

# Ordinary Council Meeting



## Agenda

**Monday 23 July 2018**

**Council Chambers**

**126-138 Main Road**

**Speers Point**

**6:30pm**

<b>Apologies:</b>	For the non-attendance of Councillors	
<b>Declaration of Interests:</b>		
<b>Confirmation of Minutes:</b>	Ordinary Council Meeting held on 25 June 2018 Development and Planning Standing Committee held on 9 July 2018	
<b>Presentations:</b>	Nil	
<b>Notice of Motion:</b>	Netting of baths for Toronto and Sunshine	23 July 2018
	Resolution of the Buttaba Hills South Estate access impasse situation	23 July 2018
<b>Rescission Motions:</b>	Nil	
<b>Mayoral Minutes:</b>	Nil	
<b>Recommendations of the:</b>	Built and Natural Assets Standing Committee	9 July 2018
	Service Delivery Standing Committee	9 July 2018
	General Business Standing Committee	9 July 2018
	Lake Macquarie Traffic Facilities & Road Safety Committee	10 July 2018
<b>Business Arising from Public Access:</b>		
<b>Special Reports:</b>	<b>Chief Executive Office (1):</b>	23 July 2018
	Meeting Arrangements - 2018 Local Government NSW Annual Conference, Albury 21-23 October	
	<b>Deputy Chief Executive Officer (2):</b>	23 July 2018
	Exhibition of Draft Lake Mac 2050 Strategy	
	Investments June 2018	
	<b>Director Organisational Services (2)</b>	23 July 2018

Morven Cameron  
Chief Executive Officer

**Note:** Council Meeting Agendas will be available for download from the City website by 5.00pm on the Tuesday prior to the meeting date ([www.lakemac.com.au](http://www.lakemac.com.au))

# Ordinary Council Meeting



	Requests for Donations & Financial Assistance under Section 356 of the Local Government Act 1993	
	Sponsorship funding program	
	<b>Director Director of Service Delivery (2)</b>	23 July 2018
	West Wallsend Swim Centre - Additional Pool Investigation	
	Community Event Funding - July Allocation	
<b>Inspection Reports:</b>	Full Councillor Site Inspection - Bus Stop Location - 8 Ocean Street, Dudley	23 July 2018
<b>Tender Reports:</b>	Nil	
<b>Matters Referred:</b>	Adoption of Planning Proposal and Planning Agreement - George Booth Drive, Edgeworth	23 July 2018
	Local Government (General) Regulation 2005 - REG 240	23 July 2018
<b>Confidential Items:</b>	Belmont (31 Herbert Street) - Proposed Acquisition of Land for Future Commercial Redevelopment	23 July 2018
<b>Petitions:</b>		
<b>Business without Notice:</b>		

Morven Cameron  
Chief Executive Officer

**Note:** Council Meeting Agendas will be available for download from the City website by 5.00pm on the Tuesday prior to the meeting date ([www.lakemac.com.au](http://www.lakemac.com.au))

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**Minutes of the Ordinary Meeting  
Monday 25 June 2018  
Council Chamber, Speers Point**

**Present:** Her Worship the Mayor, Councillor Kay Fraser, who presided; also Deputy Mayor Councillor Luke Cubis, and Councillors Brian Adamthwaite, Kevin Baker, Christine Buckley, John Gilbert, Wendy Harrison, Nick Jones, Barney Langford, Jason Pauling and Adam Shultz.

<b>Officers:</b>	Morven Cameron	Chief Executive Officer
	Tony Farrell	Deputy Chief Executive Officer
	John Ferguson	Director Service Delivery
	David Hughes	Director Built and Natural Assets
	Laura Kendall	Director Organisational Services
	Wes Hain	Acting Manager Community Planning
	Elizabeth Lambert	Acting Manager Development Assessment & Compliance
	Helen Plummer	Manager Asset Management
	Kate Cramp	Manager Property & Business Development
	Dwight Graham	Chief Financial Officer
	Angela Lamb	Governance Administration Officer
	Amanda Hillman	Governance Officer
	Kate Davies	Public Relations

The Mayor declared the meeting open at 7.00pm.

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**Apologies:**

103

Moved. Cr. Langford

Seconded. Cr. Baker

Apologies were submitted for the non-attendance of Councillors Cubis, Grigg and Belcher.

The Mayor welcomed the 1<sup>st</sup> Teralba Sea Scouts and the 1<sup>st</sup> Byattunga Scouts Morisset to the meeting.

**Declarations of Interest:**

Councillor Barney Langford declared a pecuniary interest in item *18NM012 – Support for ABC* as he is a casual employee of ABC. As a result Cr Langford indicated he intended to withdraw his notice of motion.

Councillor Nick Jones declared a less than significant, non-pecuniary interest in item *18SP035 – Investments – May 2018*, advising that through his work he is an authorised loan writer for a number of the financial institutions through which Council as investments.

Councillor Kevin Baker declared a significant pecuniary interest in item *18NM011 – Request to Federal Government to Reconsider Changes to Status Resolution Support Services Program* advising his wife is an employee of the Department of Human Services who administers the Status Resolution Support Services Program and he will be leaving the chamber.

Councillor Kevin Baker declared a less than significant, non-pecuniary interest in item *18NM012 – Support for the ABC* as he has a longstanding and closely held belief that State and Federal Government policy matters should not be debated in the Council chamber.

Councillor Jason Pauling declared a non-pecuniary, less than significant interest in item *18COMM005 – Adoption of Draft Croudace Bay Sports Complex Masterplan* advising interested parties are known to him.

Councillor Jason Pauling declared a non-pecuniary, less than significant interest in item *18STRAT024 – Adoption of Planning Proposal and Planning Agreement – George Booth Drive Edgeworth* advising interested parties are known to him.

Councillor Jason Pauling declared a non-pecuniary, less than significant interest in item - *18STRAT026 – Cameron Park: 10% Variation to Development Standard* advising interested parties are known to him.

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## Minutes of the Ordinary Council Meeting

25 June 2018



Councillor Jason Pauling declared a non-pecuniary, less than significant interest in item 18SP035 – *Investments – May 2018*, advising that he is an Authorised Representative #310165 of Meritum Financial Group AFSL #245569. Meritum is a subsidiary of MLC which is a subsidiary of NAB and Council has substantial funds invested with NAB. There is no direct financial connection between NAB and myself.

Councillor John Gilbert declared a non-pecuniary, less than significant interest in item 18NM011 - *Request to Federal Government to Reconsider Changes to Status Resolution Support Services Program* as his sister works in a voluntary position assisting refugees to find work.

### Confirmation of Minutes:

104

Moved. Cr. Baker  
Seconded. Cr. Shultz

The Minutes of the Ordinary Council Meeting held on Monday 28 May 2018, be taken as read and be hereby confirmed.

(Carried)

105

Moved. Cr. Adamthwaite  
Seconded. Cr. Shultz

The determinations of the City Strategy Committee at its meeting held on 12 June 2018 be adopted as detailed below.

(Carried)

### Recommendation No. 1

#### **18STRAT021 Amendment to Lake Macquarie Development Control Plan 2014 - Waste Management**

Folder No: F2017/00349  
Report By: Senior Waste Officer - Hal Dobbins

## Minutes of the Ordinary Council Meeting

25 June 2018



30

Moved. Cr. Adamthwaite  
Seconded. Cr. Belcher

That Council:

- A. Prepares an amendment to Lake Macquarie Development Control Plan 2014 (LMDCP 2014) (Attachment 1) and exhibits the amendment for not less than 42 days, in accordance with the provisions of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* and *Environmental Planning and Assessment Regulation 2000*.
- B. Exhibits the Draft Waste Management Guidelines (Attachment 2) for a period of not less than 42 days, in accordance with the provisions of the EP&A Act 1979 and Environmental Planning and Assessment Regulation 2000.
- C. In the event that submissions require only minor changes to the proposed amendments to LMDCP 2014 or draft guidelines, Council authorises adoption of the amendments, and Council officers advise Councillors by memo of the nature of any changes and of the date the changes will come into effect.
- D. In the event that submissions require significant alterations to the proposed amendment to LMDCP 2014 or draft guidelines, Council officers prepare a further report for Council's consideration.
- E. This matter be reviewed by the relevant portfolio committee during the exhibition period.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

For the Motion      Against the Motion

Cr. Fraser  
Cr. Adamthwaite  
Cr. Baker  
Cr. Langford  
Cr. Grigg  
Cr. Belcher  
Cr. Pauling  
Cr. Cubis  
Cr. Shultz  
Cr. Jones  
Cr. Buckley  
Cr. Gilbert  
(carried)

(Carried)

**Recommendation No. 2**

**18STRAT022 Adoption of the Cooranbong Seventh Day Adventist Site Area Plan**

Folder No: F2013/00696/05

Report By: Strategic Landuse Planner - Angel Troke

31

Moved. Cr. Belcher

Seconded. Cr. Buckley

Council:

- A. Adopts the Cooranbong Seventh Day Adventist Site Area Plan, as shown in Attachment 1.
- B. Notes the submission received during public exhibition of the draft Cooranbong Seventh Day Adventist Area Plan, as shown in Attachment 2.
- C. Amends Lake Macquarie Development Control Plan 2014 (LMDCP 2014) by inserting the Cooranbong Seventh Day Adventist Area Plan into Part 12 of LMDCP 2014.
- D. Notifies the landowner and provides public notice of Council's decision to amend LMDCP 2014 pursuant to the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* and *Environmental Planning and Assessment Regulation 2000*.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

For the Motion      Against the Motion

Cr. Fraser

Cr. Adamthwaite

Cr. Baker

Cr. Langford

Cr. Grigg

Cr. Belcher

Cr. Pauling

Cr. Cubis

Cr. Shultz

Cr. Jones

Cr. Buckley

Cr. Gilbert

(carried)

(Carried)

**Recommendation No. 3**

**18STRAT023 Amendment to Lake Macquarie Development Control Plan - Dual Occupancy Development**

Folder No: F2018/00436/04

Report By: Senior Strategic Landuse Planner - Susie Young

32

Moved. Cr. Pauling

Seconded. Cr. Langford

That Council:

- A. Prepares an amendment to Part 9 Dual Occupancy Development of Lake Macquarie Development Control Plan 2014, as contained in Attachment 1, and exhibits the amendment for not less than 28 days, in accordance with the provisions of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* and *Environmental Planning and Assessment Regulation 2000*.
- B. In the event that submissions require only minor changes to the proposed amendments to LMDCP 2014, authorises adoption of the amendments, and Council officers advise Councillors by memo of the nature of any changes and of the date the changes will come into effect.
- C. In the event that submissions require significant alterations to the proposed amendment to LMDCP 2014, Council officers prepare a further report to Council on the matter.
- D. The matter be referred to the relevant portfolio committee during the exhibition period.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

For the Motion

Against the Motion

Cr. Fraser

Cr. Adamthwaite

Cr. Baker

Cr. Langford

Cr. Grigg

**Minutes of the Ordinary Council Meeting**

**25 June 2018**



Cr. Belcher  
Cr. Pauling  
Cr. Cubis  
Cr. Shultz  
Cr. Jones  
Cr. Buckley  
Cr. Gilbert  
(carried)

(Carried)

**Recommendation No. 4**

**18STRAT024 Adoption of Planning Proposal and Planning Agreement - George Booth Drive, Edgeworth**

Folder No: RZ/9/2005

Report By: Strategic Landuse Planner - Angel Troke, Development Contributions Coordinator - Deborah Scott

33

Moved. Cr. Adamthwaite  
Seconded. Cr. Langford

That a decision on the matter be deferred until a councillor briefing is held.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

<u>For the Motion</u>	<u>Against the Motion</u>
Cr. Fraser	Cr. Baker
Cr. Adamthwaite	Cr. Grigg
Cr. Langford	Cr. Pauling
Cr. Belcher	Cr. Jones
Cr. Cubis	
Cr. Shultz	
Cr. Buckley	
Cr. Gilbert	
(carried)	

(Carried)

**Recommendation No. 5**

**18STRAT025 Adoption of the Lake Macquarie Parking Strategy**

Folder No: F2014/01200

Report By: Strategic Planner - Adam Ovenden

34

Moved. Cr. Adamthwaite

Seconded. Cr. Langford

That Council:

- A. Adopts the Lake Macquarie Parking Strategy (Attachment 1);
- B. Notifies key stakeholders and those who made a submission;
- C. Commences preparation of Transport Management Plans for the City's town centres including an education component; and
- D. Reviews Council's forward works program for transport infrastructure and parking provisions of the Development Control Plan to implement relevant provisions of the Strategy
- E. Ensure that Council determine any proposal to introduce demand based on-street paid parking following community consultation.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

For the Motion

Cr. Fraser

Cr. Adamthwaite

Cr. Langford

Cr. Belcher

Cr. Cubis

Cr. Shultz

Cr. Jones

Cr. Buckley

Cr. Gilbert

(carried)

Against the Motion

Cr. Baker

Cr. Pauling

(Carried)

**Recommendation No. 6**

**18STRAT026 Cameron Park: 10% Variation to Development Standard**

Folder No: DA/158/2018

Report By: Senior Development Planner - Andrew Leese

35

Moved. Cr. Adamthwaite

Seconded. Cr. Belcher

1. A. Council support the variation to the minimum 1,500m<sup>2</sup> site area for those reasons specified in this report and pursuant to Clause 4.6 of LEP 2014; and
  - 2.
  3. B. Council approve development application DA/158/2018, subject to conditions in Attachment 1.
- C That the conditions of consent to include an amended condition 45:

45. Restriction on Title-Dwelling Construction

A Subdivision Certificate can be released and the titles created prior to the construction of the dwellings, however no dwelling other than the dwelling as approved by this consent shall be constructed on each lot. To ensure the above is achieved, a restriction shall be placed on title when created, able to be released once occupation certificate for the approved dwelling is in place, to the effect that no dwelling other than the dwelling as approved by this consent shall be constructed on the subject lot. Each of the approved dwellings can be constructed and occupied as an individual stage

In accordance with Section 375A of the Local Government Act 1993 a division took place.

