 4.40%            | 91days        | 19 Apr '23             |
| 19 Jul '23   | Bank Of QLD | Term Deposit: Fixed rate    | \$10,000,000 | 4.47%            | 91days        | 19 Apr '23             |
| 20 Jul '23   | NAB         | Term Deposit: Fixed rate    | \$5,000,000  | 4.37%            | 120days       | 22 Mar '23             |

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



David Clarke  
Responsible Accounting Officer

# Investment Policy compliance report

June 2023

## New and matured Investments:

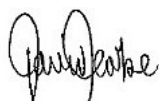
### New Investments:

| Contract date | Settlement date | Institution             | Long Term Credit rating (S&P) | Asset Class               | Face value  | Rate of Return | Term    | Maturity date |
|---------------|-----------------|-------------------------|-------------------------------|---------------------------|-------------|----------------|---------|---------------|
| 7 Jun '23     | 16 Jun '23      | Bendigo & Adelaide Bank | AAA*                          | Fixed Rate Bond (Covered) | \$3,200,000 | 5.107%         | 5years  | 16 Jun '28    |
| 14 Jun '23    | 14 Jun '23      | Bendigo & Adelaide Bank | BBB+                          | Term Deposit: Fixed rate  | \$7,000,000 | 4.25%          | 92days  | 14 Sep '23    |
| 20 Jun '23    | 20 Jun '23      | IMB Bank                | BBB                           | Term Deposit: Fixed rate  | \$4,000,000 | 5.24%          | 113days | 11 Oct '23    |
| 20 Jun '23    | 20 Jun '23      | Suncorp Bank            | A+                            | Term Deposit: Fixed rate  | \$4,000,000 | 5.52%          | 183days | 20 Dec '23    |
| 28 Jun '23    | 28 Jun '23      | CBA                     | AA-                           | Term Deposit: Fixed rate  | \$7,000,000 | 5.12%          | 97days  | 3 Oct '23     |
| 28 Jun '23    | 28 Jun '23      | NAB                     | AA-                           | Term Deposit: Fixed rate  | \$7,000,000 | 5.21%          | 120days | 26 Oct '23    |
| 30 Jun '23    | 30 Jun '23      | NAB                     | AA-                           | Term Deposit: Fixed rate  | \$3,500,000 | 5.18%          | 97days  | 5 Oct '23     |

### Matured Investments:

| Date matured | Institution             | Asset Class                 | Face value  | Rate of Return   | Original Term | Original date invested |
|--------------|-------------------------|-----------------------------|-------------|------------------|---------------|------------------------|
| 13 Jun '23   | CBA                     | Term Deposit: Fixed rate    | \$6,000,000 | 4.30%            | 176days       | 19 Dec '22             |
| 14 Jun '23   | Bendigo & Adelaide Bank | Term Deposit: Fixed rate    | \$7,000,000 | 4.25%            | 127days       | 7 Feb '23              |
| 15 Jun '23   | Westpac                 | Term Deposit: Floating rate | \$4,000,000 | 90d bbsw + 1.03% | 5years        | 15 Jun '18             |

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



David Clarke  
Responsible Accounting Officer