For the Motion      Against the Motion

Cr. Fraser  
Cr. Adamthwaite  
Cr. Baker  
Cr. Langford  
Cr. Belcher  
Cr. Pauling  
Cr. Cubis  
Cr. Shultz  
Cr. Jones  
Cr. Buckley  
Cr. Gilbert  
(carried)

**Minutes of the Ordinary Council Meeting**  
**25 June 2018**

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(Carried)

**Public Access**

Nil.

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## Notice of Motion - Monday 25 June 2018

Councillor Kevin Baker left the Chamber at 7.09pm due to his declaration of interest in item 18NM011 – *Request to Federal Government to Reconsider Changes to Status Resolution Support Services Program*.

### 18NM011 Request to Federal Government to Reconsider Changes to Status Resolution Support Services Program

Folder No: F2018/00113  
Report By: Councillor - John Gilbert

106

Moved. Cr. Gilbert  
Seconded. Cr. Buckley

That Council writes to the Federal Minister for Home Affairs, the Hon. Peter Dutton MP, and the Prime Minister, the Hon. Malcolm Turnbull MP, asking the Federal Government to seriously consider reversing the cuts to the Status Resolution Support Services (SRSS) program.

(Carried)

#### Procedural Motion:

Moved by Cr Shultz  
That the item be put.

(carried)

#### Procedural Motion:

Moved by Cr Pauling  
That Item 18NM011 be recommitted.

(Lost)

Councillor Kevin Baker returned to the chamber at 7.23pm.

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Deputy Mayor Luke Cubis entered the chamber at 7.24pm.

**Notice of Motion - Monday 25 June 2018**

Item 18NM012 was withdrawn by Councillor Barney Langford.

**18NM012 Support for ABC**

Folder No: F2018/00113

Report By: Councillor - Barney Langford

- A. Council recognises the unique role that ABC Newcastle plays as an essential community resource in the daily lives of all Hunter residents and in particular the more than 200,000 residents of Lake Macquarie.
- B. Council acknowledges the role that the ABC plays as the Hunter's emergency network in times of disaster such as the Pasha Bulker storm and the huge assistance this has provided to the residents of Lake Macquarie.
- C. Council acknowledges the unique place that the ABC holds as one of the great institutions of Australia's way of life, and that it does so because it is a public broadcaster owned by the nation, and run as a service to all Australians.
- D. For the ABC to continue to play this central role in the lives of ordinary Australians and particularly residents of Lake Macquarie, it is essential that the ABC remain in public hands.
- E. The Mayor write to the Minister for Communications informing him of the special role that the ABC plays in the life of citizens of Lake Macquarie.

(Withdrawn)

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**Recommendations of the Corporate Services Committee -  
Tuesday 12 June 2018**

107

Moved. Cr. Buckley  
Seconded. Cr. Gilbert

The recommendations of the Corporate Services Committee at its meeting held on 12 June 2018 be adopted as detailed below.

(Carried)

**Recommendation No. 1**

**18CORP012 Cardiff (168A Myall Road) - Proposed Purchase for Open Space**

Folder No: F2015/00960  
Report By: Property Contracts Officer - Cheryl LeBrocq

Council authorises:

- A. Acquisition of the subject land 168A Myall Road, Cardiff (Lot 1 DP 226456), edged red in Attachment 1, for the amount of \$20,000.00 (exclusive of GST) with each party to meet its own costs legal costs in accordance with the Proposal section of this report.
- B. Council authorises the execution under its Common Seal, where required, to all associated documents necessary to bring effect to the above Recommendations.

**Recommendation No. 2**

**18CORP013 Ryhope (12 Charles Street) - Proposed Acquisition of Land**

Folder No: F2018/00541

Report By: Trainee Land Administration Officer - Shanaye Hall, Property Contracts Officer - Cheryl LeBrocq

- A. Council authorises the acquisition of Lot 9, Section B, DP 2469 (12 Charles Street, Ryhope) for the amount of \$16,500.00, excluding GST.
- B. Council will meet the owner's legal costs up to a maximum of \$1,200.00 plus GST.
- C. Council authorises execution under its Common Seal, where required, to all associated transaction documents necessary to bring effect to the above Recommendation.
- D. Council authorises the classification of Lot 9 Section B DP 2469 as Operational Land in accordance with Section 31 and 34 of the Local Government Act 1993 upon acquisition.

**Recommendations of the Community Development Committee -  
Tuesday 12 June 2018**

108

Moved. Cr. Pauling  
Seconded. Cr. Baker

The recommendations of the Community Development Committee at its meeting held on 12 June 2018 be adopted as detailed below.

(Carried)

**Recommendation No. 1**

**18COMM005 Adoption of Draft Croudace Bay Sports Complex Masterplan**

Folder No: PM16/0048/18

Report By: Community Land Planner (Sports) - Steven Cowen

- A. Council notes the submissions received as summarised in Attachment 1.

- B. Council adopts the amended Croudace Bay Sports Complex Masterplan as included in Attachment 2.
- C. Council proceeds to develop the sports facility in accordance with the Masterplan.
- D. The authors of the submissions are advised of Council's decision.

**Recommendation No. 2**

**18COMM006 Adoption of Draft Destination Management Plan 2018 - 2022**

Folder No: F2018/00083/01/02

Report By: Tourism Marketing Coordinator - Bianca Gilmore

- A. Council acknowledges the submissions received through the public exhibition of the draft City of Lake Macquarie Destination Management Plan 2018 – 2022.
- B. Council adopts the City of Lake Macquarie Destination Management Plan 2018 – 2022.

**Recommendation No. 3**

**18COMM007 Transfer of George Booth Drive to Council as a result of the Hunter Expressway**

Folder No: F2010/00286-02

Report By: Infrastructure Assets Management Coordinator - Allen Brierley

- A. Council accepts the offer of a financial contribution towards the maintenance of George Booth Drive, and agrees to the gazettal of the section of road between the M1 interchange and the Cessnock Council boundary as a local road.
- B. Council note with disappointment that the requests to negotiate the transfer of Minmi Road and Cameron Park Drive to the RMS as part of these discussions were refused over the past five years given that these main distributor roads act as link roads to the M1 and M15 freeways.

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## Recommendations of the General Business Committee - Tuesday 12 June 2018

109

Moved. Cr. Baker  
Seconded. Cr. Pauling

The recommendations of the General Business Committee at its meeting held on 12 June 2018 be adopted as detailed below.

(Carried)

### Recommendation No. 1

#### **18GB047 Mismatched DAs and Business Operations**

Folder No: F2009/00463/01  
Report By: Councillor - Jason Pauling

- A. That Councillors be briefed by way of memo or otherwise in relation to:
- B. Estimated extent of approved and actual use mismatch for business premises;
- C. Options to streamline remedy in instances where approved and actual business use do not match;
- D. Impediment to streamlining remedy;
- E. Other matters of relevance relating to mismatch between formally approved and actual business activity within the LGA;

### Recommendation No. 2

#### **18GB048 660L and 1100L Green Bin Options**

Folder No: F2013/01149-030  
Report By: Councillor - Jason Pauling

That Councillors be briefed by means of memo or otherwise regarding plans for 660L and

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1100L green bins – particularly in relation to Strata or business complexes where 660L or 1100L bins are utilised for general garbage and / or recycling.

**Recommendation No. 3**

**18GB049 Registration Requirements for Greyhounds**

Folder No: F2004/07202-016  
Report By: Councillor - Jason Pauling

That Councillors be briefed by means of memo or otherwise in relation to the registrations and record keeping requirements for Greyhounds within the Local Government Area including:

- A. Does Council hold any records in relation to Greyhounds within the Local Government Area;
- B. What options might be available to require registration with Council for Greyhounds if records are not currently held;
- C. Mechanism whereby Council is able to ascertain the registration status of Greyhounds within the Local Government Area;
- D. Current Greyhound registration statistics / numbers in relation to the Lake Macquarie City Council Local Government Area.

**Recommendation No. 4**

**18GB050 Advice Regarding Conditions of Consent**

Folder No: F2015/00530  
Report By: Councillor - Jason Pauling

4.  
That Council officers provide advice via memo regarding options available for situations where a DA is brought before Council for determination where conditions have not been provided.

**Recommendation No. 5**

**18GB051 Council Determination of DA/764/2018**

Folder No: DA/764/2018  
Report By: Councillor - Kevin Baker

5. That DA/764/2018 – 14 Fern Valley Road Cardiff be brought before Council for determination due to concerns from the community regarding suitability to the area, parking issues and other related concerns.

**Recommendation No. 6**

**18GB052 NSW Government Reduction in Parking Fine Amounts**

Folder No: F2018/00879  
Report By: Councillor - Kevin Baker

6. That Council staff provide feedback via memo on options available to Council to match / respond to NSW governments reduction in parking fine amounts.

**Recommendation No. 7**

**18GB053 NSW Government Changes to Airbnb Stays**

Folder No: F2014/01077/02  
Report By: Councillor - Kevin Baker

That Council refer to the appropriate portfolio committee changes enacted by NSW Government in relation to Airbnb stays and the actions Council may take as a result of these changes.

**Recommendation No. 8**

**18GB054 Hunter Joint Organisation**

Folder No: F2004/06324-02  
Report By: Councillor - Brian Adamthwaite

7. That Council receive a memo (including a link to the Joint Organisation website) on the activities of the Hunter Joint Organisation including meeting notifications, meeting minutes and a briefing by relevant staff at least bi-annually.

**Recommendation No. 9**

**18GB055 High Density Residential Development - Defect Notices**

Folder No: F2004/10503-02  
Report By: Councillor - John Gilbert

That a Councillor briefing be held on high-density residential developments in the Local Government Area that are or have recently been subject to serious defect notices and Councils position on the matter.

**Recommendation No. 10**

**18GB056 Belmont Baths**

Folder No: PM17/0032/05  
Report By: Councillor - Christine Buckley

That an update be provided to Councillors by way of a memo on the current situation of Belmont Baths.

## Recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee - Tuesday 12 June 2018

110

Moved. Cr. Jones  
Seconded. Cr. Baker

The recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee at its meeting held on 12 June 2018 be adopted as detailed below.

(Carried)

### Recommendation No. 1

#### **18TFC058      Inspection Committee's Recommendations for May 2018 - Inspections Outcome**

Folder No:        F2016/00430  
Report By:        Customer & Administration Officer - Erin Mann

The Inspection Committee's recommendations, as per attached document, be noted.

### Recommendation No. 2

#### **18TFC059      Valentine - Berringar Road - Parking restriction review**

Folder No:        F2005/02783  
Report By:        Technical Assistant - Kane Hitchcock

Approve the alteration of 12 metres No Stopping restrictions west of driveway of H/No 28 Allambee Place on Berringar Road, Valentine, and replace with No Parking restrictions as detailed in attached plan.

**Recommendation No. 3**

**18TFC060 Valentine - Allambee Place - Angled Parking restrictions**

Folder No: F2005/02783

Report By: Technical Assistant - Kane Hitchcock

- A. Approve the installation of 85 metres 90 degree angle rear to kerb vehicles under 6m only on the western side of Allambee Place, Valentine.
- B. Approve existing Disabled parking restrictions on western side of Allambee Place, Valentine opposite H/No 22-26.
- C. Remove non-compliant disabled parking spaces at the each end of the western side of Allambee Place, Valentine.

As detailed in the attached plan.

**Recommendation No. 4**

**18TFC061 Boolaroo - Main Road and Third Street - Parking restrictions**

Folder No: F2005/02787

Report By: Technical Assistant - Kane Hitchcock

- A. Install 36 metres No Parking (8am to 9:30 am and 2:30pm to 4pm School Days) restrictions with supplementary Kiss and Ride signage on Third Street, Boolaroo between access driveway and western boundary of Boolaroo Public School.
- B. Install 22 metres ¼ P (7-9am 3-5pm school days) restrictions on Main Road, Boolaroo south of existing School Children's Crossing fronting Boolaroo Public School.
- C. Install an additional 7 metres No Parking (8am to 9:30 am and 2:30pm to 4pm School Days) restrictions with supplementary Kiss & Ride signs on Second Street, Boolaroo west of existing No Parking.

**Recommendation No. 5**

**18TFC062 Charlestown - Dickinson Street - Parking restrictions**

Folder No: F2005/02777-05

Report By: Technical Assistant - Kane Hitchcock

Approve the installation of 34 metres No Parking restrictions on Dickinson Street, Charlestown opposite Ida Street, as detailed in attached plan.

**Recommendation No. 6**

**18TFC063 Boolaroo - Main Road - Pedestrian Crossing investigation**

Folder No: F2005/02787

Report By: Technical Assistant - Kane Hitchcock

- A. Action the removal of the pedestrian crossing and associated signage on Main Road, Boolaroo fronting H/No 2 (The Commercial Hotel) approved by Council (06TFC082) 8 August 2006.
- B. Approve the installation of 30 metre Bus Zone for bus stops on either side of Main Road between First Street and Second Street, Boolaroo, fronting H/No 2 and H/No 15.
- C. Approve the installation of 6 metres No Parking restrictions fronting H/No 2 Main Road, Boolaroo north of the Bus Zone.
- D. Remove 6 metres Taxi Zone restrictions fronting H/No 15 in Main Road, Boolaroo.
- E. List on the Infrastructure Strategy Register, kerb realignment for the north western corner Main Road and Third Street with Pram Ramps and Pedestrian Crossing.

As detailed in the attached plan.

**Recommendation No. 7**

**18TFC064 Charlestown - Elmore Street - No Parking restrictions**

Folder No: F2005/02777-05

Report By: Technical Assistant - Kane Hitchcock

Approve the installation of 20 metres No Parking restrictions on the southern side of the curve either side of the boundary of H/No 1 Elmore Street, Charlestown and H/No 40 Milson Street, Charlestown as detailed in the attached plan.

**Recommendation No. 8**

**18TFC065 Warners Bay - Bucklee Crescent - No Parking restrictions**

Folder No: F2005/02774-04

Report By: Technical Assistant - Kane Hitchcock

Approve the installation of 50 metres No Parking restrictions in Bucklee Crescent, Warners Bay from the midpoint of H/No 1 to the midpoint of H/No 6 as detailed in the attached plan.

**Recommendation No. 9**

**18TFC066 Gateshead - Felton Street - Timed Parking restrictions**

Folder No: F2005/02789-02

Report By: Technical Assistant - Kane Hitchcock

- A. Approve the installation 20 metres of ¼ P (8:30am – 4:30pm Mon – Fri) timed parking fronting H/No 74 Felton Street, Gateshead.
- B. Approve the installation 25 metres No Parking restrictions on the western side of Felton Street, Gateshead north of the existing No Stopping restrictions.
- C. List on the Infrastructure Strategy register the construction of a turning area at the southern end of Felton Street, Gateshead utilising the triangular parking area.  
As detailed in the attached plan.

**Recommendation No. 10**

**18TFC067      Mount Hutton - Tennent Road - Signage and Line Marking plan**

Folder No:        F2006/00329  
Report By:        Technical Assistant - Kane Hitchcock

Approve the Line Marking and Signage plan associated with kerb extensions fronting H/No 81 Tennent Road, Mount Hutton as detailed in the attached plan.

**Recommendation No. 11**

**18TFC068      Redhead - Hutchinson Street - School Children's Crossing Linemarking and Signage plan**

Folder No:        F2007/00080-02  
Report By:        Technical Assistant - Kane Hitchcock

Approve the Line Marking and Signage plan for the School Children's Crossing and kerb blisters for Redhead Public School Hutchinson Street, Redhead as detailed in attached plan.

**Recommendation No. 12**

**18TFC069      Jewells - Ntaba Road Signage and Line Marking plan for pedestrian refuge**

Folder No:        F2007/01081  
Report By:        Technical Assistant - Kane Hitchcock

Approve the Line Marking and Signage plan for the pedestrian refuge on Ntaba Road, Jewells at its intersection with Jewells Parade as detailed in attached plan.

**Recommendation No. 13**

**18TFC070 Charlestown - Dudley Road - No Stopping restrictions and Edge lines**

Folder No: F2005/02777-05

Report By: Technical Assistant - Kane Hitchcock

- A. Approve the extension of the No Stopping restrictions by 10 metres on the eastern side of Dudley Road, Charlestown south of Tiral Street.
- B. Approve the installation of Edge (E1) lines with Continuity (C1) lines for Bus Zones and the intersection with Tiral Street on Dudley Road, Charlestown between James Street and the roundabout at Algona Road with a 3.5 metre travel lane.

As detailed in attached plan

**Recommendation No. 14**

**18TFC071 Belmont North - Floraville Road - Bus zone and Edge lines**

Folder No: F2007/00707

Report By: Technical Assistant - Kane Hitchcock

- A. Approve the installation of a 30 metre Bus zone at the bus stop fronting H/No 37 Floraville Road, Belmont North.
- B. Approve the installation of Edge (E1) lines with a 3.5 metre travel lane on the eastern side of Floraville Road, Belmont North from the intersection with Griffiths Avenue to the boundary of H/No 1 & 3 Floraville Road.
- 8. C. Approve the installation of Continuity (C1) lines for Bus Zones on the eastern side of Floraville Road, Belmont North fronting H/No's 37, 57 and 73A (Marks Oval) and at the intersections with Park Street, Sampson Avenue, Margaret Street, Maxwell Avenue and York Crescent.
- 9.
- 10. As detailed in the attached plan.
- 11.

**Recommendation No. 15**

**18TFC072 Swansea Heads - Lambton Parade - Dividing centre lines**

Folder No: F2005/02766-02

Report By: Technical Assistant - Kane Hitchcock

Approve the installation of 20 metres Dividing (BB) Centre lines on Lambton Parade, Swansea Heads, either side of its intersection with Opal Close, as detailed in attached plan.

**Recommendation No. 16**

**18TFC073 Whitebridge - Lonus Avenue - No Parking (Kiss and Ride) restrictions**

Folder No: F2006/02344

Report By: Technical Assistant - Kane Hitchcock

Approve the installation of 12 metres No Parking (8am – 9:30am 2:30pm – 4pm school days) with Supplementary Kiss and Ride signs south of existing Bus zone on Lonus Avenue, Whitebridge fronting Whitebridge High School as detailed in the attached plan.

**Recommendation No. 17**

**18TFC074 Belmont North - Master Street - Painted median**

Folder No: F2007/00707

Report By: Technical Assistant - Kane Hitchcock

- A. Approve the installation of a painted median on the curve between the driveway of H/No 40 Master Street and the driveway of H/No 174 Wommara Avenue providing a 4.5 metre travel lane on the eastern side of Master Street.
- B. Install Turn (W1-1) signs on both approaches to the curve on Master Street in line with the front boundary of H/No 172 Wommara Avenue and on the boundary of

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H/No's 32 & 34 Master Street.

**Recommendation No. 18**

**18TFC075 Macquarie Hills - Exford Avenue - Line marking**

Folder No: F2006/01544

Report By: Technical Investigation Officer - Robert Morris

Approve the installation of Dividing (BB) centrelines on Exford Avenue, Macquarie Hills from 10 metres west of Amsdale Avenue to 10 metres east of Newbold Road as detailed in the attached Plan.

**Recommendation No. 19**

**18TFC076 Cooranbong - Cedar Cutters Crescent - Parking Investigation**

Folder No: F2005/02763-02

Report By: Technical Investigation Officer - Robert Morris

Approve the installation of Dividing (BB) centrelines on Cedar Cutters Crescent, Cooranbong from the boundary of H/No 69 and 71 to the boundary of H/No 81 and 83 Cedar Cutters Crescent, as detailed in the attached plan.

**Recommendation No. 20**

**18TFC077 Cardiff Heights - Wallsend Road - Intersection investigation**

Folder No: F2005/02773-03

Report By: Technical Investigation Officer - Robert Morris

Approve the installation of a L1 Lane line on Reservoir Road, Cardiff Heights, at the Y-intersection, for 14 metres from the existing E1 Edge line as detailed in the attached plan.

**Recommendation No. 21**

**18TFC078 Booragul - Aspinall Street - Parking restrictions**

Folder No: F2006/01532

Report By: Technical Investigation Officer - Robert Morris

- A. Approve the installation of 40 metres of Kiss and Ride No Parking (8am – 9:30am and 2:30pm – 4pm school days) restrictions on the southern side of Aspinall Street, east of the School Children’s Crossing to First Street.
- B. Approve the removal of the existing of Kiss and Ride No Parking (8am – 9:30am and 2:30pm – 4pm School days) restrictions and the installation of 26 metres of No Stopping (8am – 9:30am and 2:30pm – 4pm school days) restrictions on Aspinall Street, Booragul.

As detailed in the attached plan.

**Recommendations of the Budget Committee - Tuesday 12 June 2018**

111

Moved. Cr. Adamthwaite  
Seconded. Cr. Shultz

The recommendations of the Budget Committee at its meeting held on 25 June 2018 be adopted as detailed below.

(Carried)

**Recommendation No. 1**

**18BUD016 Requests for Donations & Financial Assistance under Section 356 of the Local Government Act 1993**

Folder No: F2018/00118/01

Report By: Governance Administration Officer - Angela Lamb

Council resolves to

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- A: Provide a donation of an additional 240 litre garbage collection service to 28 residents to meet their medical needs, including provision of an additional 240 litre garbage bin where required
- B: Provide a donation of the upfront fee to change to a fortnightly 360 litre recycling service to 12 residents to meet their medical needs
- C: Note that funds of up to \$10,940 for these donated services are available within Council's existing waste management budget

Council resolves to not provide the donation/financial assistance requested by the following group:

- D. Cameron Park Mini Munchkins Playgroup

### Recommendation No. 2

#### **18BUD017 Results of the public exhibition of the Draft Revised Delivery Program 2017-2021 incorporating the Draft Operational Plan and Budget 2018-2019 and Draft Fees and Charges 2018-2019**

Folder No: F2016/00780/02/05

Report By: Corporate Planning Coordinator - Jennifer Donaldson

Council:

- A. Receives and notes the external submissions and responses contained in Attachment 1 of this report.
- B. Notes the changes to the draft documents contained in Attachment 2 of this report.
- C. Adopts the revised draft Delivery Program 2017-2021, and Operational Plan and Budget 2018/2019 contained in Attachment 3 of this report.
- D. Adopts the revised draft Fees and Charges 2018/2019 contained in Attachment 4 of this report, with the exception of the fees contained in Attachment 5.
- E. Advises the authors of external submissions of its decision.
- F. Publicly exhibits the fees contained in Attachment 5 of this report.
- G. In the event that no submissions are received, Council adopts the fees contained in Attachment 5 of this report.
- H. In the event of submissions being received, Council officers prepare a report outlining the content of the submissions for the next available Standing Committee

or Ordinary Council meeting, whichever is more suitable given timing.

- i. Support the use of the “communities” in the draft to describe what previous documents refer to 95 villages and request that, given recent discussions at the Diverse Economy Portfolio meeting that the terms “suburbs” be used in future documents to refer to the 95 named suburbs of the city and “economic centres” be used to refer to the 9 shopping and commercial centres in the city.

### Recommendation No. 3

#### 18BUD018      2018/2019 Rate Levy

Folder No:        F2013/00852

Report By:        Revenue Accountant - Laurence McGuinness

#### A) Rates

The Council, having adopted its Operational Plan for the year commencing 1 July 2018 after giving public notice (in accordance with Section 405 of the Local Government Act 1993) of its draft Operational Plan for the year commencing 1 July 2018 and considering submissions concerning that Plan (in accordance with Section 405 of the Local Government Act 1993), hereby resolves to make the following rates and charges and that:

- (i) The Residential Category of the Ordinary Rate shall consist of a Base Amount to which an ad valorem amount is added, and:

The Base Amount of the Residential Category of the Ordinary Rate, for the year commencing 1 July 2018, shall be \$712.29 on all rateable land within the residential category, within the City; and

The percentage of the total amount payable by the levying of the Rate for the Residential Category of the Ordinary Rate that the levying of the Base Amount will produce, is fifty point zero zero percent (50.00%).

The ad valorem amount for the Residential Category of the Ordinary Rate for the year commencing 1 July 2018, shall be zero point two five three one five two (0.253152) cents in the dollar applied to the Land Value of all rateable land within the Residential Category within the City.

- (ii) The Farmland Category of the Ordinary Rate shall consist of a Base Amount

to which an ad valorem amount is added, and:

The Base Amount for the Farmland Category of the Ordinary Rate for the year commencing 1 July 2018, shall be \$712.29 on all rateable land within the Farmland Category within the City; and

The percentage of the total amount payable by the levying of the Rate for the Farmland Category that the levying of the Base Amount will produce, is thirty seven point zero two percent (37.02%).

The ad valorem amount for the Farmland Category of the Ordinary Rate for the year commencing 1 July 2018, shall be zero point one seven seven two zero seven (0.177207) cents in the dollar applied to the Land Value of all rateable land within the Farmland Category within the City.

- (iii) The Business Category of the Ordinary Rate shall consist of a Base Amount to which an ad valorem amount is added, and:
- A.
  - B. The Base Amount for the Business Category of the Ordinary Rate for the year commencing 1 July 2018, shall be \$100.43 on all rateable land within the Business Category within the City; and
  - C. The percentage of the total amount payable by the levying of the Rate for the Business Category that the levying of the Base Amount will produce, is two point zero zero percent (2.00%).
  - D. The ad valorem amount for the Business Category of the Ordinary Rate for the year commencing 1 July 2018, shall be one point one nine zero zero nine three (1.190093) cents in the dollar applied to the Land Value of all rateable land within the Business Category within the City.
- (iv) The Mining Category of the Ordinary Rate shall consist of a Base Amount to which an ad valorem amount is added, and:
- E. The Base Amount for the Mining Category of the Ordinary Rate for the year commencing 1 July 2018, shall be \$1,063.29 on all rateable land within the Mining Category within the City; and
  - F. The percentage of the total amount payable by the levying of the Rate for the Mining Category that the levying of the Base Amount will produce, is two point zero zero percent (2.00%).
  - G. The ad valorem amount for the Mining Category of the Ordinary Rate for the year commencing 1 July 2018, shall be two point six five nine nine eight three (2.659983) cents in the dollar applied to the Land Value of all

rateable land within the Mining Category within the City.

**B) Domestic Waste Management Charges**

- H. (i) Council resolves to make and levy a charge of \$434.00 for the year commencing 1 July 2018, for the provision of domestic waste management services for each parcel of rateable land for which the service is available in the City, except as detailed in points (ii) to (x) as follows:
- (ii) Strata Downsize Standard Package – as detailed in Council's 2018/2019 Fees and Charges.
- I. Council resolves to make and levy a charge of \$384.00 for the year commencing 1 July 2018, for the provision of domestic waste management services for each parcel of rateable land for which this service has been requested.
- (iii) Strata Downsize Weekly Package – as detailed in Council's 2018/2019 Fees and Charges.
- J. Council resolves to make and levy a charge of \$560.00 for the year commencing 1 July 2018, for the provision of domestic waste management services for each parcel of rateable land for which this service has been requested.
- (iv) Strata Standard Weekly Package – as detailed in Council's 2018/2019 Fees and Charges.
- K. Council resolves to make and levy a charge of \$610.00 for the year commencing 1 July 2018, for the provision of domestic waste management services for each parcel of rateable land for which this service has been requested.
- (v) Strata Shared 240L Standard Package – as detailed in Council's 2018/2019 Fees and Charges.
- L. Council resolves to make and levy a charge of \$334.00 for the year commencing 1 July 2018, for the provision of domestic waste management services for each parcel of rateable land for which this service has been requested.
- (vi) Strata Shared Weekly 240L Package – as detailed in Council's 2018/2019 Fees and Charges.
- M. Council resolves to make and levy a charge of \$591.00 for the year commencing 1 July 2018, for the provision of domestic waste management services for each parcel of rateable land for which this service has been requested.
- (vii) Strata Shared 660L Standard Package - as detailed in Council's 2018/2019 Fees and Charges.

- N. Council resolves to make and levy a charge of \$509.00 for the year commencing 1 July 2018, for the provision of domestic waste management services for each parcel of rateable land for which this service has been requested.
- (viii) Strata Shared Weekly 660L Package - as detailed in Council's 2018/2019 Fees and Charges.
- O. Council resolves to make and levy a charge of \$908.00 for the year commencing 1 July 2018, for the provision of domestic waste management services for each parcel of rateable land for which this service has been requested.
- (ix) Strata Shared 1100L Package - as detailed in Council's 2018/2019 Fees and Charges.
- P. Council resolves to make and levy a charge of \$356.00 for the year commencing 1 July 2018, for the provision of domestic waste management services for each parcel of rateable land for which this service has been requested.
- (x) Strata Shared Weekly 1100L Package - as detailed in Council's 2018/2019 Fees and Charges.
- Q. Council resolves to make and levy a charge of \$658.00 for the year commencing 1 July 2018, for the provision of domestic waste management services for each parcel of rateable land for which this service has been requested.
- (xi) Additional 240L Domestic Garbage Service - Fortnightly - as detailed in Council's 2018/2019 Fees and Charges.  
Council resolves to make and levy a charge of \$204.00 for the year commencing 1 July 2018, on each parcel of rateable land for which this service has been requested.
- (xii) Additional 240L Domestic Garbage Service - Weekly - as detailed in Council's 2018/2019 Fees and Charges.  
Council resolves to make and levy a charge of \$380.00 for the year commencing 1 July 2018, on each parcel of rateable land for which this service has been requested.
- (xiii) Additional 660L Domestic Garbage Service - Fortnightly - as detailed in Council's 2018/2019 Fees and Charges.  
Council resolves to make and levy a charge of \$582.00 for the year commencing 1 July 2018, on each parcel of rateable land for which this service has been requested.
- (xiv) Additional 660L Domestic Garbage Service - Weekly - as detailed in Council's 2018/2019 Fees and Charges.

Council resolves to make and levy a charge of \$714.00 for the year commencing 1 July 2018, on each parcel of rateable land for which this service has been requested.

- (xv) Additional 1100L Domestic Garbage Service - Fortnightly - as detailed in Council's 2018/2019 Fees and Charges.  
Council resolves to make and levy a charge of \$840.00 for the year commencing 1 July 2018, on each parcel of rateable land for which this service has been requested.

- (xvi) Additional 1100L Domestic Garbage Service - Weekly - as detailed in Council's 2018/2019 Fees and Charges.  
Council resolves to make and levy a charge of \$962.00 for the year commencing 1 July 2018, on each parcel of rateable land for which this service has been requested.

- (xvii) Additional Recycling Service Charge - as detailed in Council's 2018/2019 Fees and Charges.  
Council resolves to make and levy a charge of \$80.00 for the year commencing 1 July 2018, on each parcel of rateable land for which this service has been requested.

- (xviii) Additional Green Waste Service Charge - as detailed in Council's 2018/2019 Fees and Charges.  
Council resolves to make and levy a charge of \$150.00 for the year commencing 1 July 2018, on each parcel of rateable land for which this service has been requested.

R.

**C) Waste Management Charges**

S. Council resolves to make and levy an annual charge of \$460.00 per service for the year commencing 1 July 2018 for the provision of a weekly 240L garbage bin waste management service (other than domestic waste management services), on each parcel of rateable land for which the service is proposed to be provided.

Council resolves to make and levy a charge of \$2,580.00 for the year commencing 1 July 2018, for the provision of waste management services for the removal of effluent for each parcel of rateable land for which the service is available in the City.

- D)** This Council determines that for the year commencing 1 July 2018, overdue

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rates and charges shall, in pursuance of Section 566, accrue interest on a daily basis. The rate of interest shall be the maximum rate allowable, as determined by the Minister for Local Government, being 7.50% for the 2018/2019 rating year.

- E) That in accordance with the provisions of the Local Land Services Act (2013) and the Local Land Services Regulation (2014), Council makes for the year commencing 1 July 2018, a Special Rate, to an amount to be advised by the Hunter Local Land Services, to be applied to the Land Value of land within the catchment contribution area, as is located within the City; having a Land Value in excess of three hundred dollars (\$300.00); and is rateable for the time being under the provisions of the Local Government Act, 1993.
  
- F) That all of the above rates and charges in respect of the year commencing 1 July 2018, be levied on the lands specified above by the service of rate notices and that the General Manager be authorised to serve such rate notices by post or electronically.

## Business Arising from Public Access – Monday 25 June 2018

Nil

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## Special Report of the Chief Executive Officer to Ordinary Council Meeting - Monday 25 June 2018

### **18SP031      2018 Local Government NSW Annual Conference - Albury - 21 - 23 October**

Folder No:        F2018/00280  
Report By:        Personal Assistant to Mayor - Angela O'Brien

112

Moved. Cr. Harrison  
Seconded. Cr. Langford

- A. That Council nominates Mayor Kay Fraser, the Deputy Mayor and Councillors Brian Adamthwaite, Colin Grigg, Christine Buckley, Kevin Baker and Barney Langford to attend the 2018 Local Government NSW Annual Conference to be held in Albury from 21 to 23 October.
- B. Council nominates Councillors Brian Adamthwaite, Colin Grigg, Christine Buckley, Kevin Baker and Barney Langford as voting delegates, in addition to the Mayor and Deputy Mayor, who will exercise voting rights for the business sessions and election of office bearers.

(Carried)

### **18SP032      Amendments to Standing Committees**

Folder No:        F2018/00669  
Report By:        Senior Policy Advisor - Daniel Hughes

113

Moved. Cr. Langford  
Seconded. Cr. Harrison

That Council:

- A. Revokes, from 1 July 2018, the following Standing Committees:
  - a. Corporate Services Committee;
  - b. City Strategy Committee;
  - c. Community Development Committee;
  - d. Budget Committee;

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- e. Repol Committee; and
  - f. Operations Committee.
- B. Establishes, from 1 July 2018, the following Standing Committees:
- a. Organisational Services Standing Committee;
  - b. Development and Planning Standing Committee;
  - c. Service Delivery Standing Committee;
  - d. Planning for the Future Standing Committee; and
  - e. Built and Natural Assets Standing Committee.
- C. Endorses the continuation of Council's existing General Business Committee.
- D. Endorses Charters for each of the Standing Committees identified in part B above, and an updated Charter for the General Business Committee (refer to Attachments 1-6).
- E. Grants the Development and Planning Standing Committee delegated authority to determine matters (refer to Attachment 1).
- F. Endorses the following changes to the timing of Ordinary Council meetings:
- a. begin with Public Forum at 5:30pm;
  - b. break between 6:00pm and 6:30pm; and
  - c. commence Ordinary Council meetings at 6:30pm.
- G. Notes Standing Committees and the General Business Committee will continue to meet on the second Monday of each month and that Ordinary Council meetings will continue to meet on the fourth Monday of each month.
- H. Notes Standing Committees are established in accordance with Clause 260 of the *Local Government (General) Regulation 2005*.
- I. Notes that, if required, minor and technical amendments to Charters will be subject to approval by the Chief Executive Officer; and the establishment of new Standing Committees, significant amendments to existing Charters and decisions on the discontinuation of Standing Committees will be subject to Council consideration.
- J. Endorses the following changes to the timing of Standing Committee meetings:
- a. begin with Public Forum at 5:30pm;
  - b. break between 6:00pm and 6:30pm; and
  - c. commence Standing Committee meetings at 6:30pm.

(Carried)

**18SP033 Policy Review - Code of Meeting Practice**

Folder No: F2005/02446

Report By: Governance Coordinator - Katherine McNaughton

114

Moved. Cr. Langford

Seconded. Cr. Adamthwaite

That Council:

- A. Places the draft *Code of meeting practice* (Attachment 1) on public exhibition for a minimum period of 28 days, with 42 days allowed for the receipt of submissions.
- B. The Code of Meeting Practice be referred to the relevant portfolio committee for review and Councillors receive a briefing session on the matter during the exhibition period.
- C. Council officers prepare a further report for the consideration of Council.

(Carried)

**18SP034 LG NSW - Election of Vice President (Rural/ Regional Councils)**

Folder No: F2018/00110

Report By: Governance Coordinator - Katherine McNaughton

115

Moved. Cr. Langford

Seconded. Cr. Shultz

- A. Council nominates Mayor Kay Fraser and the Deputy Mayor Luke Cubis as voting delegates for the purpose of the election of this casual vacancy.
- B. Council nominates the 5 councillors elected as voting delegates at the 2017 conference.

(Carried)

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**Special Report of the Director City Strategy to Ordinary Council Meeting - Monday 25 June 2018**

**18SP035 Investments - May 2018**

Folder No: F2004/11956-17

Report By: Coordinator Financial Accounting - Julie Louis

116

Moved. Cr. Buckley

Seconded. Cr. Cubis

Council accepts the attached report identifying all money Council has invested under Section 625 of the Local Government Act 1993.

(Carried)

**18SP038 Local Heritage Places grants 2018-2019**

Folder No: F2009/00934/09/02

Report By: Heritage Support Officer - Sherrie-Lee Evans

117

Moved. Cr. Adamthwaite

Seconded. Cr. Baker

That Council adopt the recommendations of the Heritage Committee made at its meeting of 7 May 2018 (Attachment 1).

(Carried)

**Special Report of the Director Community Development to Ordinary Council Meeting - Monday 25 June 2018**

**18SP036 Grants of Assistance to Council from Roads and Maritime Services - 2018/2019**

Folder No: F2004/11048

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Report By: Infrastructure Assets Management Coordinator - Allen Brierley

118

Moved. Cr. Baker

Seconded. Cr. Buckley

Council accepts:

- A. The 2017/18 Block Grant of \$1,447,000 for Regional Road Maintenance, Traffic Facilities and Supplementary components in accordance with the Roads and Maritime Services' "Arrangements with Councils for Road Maintenance"
- B. The 2017/18 Grant of \$250,000 under the Regional Roads Repair Program

(Carried)

### Inspection Reports - Monday 25 June 2018

Councillor Adam Shultz left the chamber at 8.04pm

Councillor Adam Shultz returned to the chamber at 8.07pm

#### **18SP037      18GB038 - Full Council Site Inspection - Pedestrian Safety - Beach Road, Redhead**

Folder No: C2018/05195-02

Report By: Senior Strategic Landuse Planner - Karen Partington

#### **Amendment**

Moved - Cr Pauling

Seconded - Cr Langford

- A. Await the outcome of the current consultation process; and
- B. As a matter of urgency, call for a Council report that highlights the safety issues and recommended solutions.

(Lost)

119

Moved. Cr. Buckley

Seconded. Cr. Harrison

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25 June 2018



- A. Await the outcome of the current consultation process; and
- B. As a matter of urgency, call for a Council report at the August Council Meeting that highlights the safety issues and recommended solutions.

(Carried)

### Matters Referred - Monday 25 June 2018

#### **18SP039 Buttaba: Council Determination of DA/2366/2017**

Folder No: DA/2366/2017  
Report By: Senior Development Planner - Andrew Leese

120

Moved. Cr. Baker  
Seconded. Cr. Shultz

That Council approve DA/2366/2017 subject to conditions of consent outlined in attachment 3 to allow for slipway and jetty construction.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

<u>For the Motion</u>	<u>Against the Motion</u>
Cr. Fraser	Cr. Langford
Cr. Adamthwaite	
Cr. Baker	
Cr. Pauling	
Cr. Harrison	
Cr. Cubis	
Cr. Shultz	
Cr. Jones	
Cr. Buckley	
Cr. Gilbert	
(carried)	

(Carried)

**Minutes of the Ordinary Council Meeting**

**25 June 2018**

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As this concluded the business the  
Chairperson terminated the meeting at 8.11 pm.

Minutes adopted by resolution of Council,  
at its meeting held on 23 July 2018.

..... MAYOR



**Determinations of the Development and Planning Standing  
Committee Meeting  
Monday 9 July 2018  
Speers Point**

**Present:** Her Worship the Mayor, Councillor Kay Fraser, who presided; also Deputy Mayor Luke Cubis, and Councillors Brian Adamthwaite, Kevin Baker, David Belcher, John Gilbert, Colin Grigg, Wendy Harrison, Nick Jones, Barney Langford, Jason Pauling and Adam Shultz.

**Apologies:** Councillors Brian Adamthwaite and Christine Buckley.

<b>Officers:</b>	Morven Cameron	Chief Executive Officer
	Tony Farrell	Deputy Chief Executive Officer
	John Ferguson	Director Service Delivery
	David Hughes	Director Built and Natural Assets
	Laura Kendall	Director Organisational Services
	Elizabeth Lambert	Acting Manager Development Assessment & Compliance
	Wes Hain	Acting Manager Community Planning
	Alice Howe	Interim Manager Planning & Sustainability
	Helen Plummer	Manager Asset Management
	Angela Lamb	Governance Administration Officer
	Kate Davies	Public Relations

Your Development and Planning Standing Committee Meeting wishes to report having met in the Council Chambers Speers Point on Monday 9 July 2018 at 6:30pm.

9 July 2018

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## Development and Planning Standing Committee Meeting - Monday 9 July 2018

Councillor Kevin Baker declared a non-pecuniary, less than significant interest in item 18DP002 – *Lake Macquarie Airport – Variation of Development Standard Height* advising that during election time signs were posted at the site.

Councillor Kevin Baker declared a non-pecuniary, less than significant interest in item 18DP003 – *Warners Bay: Carport/Shed* advising that persons are known to him.

Councillor Kevin Baker declared a non-pecuniary, less than significant interest in item 18DP005 – *Cardiff Heights :Variation to Development Standard Height – Aged Care Facility, Addition for Lift* advising that during election time signs were posted at the site.

Councillor Nick Jones declared a non-pecuniary, less than significant interest in item 18DP002 – *Lake Macquarie Airport – Variation of Development Standard Height* advising that during election time signs were posted at the site.

Councillor Nick Jones declared a pecuniary, less than significant interest in item 18DP004 – *Teralba : Asphalt Plant* and that he will be leaving the chamber.

Councillor Nick Jones declared a non-pecuniary, less than significant interest in item 18DP005 – *Cardiff Heights :Variation to Development Standard Height – Aged Care Facility, Addition for Lift* advising that during election time signs were posted at the site.

Councillor Jason Pauling declared a non-pecuniary, less than significant interest in item 18DP002 – *Lake Macquarie Airport – Variation of Development Standard Height* advising that during election time signs were posted at the site.

Councillor Jason Pauling declared a non-pecuniary, less than significant interest in item 18DP005 – *Cardiff Heights :Variation to Development Standard Height – Aged Care Facility, Addition for Lift* advising that during election time signs were posted at the site.

### **18DP001          Amendments to the Land Reservation Acquisition Maps in the Lake Macquarie Local Environmental Plan 2014 - Mount Hutton**

Folder No:        RZ/5/2016  
Report By:       Strategic Planner - Hannah Benson

1

Moved. Cr. Grigg

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**Determinations of the Development and Planning Standing  
Committee Meeting**



**9 July 2018**

Seconded. Cr. Pauling

Council:

- A. Notes the issues raised during public exhibition, as discussed in this report, and endorses the revised Planning Proposal to amend *Lake Macquarie Local Environmental Plan 2014 (LMLEP 2014)* contained in Attachment 1
- B. Requests a Parliamentary Counsel Opinion to amend the *Lake Macquarie Local Environmental Plan 2014* in accordance with the LEP Amendment maps contained in the Planning Proposal in Attachment 1.
- C. Make the amended Local Environmental Plan under delegation pursuant to section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- D. Endorses the amendments to the Lake Macquarie Development Control Plan 2014 (LMDCP 2014) in Attachment 2, provided the LEP Amendment is made.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

For the Motion    Against the Motion

Cr. Baker  
Cr. Belcher  
Cr. Cubis  
Cr. Fraser  
Cr. Gilbert  
Cr. Grigg  
Cr. Harrison  
Cr. Jones  
Cr. Langford  
Cr. Pauling  
Cr. Shultz  
(carried)

(Carried)

**18DP002          Lake Macquarie Airport - Variation of Development Standard  
Height**

Folder No:        DA/302/2018  
Report By:        Development Planner - Amy Regado

2

Moved. Cr. Baker

**Determinations of the Development and Planning Standing Committee Meeting**



**9 July 2018**

Seconded. Cr. Grigg

- A. Council approve the development application for Airport – alterations and additions DA/302/2018, subject to conditions in Attachment 1; and
- B. Council endorse the development standard variation under Clause 4.6 of the Lake Macquarie Local Environmental Plan 2014, providing a maximum building height of 10.1 metres (Hanger 4) and 12.25 metres (Hanger 5) exceeding the development standard of 8.5 metres.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

For the Motion    Against the Motion

Cr. Baker  
Cr. Belcher  
Cr. Cubis  
Cr. Fraser  
Cr. Gilbert  
Cr. Grigg  
Cr. Harrison  
Cr. Jones  
Cr. Langford  
Cr. Pauling  
Cr. Shultz  
(carried)

(Carried)

**18DP003          Warners Bay : Carport/Shed**

Folder No:          DA/1224/2017  
Report By:          Building Surveyor - Amanda Schaffer

3

Moved. Cr. Harrison  
Seconded. Cr. Gilbert

That development application DA/1224/2017 be approved subject to conditions in Attachment 4.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

For the Motion    Against the Motion

**Determinations of the Development and Planning Standing  
Committee Meeting**



**9 July 2018**

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Cr. Baker            Cr. Shultz  
Cr. Belcher  
Cr. Cubis  
Cr. Fraser  
Cr. Gilbert  
Cr. Grigg  
Cr. Harrison  
Cr. Jones  
Cr. Langford  
Cr. Pauling  
(carried)

(Carried)

Councillor Nick Jones left the chamber at 6.52pm.

**18DP004            Teralba : Asphalt Plant**

Folder No:            DA/364/2018  
Report By:            Development Planner - Anna Kleinmeulman

4

Moved. Cr. Belcher  
Seconded. Cr. Harrison

- A. Council approve DA/364/2018 subject to conditions listed in Attachment 1.
- B. Council endorse the development standard variation under Clause 4.6 of Lake Macquarie Local Environmental Plan 2014, providing a maximum building height of 26m for the alterations and additions, exceeding the development standard of 8.5m
- C. Council include the modified conditions as outlined below:
  - a. Condition 8 has been amended to require works to realign line marking to provide a basic right turn intersection. The revised wording is also intended to clarify the applicant is not required to undertake road reconstruction to facilitate the intersection upgrade.
  - b. Condition 31 has been amended following a review to provide an average rate per tonne of material leaving the site, rather than a rate per nominated route.

.In accordance with Section 375A of the Local Government Act 1993 a division took place.

**Determinations of the Development and Planning Standing  
Committee Meeting**



**9 July 2018**

For the Motion   Against the Motion

Cr. Baker  
Cr. Belcher  
Cr. Cubis  
Cr. Fraser  
Cr. Gilbert  
Cr. Grigg  
Cr. Harrison  
Cr. Langford  
Cr. Pauling  
Cr. Shultz  
(carried)

(Carried)

Councillor Nick Jones returned to the chamber at 6.57pm.

**18DP005          Cardiff Heights: Variation to Development Standard Height -  
Aged Care Facility, Addition for Lift**

Folder No:          DA/466/2018  
Report By:          Development Planner - Fiona Stewart

5

Moved. Cr. Belcher  
Seconded. Cr. Baker

- A. Council approve DA/466/2018, subject to conditions listed in Attachment 1; and
- B. Council endorse the development standard variation under Clause 4.6 of Lake Macquarie Local Environmental Plan 2014, providing a maximum building height of 11.26 metres for the alterations and additions, exceeding the development standard of 8.5 metres.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

For the Motion   Against the Motion

Cr. Baker  
Cr. Belcher  
Cr. Cubis  
Cr. Fraser  
Cr. Gilbert  
Cr. Grigg  
Cr. Harrison

**Determinations of the Development and Planning Standing  
Committee Meeting**



**9 July 2018**

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Cr. Jones  
Cr. Langford  
Cr. Pauling  
Cr. Shultz  
(carried)

(Carried)

**18DP006 Floraville - Variation of Development Standard Height :  
Dwelling Alterations & Additions**

Folder No: DA/139/2018  
Report By: Building Surveyor - Tom Cruden-Rivers

6

Moved. Cr. Belcher  
Seconded. Cr. Langford

- A. Council approve DA/139/2018 for dwelling alterations and additions subject to conditions in Attachment 2.
- B. Council endorse the development standard variation under clause 4.6 of the LMLEP 2014, providing a maximum building height 6.7 metres which exceeds the development standard by 1.2 metres.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

For the Motion   Against the Motion

Cr. Baker  
Cr. Belcher  
Cr. Cubis  
Cr. Fraser  
Cr. Gilbert  
Cr. Grigg  
Cr. Harrison  
Cr. Jones  
Cr. Langford  
Cr. Pauling  
Cr. Shultz  
(carried)

(Carried)

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**Determinations of the Development and Planning Standing  
Committee Meeting**



**9 July 2018**

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**18DP007      Review of Precinct Area Plan - Mount Hutton**

Folder No:      F2013/01347/03

Report By:      Senior Strategic Landuse Planner - Gabriele Calcagno

7

Moved. Cr. Baker

Seconded. Cr. Shultz

That Council:

- A. Publicly exhibits the draft Mount Hutton Precinct Area Plan (Attachment 1) as an amendment to Lake Macquarie Development Control Plan 2014 for a period of not less than 28 days.
- B. Resolves that, if minor amendments are required post exhibition, these can be included in the report under delegation to the Chief Executive Officer, and a Memo to Councillors be provided identifying changes made to the Mount Hutton Precinct Area Plan.
- C. Resolves that, in the event that submissions require significant alterations to the Area Plan, Council officers prepare a further report to Council on the matter.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

For the Motion    Against the Motion

Cr. Baker  
Cr. Belcher  
Cr. Cubis  
Cr. Fraser  
Cr. Gilbert  
Cr. Grigg  
Cr. Harrison  
Cr. Jones  
Cr. Langford  
Cr. Pauling  
Cr. Shultz  
(carried)

(Carried)

**9 July 2018**

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**18DP008 Council Nominations to Hunter and Central Coast Regional  
Planning Panel**

Folder No: F2018/00692/03  
Report By: Acting Manager Development Assessment & Compliance - Elizabeth  
Lambert

8

Moved. Cr. Harrison  
Seconded. Cr. Baker

- A. Council nominate Councillor Jason Pauling, plus an alternate Councillor, Councillor Nick Jones, to represent LMCC on the Hunter and Central Coast Regional Planning Panel.
- B. Council appoint Justin Hamilton as the Council nominated expert to the Hunter and Central Coast Regional Planning Panel for a period of three years.
- C. Council appoint Scott Anson as the Council nominated alternate expert to the Hunter and Central Coast Regional Planning Panel for a period of three years.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

For the Motion   Against the Motion

Cr. Baker  
Cr. Belcher  
Cr. Cubis  
Cr. Fraser  
Cr. Gilbert  
Cr. Grigg  
Cr. Harrison  
Cr. Jones  
Cr. Langford  
Cr. Pauling  
Cr. Shultz  
(carried)

(Carried)

**Determinations of the Development and Planning Standing  
Committee Meeting**



**9 July 2018**

**18DP009 Council Nomination to Design Review Panel Under SEPP 65**

Folder No: F2018/00689/03

Report By: Acting Manager Development Assessment & Compliance - Elizabeth Lambert

9

Moved. Cr. Belcher

Seconded. Cr. Baker

A. Council appoint the following members to Council's SEPP 65 Design Review Panel for a term of two years:

- a. Phillip Pollard;
- b. Alison McCabe;
- c. Robert Denton;
- d. John O'Grady;
- e. Brian McDonald, and
- f. Kristy Ryan

B. Council appoint Phillip Pollard as chair of the Lake Macquarie SEPP 65 Design Review Panel for a term of two years.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

For the Motion    Against the Motion

Cr. Baker  
Cr. Belcher  
Cr. Cubis  
Cr. Fraser  
Cr. Gilbert  
Cr. Grigg  
Cr. Harrison  
Cr. Jones  
Cr. Langford  
Cr. Pauling  
Cr. Shultz  
(carried)

(Carried)

9 July 2018

**18DP010 LEP Height of Buildings Map amendments**

Folder No: RZ/4/2018

Report By: Student Land Use Planner - Scott Monro

10

Moved. Cr. Pauling

Seconded. Cr. Shultz

This report recommends that Council:

- A. Requests a Gateway Determination from the Department of Planning and Environment, pursuant to the *Environmental Planning and Assessment Act 1979*, seeking amendments to *Lake Macquarie Local Environment Plan 2014* as described in the attached Planning Proposal.
- B. Requests the use of delegations in respect of the Minister for Planning and Environment's plan making function under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- C. Undertakes consultation with State Government agencies and service authorities, in accordance with the Gateway Determination.
- D. Places the planning proposal (Attachment 1) on public exhibition, subject to the outcome of the Gateway Determination.
- E. Notifies stakeholders and affected landowners of the Gateway determination and public exhibition period, as required.

In accordance with Section 375A of the Local Government Act 1993 a division took place.

For the Motion   Against the Motion

Cr. Baker  
Cr. Belcher  
Cr. Cubis  
Cr. Fraser  
Cr. Gilbert  
Cr. Grigg  
Cr. Harrison  
Cr. Jones  
Cr. Langford  
Cr. Pauling  
Cr. Shultz  
(carried)

(Carried)

**Determinations of the Development and Planning Standing  
Committee Meeting**

**9 July 2018**

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As this concluded the business the  
Chairperson terminated the meeting at 7.10pm.  
Minutes adopted by resolution of Council,  
at its meeting held on 23 July 2018.

..... MAYOR

## Notice of Motion - Monday 23 July 2018

### **18NM013          Netting of baths for Toronto and Sunshine**

Council Ref:        F2005/01737 - D08963190  
Report By:         Councillor - Jason Pauling

Despite longstanding objection to netting of baths in Lake Macquarie, Belmont Baths netting was approved at the Community Development Committee Meeting 10 April 2017 (17COMM002). An element of this approval was that a 18 month review period apply before any further netting be installed in other locations.

The relatively long planning, approval, construction and review period times in relation to the Belmont Bath project has meant no additional bath netting projects will be considered until (completion date of the baths is expected in the first quarter of next year. This would place the end of review period in July – August 2020. This situation serves to discriminate against residents of the Western Side of Lake Macquarie despite there being no nexus between bath usage in Belmont and bath usage in Toronto or Sunshine.

This motion serves to advance the interests of the residents of west ward and provide a greater perception of safety in relation to swimming in the baths of Toronto and Sunshine.

#### **Recommendation:**

That Council prepare / seek costing estimates for the installation of netting for the existing bath locations of:

- Toronto;
- Sunshine.

#### **Attachments:**

*Nil.*

## Notice of Motion 23 July 2018

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**18NM014            Resolution of the Buttaba Hills South Estate access impasse situation**

Council Ref:        F2018/00110 - D08964234  
Report By:         Councillor - Jason Pauling

The Buttaba Hills South Estate Paper Subdivision was registered in 1922 and Council adopted the Buttaba Hills South Area Plan at its meeting on 5 December 2016.

Notwithstanding this progress issues have surfaced in relation to resolving the completion of this project in that ownership of lot 756 is unclear (this lot is critical to unlocking access to the subdivision). The lack of clear ownership has resulted in unpaid and outstanding council rates which continue to accrue.

This motion is intended to establish a committee with the purpose of progressing the planning issues associated with the site.

For more information see <https://shape.lakemac.com.au/buttaba-hills-south/faqs> and <https://shape.lakemac.com.au/buttaba-hills-south>

**Recommendation:**

That Council resolves to expedite resolution of the current Buttaba Hills South Estate access impasse including:

- A. Seeking independent legal advice with respect to the matter of seizure and auction of lot 756 Buttaba Hills South Estate on the basis of outstanding and unpaid rates;
- B. Establishment of a reference group comprising staff, at least two Councillors and at least two Buttaba Hills South Estate subdivision owners tasked with progressing planning issues associated with the site;
- C. Council nominate two representatives for the reference group identified in B above.

**Attachments:**

*Nil.*



## **Minutes of the Built and Natural Assets Standing Committee Meeting**

**Monday 9 July 2018**

**Speers Point**

**Present:** Her Worship the Mayor, Councillor Kay Fraser, who presided; also Deputy Mayor Luke Cubis, and Councillors Kevin Baker, David Belcher, John Gilbert, Colin Grigg, Wendy Harrison, Nick Jones, Barney Langford, Jason Pauling and Adam Shultz.

**Apologies:** Councillors Brian Adamthwaite and Christine Buckley.

<b>Officers:</b>	Morven Cameron	Chief Executive Officer
	Tony Farrell	Deputy Chief Executive Officer
	John Ferguson	Director Service Delivery
	David Hughes	Director Built and Natural Assets
	Laura Kendall	Director Organisational Services
	Elizabeth Lambert	Acting Manager Development Assessment & Compliance
	Wes Hain	Acting Manager Community Planning
	Alice Howe	Interim Manager Planning & Sustainability
	Helen Plummer	Manager Asset Management
	Angela Lamb	Governance Administration Officer
	Kate Davies	Public Relations

Your Built and Natural Assets Standing Committee Meeting wishes to report having met in the Council Chambers Speers Point on Monday 9 July 2018 at 7.11pm.

9 July 2018

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## Built and Natural Assets Standing Committee Meeting - Monday 9 July 2018

Councillor Barney Langford declared a non-pecuniary, less than significant interest in item 18BNA001 – *Strengthening Sustainable Neighbourhoods* advising that he is a member of the Greater Charlestown Sustainable Neighbourhood Group.

Councillor Colin Grigg left the Chamber at 7.10pm.

Councillor Colin Grigg returned to the Chamber at 7.12pm.

### **18BNA001      Strengthening Sustainable Neighbourhoods**

Folder No:            F2009/01743/09

Report By:            Sustainability Engagement Coordinator - Christine Harle

#### **Submission and Committee's Recommendation No. 1:**

That Council:

- A. Supports implementation of the outcomes of the Strengthening Sustainable Neighbourhoods review.
- B. Writes to the Sustainable Neighbourhood Alliance (Attachment 3) recognising the contribution of the Sustainable Neighbourhoods Program to Lake Macquarie City over the last 10 years.

As this concluded the business the  
Chairperson terminated the meeting at 7.49pm.  
Minutes adopted by resolution of Council,  
at its meeting held on 23 July 2018.

..... MAYOR



**Minutes of the Service Delivery Standing Committee Meeting  
Monday 9 July 2018  
Council Chambers Speers Point**

**Present:** Her Worship the Mayor, Councillor Kay Fraser, who presided; also Deputy Mayor Luke Cubis, and Councillors Kevin Baker, David Belcher, John Gilbert, Colin Grigg, Wendy Harrison, Nick Jones, Barney Langford, Jason Pauling and Adam Shultz.

**Apologies:** Councillors Brian Adamthwaite and Christine Buckley.

<b>Officers:</b>	Morven Cameron	Chief Executive Officer
	Tony Farrell	Deputy Chief Executive Officer
	John Ferguson	Director Service Delivery
	David Hughes	Director Built and Natural Assets
	Laura Kendall	Director Organisational Services
	Elizabeth Lambert	Acting Manager Development Assessment & Compliance
	Wes Hain	Acting Manager Community Planning
	Alice Howe	Interim Manager Planning & Sustainability
	Helen Plummer	Manager Asset Management
	Angela Lamb	Governance Administration Officer
	Kate Davies	Public Relations

Your Service Delivery Standing Committee Meeting wishes to report having met in the Council Chambers Speers Point on Monday 9 July 2018 at 7.49PM



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**Service Delivery Standing Committee Meeting - Monday 9 July 2018**

**18SD001 Adoption of Amended Bernie Goodwin Memorial Park Master Plan**

Folder No: PM17/0105  
Report By: Recreation Project Officer - Paul Parker, Recreation and Land Planning - Coordinator - Stephen Prince

**Submission and Committee's Recommendation**

**No. 1:**

- A. Council notes the submissions received as summarised in Attachment 2.
- B. Council adopts the amended Master Plan for Bernie Goodwin Memorial Park Morisset (Attachment 1).
- C. Council proceeds to develop the park and playground in accordance with the Master Plan.
- D. The authors of the submissions are advised of Councils decision.

As this concluded the business the  
Chairperson terminated the meeting at 7.57pm.  
Minutes adopted by resolution of Council,  
at its meeting held on 23 July 2018.

..... MAYOR



**Minutes of the General Business Standing Committee**  
**Monday 9 July 2018**  
**Council Chambers Speers Point**

**Present:** Her Worship the Mayor, Councillor Kay Fraser, Deputy Mayor, Councillor Luke Cubis, and Councillors Kevin Baker, David Belcher, John Gilbert, Colin Grigg, Wendy Harrison, Nick Jones, Barney Langford, Jason Pauling and Adam Shultz, and Chief Executive Officer Morven Cameron.

**Apologies:** Councillors Brian Adamthwaite and Christine Buckley.

<b>Officers:</b>	Tony Farrell	Deputy Chief Executive Officer
	John Ferguson	Director Service Delivery
	David Hughes	Director Built and Natural Assets
	Laura Kendall	Director Organisational Services
	Stephen Brown	Manager Development Assessment & Compliance
	Wes Hain	Acting Manager Community Planning
	Alice Howe	Interim Manager Planning & Sustainability
	Helen Plummer	Manager Asset Management
	Angela Lamb	Governance Administration Officer
	Kate Davies	Public Relations

Your General Business Standing Committee wishes to report having met in the Council Chambers Speers Point on Monday 9 July 2018 at 7.57pm.

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## General Business Standing Committee Meeting - Monday 9 July 2018

### **18GB057 Pedestrian Refuge - Brooks Parade, Belmont**

Folder No: F2005/02776-03  
Report By: Councillor - Adam Shultz

#### **Committee's Recommendation No. 1:**

That Council write to the RMS about decreasing the width of the pedestrian refuges at Brooks Parade, Belmont as they are a traffic hazard.

### **18GB058 Zoning and Future Plans - 2A Allambee Place, Valentine**

Folder No: F2004/09464-03  
Report By: Councillor - Adam Shultz

#### **Committee's Recommendation No. 2:**

That Council staff provide a memo to Councillors advising what zoning applies and the future plans for the land opposite Allambee Park, Valentine.

### **18GB059 Carpark Maintenance - Bennett Park, Valentine**

Folder No: C2018/00073-09  
Report By: Councillor - Adam Shultz

#### **Committee's Recommendation No. 3:**

That Council staff provide a memo to Councillors advising of any planned maintenance for the carpark at Bennett Park, Valentine, near where the pontoon is located.

**18GB060      Update on 18GB055 - High Density Residential Development - Defect Notices**

Folder No:      F2004/10503-02  
Report By:      Councillor - John Gilbert

**Committee's Recommendation  
No. 4:**

That Council staff provide an update on 18GB055 – High Density Residential Development Defect Notices.

**18GB061      Buttaba Hills Road Reserve**

Folder No:      F2009/01447  
Report By:      Councillor - John Gilbert

**Committee's Recommendation  
No. 5:**

That Council staff advise Councillors by way of memo on the status of the Buttaba Hills road reserve in relation to whether the land is for sale.

**18GB062      Bus Stops - Glendale**

Folder No:      C2018/00066  
Report By:      Councillor - Kevin Baker

**Committee's Recommendation  
No. 6:**

That Council staff provide a memo to Councillors about the suitability and replacement schedule for bus stops between the Lake Macquarie Transport Interchange and the 'Crossroads' at Glendale.

**18GB063 Update on Steelstone Mix**

Folder No: F2016/01616  
Report By: Councillor - Kevin Baker

**Committee's Recommendation**

**No. 7:**

That Council staff provide an update to Councillors via memo on the progress on the issues with the Steelstone Mix 3 products, including details on the number of insurance claims received in relation to it, and the number of claims that we have paid out, and the number of outstanding claims, and the results of the ongoing testing of potential solutions.

**18GB064 North Ward Site Inspection - Mount Hutton**

Folder No: F2006/00329  
Report By: Councillor - Barney Langford

**Committee's Recommendation**

**No. 8:**

That a North Ward Council Site Inspection be held at the intersection of Tennent Road, Progress Road and Dunkley Avenue, Mount Hutton to look at pedestrian safety issues and that the Mount Hutton Resident's Group be notified of the inspection.

**18GB065 Update on Fishing Pontoon - Marmong Point**

Folder No: PM18/0099/05  
Report By: Councillor - David Belcher

**Committee's Recommendation**

**No. 9:**

That Council staff provide an update to Councillors by way of memo on the progress of the fishing pontoon at Marmong Point.

**18GB066 Toronto Foreshore Masterplan**

Folder No: PM18/0063  
Report By: Councillor - Jason Pauling

**Committee's Recommendation**

**No. 10:**

That the Toronto Foreshore Masterplan scope include the proposed development for Bath Street and the interface between the proposed development and the foreshore area in accordance with 18BUD017 Delivery Plan 2017-2021 & Operational Plan 2018/19 which included preparation of the Toronto Foreshore Masterplan.

**18GB067 Localised micro-grid power generation and sharing**

Folder No: F2004/10503-02  
Report By: Councillor - Jason Pauling

**Committee's Recommendation**

**No. 11:**

That Councillors be briefed in relation to scope and potential for localised community micro-grid power generation and sharing.

**18GB068 General Business Item Log**

Folder No: F2004/06313  
Report By: Councillor - Jason Pauling

**Committee's Recommendation**

**No. 12:**

That the previous General Business Items status be reported on a monthly basis to ensure transparency and timely action for matters raised.

**18GB069 Councillor Briefing - Resourcing for community groups**

Folder No: F2004/10503-02  
Report By: Councillor - Jason Pauling

**Committee's Recommendation**

**No. 13:**

That Councillors be briefed on the resources that are applied to supporting community groups, including sporting groups, sustainable neighbourhood groups, landcare groups and any other community groups.

**18GB070 Leave of Absence**

Folder No: F2004/07673-02  
Report By: Councillor - Wendy Harrison

**Committee's Recommendation**

**No. 14:**

That Councillor Wendy Harrison be granted leave of absence for the Ordinary Meeting of Council on 23 July and her apologies be accepted for this and other Council meetings / workshops from 11 - 25 July 2018.

**18GB071 Mayoral Minute 23 April 2018 - Smart City Asian & European Study Tour**

Folder No: F2014/01589/06  
Report By: Councillor - Wendy Harrison

**Committee's Recommendation**

**No. 15:**

That Councillors be provided by memo with information about the forthcoming Smart City Study Tour to be undertaken by the Mayor, Deputy Mayor and staff member, as requested in response to the Mayoral Minute at the Ordinary Meeting of Council on 23 April, 2018.

As this concluded the business the  
Chairperson terminated the meeting at 8.17pm.  
Minutes adopted by resolution of Council,  
at its meeting held on 23 July 2018.

..... MAYOR



## **Minutes of the Lake Macquarie Traffic Facilities & Road Safety Committee**

**Tuesday 10 July 2018**

### **Committee Room Speers Point**

**Present:** Senior Constable Debbie Birmingham (NSW Police Service), John Meldrum (Hunter Valley Buses), Councillor Nick Jones, Councillor David Belcher, Councillor Colin Griggs, Dan Hughes (LMCC), Simon Gulliver (LMCC), Ross Jones (LMCC), Tim Mitchell (LMCC), Robert Morris (LMCC), Kane Hitchcock (LMCC), Erin Mann (LMCC), Narelle Morgan (LMCC), Matt McMullen (Representative for State Member of Swansea – Yasmin Catley), Stephanie Thompson (Representative for Jodie Harrison State Member for Charlestown), Karen Partington (LMCC),

**Apologies:** Tim Chapman (RMS), Margaret Pannell (Keolis Downer), Adam Luke (13Cabs), Malcolm Britt (Busways), , Sonia Hornery (State Member for Wallsend), Clayton Barr (State Member for Cessnock), Margaret Pannell (Keolis Downer), Malcolm Britt (Busways), Helen Plummer (LMCC),

**Members:**

Ross Jones	Chairperson
Senior Constable Debbie Birmingham	NSW Police
Tim Chapman	RMS

Your Lake Macquarie Traffic Facilities & Road Safety Committee wishes to report having met in the Committee Room Speers Point on Tuesday 10 July 2018 at 9:08 AM

10 July 2018

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## Traffic Facilities & Road Safety Committee Meeting - Tuesday 10 July 2018

### **18TFC079      Inspection Committee Recommendations for June 2018 - Inspection Outcomes**

Folder No:        F2018/00068/06

Report By:        Customer & Administration Officer - Erin Mann

#### **Committee's Submission and Recommendation: No 1**

The Inspection Committee's recommendations, as per attached document, be noted.

# Recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee

10 July 2018



Traffic Facilities and Road Safety Committee - June 2018 Inspection Outcomes		
TFC Number	Subject	Recommendations
18TFC079.01	Belmont - Maude Street - Speed Humps	<p>The Traffic Inspection Committee investigated this matter and requested a Speed and Volume survey in the first instance to determine the severity and extent of speeding vehicles at this location. Maude Street, Belmont is classified as a local road within the road hierarchy system. The default urban speed limit for local roads in built-up areas is 50km/h and was introduced in NSW in 2003. A speed and volume survey was undertaken on Maude Street in March 2018. The results of the survey indicated that the Average Daily Traffic (ADT) volume was 4552 vehicles per day, with 85% of vehicles travelling at less than 40 km/h, indicating that recorded speeds at the bend are within the acceptable speed limit. The Inspection Committee:</p> <p>recommended the relocation of curve warning signs either side of the curve and replacement of Chevron Alignment Markers on both approaches to highlight the curves location. Australian Standards state that road humps should not be located on curves of radius less than 500m and devices should be clearly visible to approaching road users, provision of adequate sight lines need to be considered. The installation of road humps is therefore not recommended at this curve.</p>
18TFC079.02	Belmont - Livingstone Street - Disabled parking	<p>Lake Macquarie City Council is committed to the principles of equity of access and compliance with the requirements of the Disability Discrimination Act 1992 (DDA) in the provision of designated accessible parking for people with disabilities who live in, work in or visit the city. Consideration is given for disability access parking restrictions in residential streets noting that there are some risks which must be considered prior to approving any installation. Officers will only consider a request to install a disability access parking bay if the resident has a Disabled parking permit and:</p> <ul style="list-style-type: none"> <li>* The property does not have accessible off street parking</li> <li>* The street is at least 6.8m wide</li> <li>* The disabled permit holder is the driver of the vehicle or they have a carer who lives at the same property.</li> </ul> <p>The Inspection Committee noted that accessible off street parking is available at 5/47-51 Livingstone Street.</p> <p>The Committee also noted that abundant parking was available for the majority of the day with parking reduced for a small period in the afternoon during school pick up. Regulations already exist that prohibit the obstruction of driveways (ROAD RULES 2008 - REG 198), incidences involving illegal parking should be referred to the Council Rangers on 4921 0333 for surveillance and reinforcement in the area.</p>
18TFC079.03	Toronto - Excelsior Parade - Request for Parking restrictions.	<p>The Inspection Committee determined parking restrictions were not required as Road Rules already exist that prevent vehicles obstructing driveways on Excelsior Parade, Toronto. A vehicle parked in a way that obstructs a driveway contravenes Australian Road Rule Division 6 Rule 198 Part (2) "A driver must not stop on or across a driveway or other way of access for vehicles travelling to or from adjacent land unless:</p> <p>(a) the driver:</p> <ul style="list-style-type: none"> <li>(i) is dropping off, or picking up, passengers, and</li> <li>(ii) does not leave the vehicle unattended, and</li> <li>(iii) completes the dropping off, or picking up, of the passengers, and drives on, as soon as possible and, in any case, within 2 minutes after stopping, or</li> </ul> <p>(b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under these Rules." Additionally, the Committee noted that no vehicles were identified as obstructing sight distance or road movements and parking restrictions would limit the communities ability to access parking in the vicinity of Toronto Private Hospital.</p>
18TFC079.04	Sunshine - Cessnock road - Request for Speed Limit and Warning signs	<p>The Traffic Inspection Committee investigated this matter and did not recommend any speed limit or warning signage. The Committee noted that existing speed limit signage on Fishery Point Road and Cessnock Road, highlight the 50 km/h speed limit area. Additionally, the Inspection Committee noted that Sunshine consists of six local roads within the road hierarchy system. The default urban speed limit for local roads in built-up areas is 50km/h. The default 50km/h speed limit was introduced in NSW in 2003, roads covered by the 50 km/h default urban speed limit do not require the installation of regulatory speed signage. In regards to driveway warning signage, the Committee noted that the infrequency of encountering a vehicle entering from a particular private access could reduce the awareness of the signing treatment throughout the Lake Macquarie area offering little safety improvement. It is reasonable to assume that drivers will have an expectation of encountering concealed accesses and the onus is on drivers to be cautious of vehicles entering and exiting driveways at all times.</p>
18TFC079.05	Cardiff - Cedar Street - Request for Traffic Investigation when Exiting H/No 24	<p>The Traffic Inspection Committee investigated this matter. The Committee noted that Cedar Street is a narrow road with local traffic only and 50km/hr speed restriction signs. Additionally, the Committee noted that existing Children and Play Ground warning signs prior to the bend highlight the roadway geometry and identify to drivers to reduce speed in the area. The Committee identified that the roadway geometry, existing warning signage and parked cars along Cedar Street act as a speed calming measure and did not recommend the installation of speed humps or additional warning signage along Cedar Street.</p>

# Recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee



10 July 2018

18TFC079.06	Glendale - John Howe Close - Request for Parking restrictions	The Traffic Inspection Committee investigated this matter. The Committee noted that John Howe Close, Glendale is 7.25 metres wide with local traffic only, a T-Head turning bay services five residences with off street parking capabilities. The Committee did not recommend any parking restrictions in John Howe Close, Glendale at the turning bay, as no vehicles were identified as obstructing sight distance or road movements and the existing roadway geometry provides adequate space for vehicle movements and on street parking via Australian Road Rule Division 8 Rule 208 Part (7).
18TFC079.07	Morisset - Newcastle Street - Request for Disabled Parking bays	The Traffic Inspection Committee have investigated this matter and noted that Newcastle Street, Morisset is 11 metres wide with a 5.5 metre lane in each direction. The Committee also noted that the location requested for the disabled parking bays is on a steep slope making it difficult for parking bays to meet the grade requirements in Australian Standard 1428.1. Additionally, Australian Standard 2890.5 requires a 3.2 metre wide space for disabled parking. The Inspection Committee did not recommend the installation of any disabled parking on Newcastle Street as it would limit the lane to less than 3 metres which contravenes Australian Road Rule Division 8 Rule 208 Part (6) "If the road has a continuous dividing line or a dividing strip, the driver must position the vehicle at least 3 metres from the continuous dividing line or dividing strip, unless otherwise indicated by information on or with a parking control sign."
18TFC079.08	Toronto - Field Avenue - Request for Kiss and Ride Zone	The Traffic Inspection Committee investigated this matter and noted that a 20 metre No Parking school times zone for Toronto High School is located in Blundell Parade, Toronto. The Committee also noted that Field Avenue is 160 metre in length with an 85 metre bus bay. No Stopping restrictions and driveways on the High School side. Previous investigations of a No Parking school times zone fronting the high school identified that a bus is unable to manoeuvre around parked cars, at this location, and the existing No Stopping restrictions should remain. The Committee did not recommend the installation of any No Parking school times restrictions in Field Avenue as the geometry of the road and the existing infrastructure fronting the school were not compatible with the installation.
18TFC079.09	Wangi Wangi - Beach Road - Request for Parking restrictions	The Inspection Committee investigated this matter. The Inspection Committee did not recommend any parking restrictions in Beach Road, Wangi Wangi as no vehicles were identified as obstructing sight distance or road movements. The Committee also identified that the roadway geometry, existing signage and parked cars along Beach Road act as a speed calming measure. Additionally, the Inspection Committee determined parking restrictions were not required as Road Rules already exist that prevent vehicles blocking the road in this area, a vehicle parked leaving less than 3m of road alongside the vehicle contravenes Australian Road Rule Division 8 Rule 208 Part (7) "If the road does not have a continuous dividing line or a dividing strip, the driver must position the vehicle so there is at least 3 metres of the road alongside the vehicle that is clear for other vehicles to pass, unless otherwise indicated by information on or with a parking control sign."
18TFC079.10	Rathmines - Dorrington Road - Request for Parking restrictions	The Traffic Inspection Committee investigated this matter and did not recommend any parking restrictions in this area as Road Rules already exist that prevent vehicles parking on the nature strip, a vehicle parked on a path or nature strip contravenes Australian Road Rule Division 6 Rule 197 Part (1) "A driver must not stop on a bicycle path, footpath, shared path or dividing strip, or a nature strip adjacent to a length of road in a built-up area, unless: (a) the driver stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these Rules, or (b) the driver is permitted to stop under another law of this jurisdiction." Instances of illegal parking should be reported to Council Rangers or NSW Police for surveillance and enforcement.
18TFC079.11	West Wallsend - Withers Street - Request to relocate Parking restrictions	The Traffic Inspection Committee investigated this matter. Investigations identified that the existing parking restrictions are installed as vehicles parked fronting H/No 38 Withers Street, West Wallsend restricted sight distance along Withers Street. The Committee also noted that lane discipline fronting H/No 38 was poor making it dangerous for a vehicle to encroach into Withers Street. The location of the restrictions was determined by underground services in the area and to provide adequate sight distance along Withers Street. The Committee did not recommend any changes to the restrictions as it would limit sight distance along Withers Street.
18TFC079.12	Cooranbong - Mannings Road - Request for traffic investigation	The Traffic Inspection Committee investigated this matter. The Committee noted that Mannings Road, Cooranbong is a local road servicing residents of Mannings Road, Taylors Road and Frost Road. Mannings Road is sealed between Deaves Road and Taylors Road. The section of Mannings Road between Taylors Road and Frost Road, Taylors Road and Frost Road are gravel roads. Existing Warning signs in the area highlight a crest of a hill, a T-intersection, driving to the road conditions, a 90-degree bend and the speed limit. The Committee identified that the roadway conditions, geometry and existing warning signage act as speed calming measures and did not recommend the installation any line marking or additional signage in the area. The Committee did identify that No Through Road signage at the intersection of Deaves Road and Mannings Road could cause confusion for delivery drivers. The Committee recommended the removal of the No Through Road signage as existing signage at the intersection of Taylors Road and Mannings Road highlights the road end.

## Recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee



10 July 2018

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18TFC079.13	Teralba - York Street - Request for parking restrictions	The Traffic Inspection Committee investigated this matter. The Committee noted that York Street, Teralba is a local road servicing local businesses, bus routes, heavy vehicles and residents with a width of 11.2 metres. The Committee did not recommend any parking restrictions fronting H/No 91 York Street as adequate sight distance on approach to the driveway of H/No 15 was available. Additionally, the travel lanes are 5.6 metres wide and do not provide adequate space for passing of vehicles turning right into properties. This situation is similar to a number of roads within the city of Lake Macquarie. The onus is on drivers to be aware that a vehicle has stopped in front of them and act accordingly.
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**10 July 2018**

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**18TFC080      Morisset - Station Street - Pedestrian crossing**

Folder No:        F2018/00876/62/01

Report By:        Technical Assistant - Kane Hitchcock

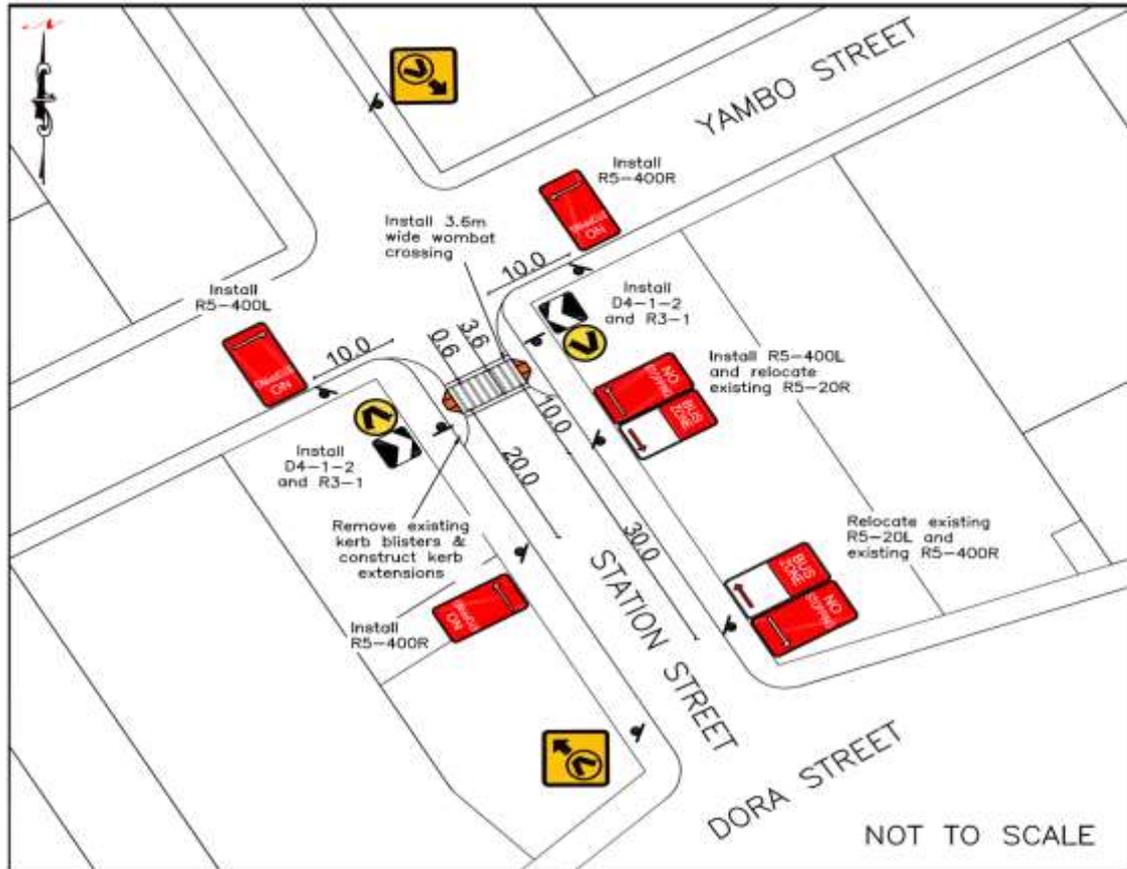
**Committee's Submission and Recommendation:  
No 2**

- A. Approve the installation of a raised pedestrian crossing and the associated signage on Station Street, Morisset, south of its intersection with Yambo Street.
- B. Relocate the Bus Zone on the eastern side of Station Street, Morisset, south of the pedestrian crossing.
- C. Replace the existing kerb blisters with kerb extensions in Station Street, Morisset.
- D. Streetlighting to be provided in accordance with AS/NZS 1158:2015 Lighting for Roads and Public Spaces Part 4: Lighting for Roads of Pedestrian Crossings.
- E. List proposed works on Council's Infrastructure Strategy Register.  
As detailed in attached plan.

Recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee



10 July 2018



**WORK SUMMARY:**

1. Remove existing kerb blisters & construct kerb extension.
2. Install 3.6m wide wombat crossing.
3. Install 2x D4-1-2 (Hazard Marker) signs & 2x R3-1 (Pedestrian Crossing) signs.
4. Install 2x R5-400L & 2x R5-400R (No Stopping) signs.
5. Install 2x W6-2 (Pedestrian Crossing Ahead) signs.
6. Relocate 1x R5-20R, 1x R5-20L (Bus Zone) signs & 1x R5-400R (No Stopping) sign.

The works is to be undertaken in accordance with:

- AS1742.11 Manual of Uniform Traffic Control Devices - Part 11 Parking Controls.
- Roads & Maritime Services, Delineation Guidelines Section 7 - Transverse Markings - Pedestrian Facilities.

<p>PREPARED BY: Asset Management - Infrastructure Strategy 126-138 Main Road Speers Point Ph. (02) 4921 0333</p>	<p>INSTALL PEDESTRIAN CROSSING ON STATION STREET, MORISSET.</p>	
	<p>PROJECT NUMBER: TMP18</p>	
<p>Drawn By: JM</p>	<p>Original Sheet Size A4</p>	<p>All Dimensions in metres (m) unless otherwise noted</p>
<p>Scale: : NA</p>	<p>Date: 19th June 2018</p>	<p>Call File: I:\Infrastructure Assets\Strategy\TRC plus\WTP\WTPC-Horizon - Station Street.dwg</p>
		<p>Sheet 1 of 1</p>

Chairperson

Chief Executive Officer/General Manager

**10 July 2018**

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**18TFC081 Belmont - Ernest Street - Bus Zone**

Folder No: F2018/00876/08/01

Report By: Technical Assistant - Kane Hitchcock

**Additional Information:**

Margaret Pannell (Keolis Downer) raised the fact that the existing Bus Zone (8.00 am – 9.30 am, 2.30 pm – 4.00 pm) is located on a steep gradient and would require the installation of major infrastructure to upgrade it to a full time Bus Zone. The Committee agreed to investigate a safer location on flat land in Ernest Street, Belmont for the installation of the Bus zone.

**Committee's Recommendation:**

**No 3**

Defer the matter pending further investigation.

**18TFC082 Swansea - Intersection of Wood Street/Josephson Street and Lake Road - Intersection investigation**

Folder No: F2018/00876/78/01

Report By: Technical Assistant - Kane Hitchcock

**Committee's Submission and Recommendation:**

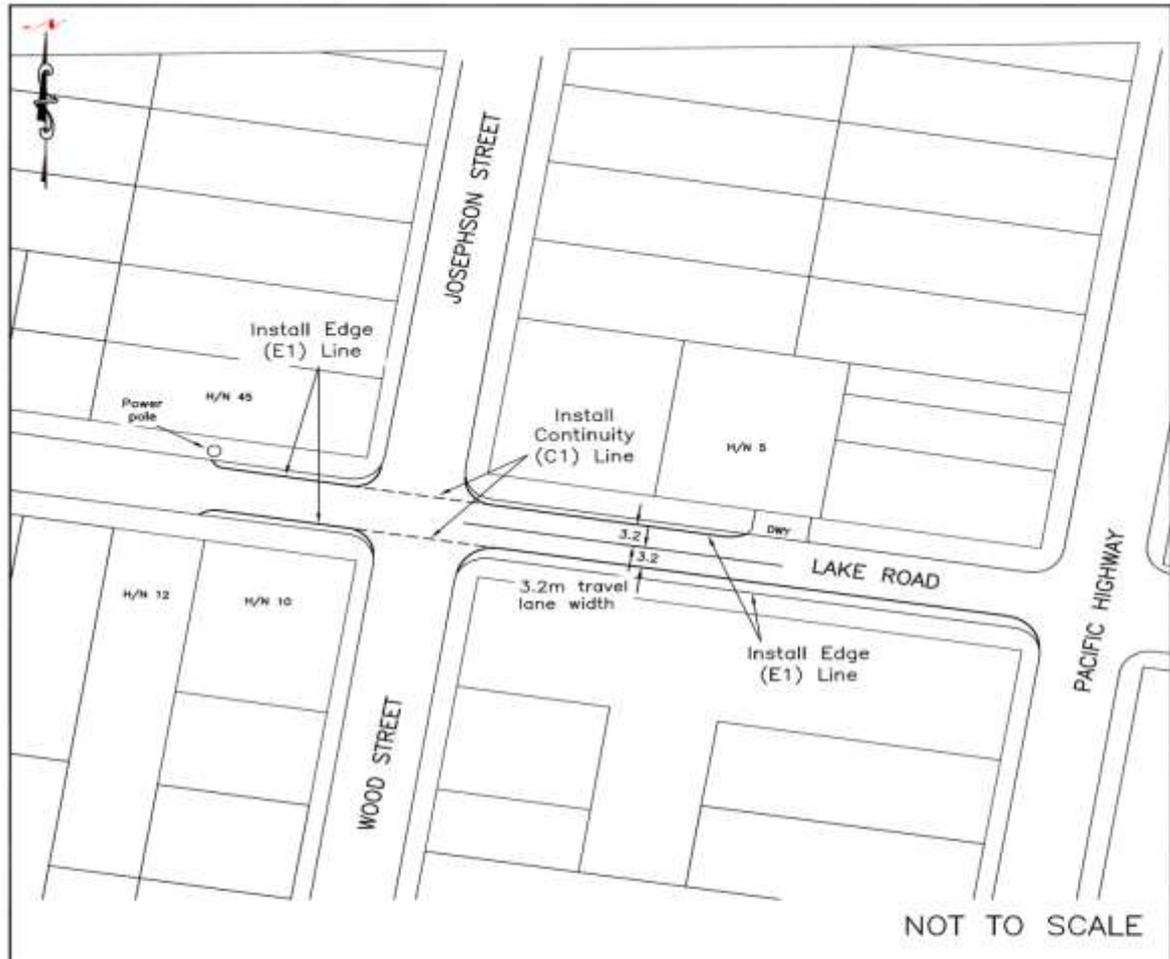
**No 4**

Approve the installation of Edge (E1) lines, with a 3.2 metre travel lane, on the southern side of Lake Road, Swansea between Pacific Highway and the boundary of H/No 10/ 12, and on the northern side of Lake Road, from the power pole adjacent to H/No 45 Josephson Street to the driveway of H/No 5 (Post Office) with Continuity (C1) Lines across both intersections as detailed in attached plan.

Recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee



10 July 2018



**WORK SUMMARY:**

1. Install Edge (E1) Lines, with a 3.2 metre travel lane on Lake Road, Swansea.
  2. Install Continuity (C1) Lines on Lake Road, Swansea across intersections with Josephson Street and Wood Street.
- The works is to be undertaken in accordance with Roads & Maritime Services, Delineation Guidelines, Section 4 - Longitudinal Markings.

	<b>PREPARED BY:</b> Asset Management - Infrastructure Strategy 126-138 Main Road Speers Point Ph. (02) 4921 0333	<h2>INSTALL EDGE (E1) LINES AND CONTINUITY (C1) LINES ON LAKE ROAD, SWANSEA.</h2>
	PROJECT NUMBER: TMP18	
Drawn By: JM	Original Sheet Size A4	All Dimensions in metres (m) unless otherwise noted
Scale: : NA	Date: 27th June 2018	Cad File: T:\Infrastructure Assets\Strategy\TFC plans\RDPC\RTFC-Swansea-Lake Road.dwg
		Sheet 1 of 1

**10 July 2018**

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**18TFC083 Charlestown - Smith Street - Timed Parking restrictions**

Folder No: F2018/00876/28/01

Report By: Technical Assistant - Kane Hitchcock

**Committee's Submission and Recommendation:**

**No 5**

Replace 14 metres of 2P (9am – 6pm Mon – Fri, 9am – 12 Noon Sat) restrictions with 1/2P (9am – 6pm Mon – Fri, 9am – 12 Noon Sat) restrictions south of the driveway of H/No 42 Smith Street, Charlestown as detailed in attached plan.

10 July 2018



**WORK SUMMARY:**

1. Remove 1xR5-1L (2 Hr Parking) signs.
2. Install 1xR5-1R & 1xR5-1L (30 Min Parking) signs.
3. Install 1xR5-1L (2 Hr Parking) sign.

The works is to be undertaken in accordance with AS1742.11 Manual of Uniform Traffic Control Devices - Part 11 Parking Controls.

 <p>PREPARED BY: Asset Management - Infrastructure Strategy 126-138 Main Road Speers Point Ph. (02) 4921 0333</p>	<p>ADJUST PARKING RESTRICTIONS ON SMITH STREET, CHARLESTOWN.</p>	
<p>Drawn By: JM</p>	<p>Original Sheet Size A4</p>	<p>All Dimensions in metres (m) unless otherwise noted</p>
<p>Scale: NA</p>	<p>Date: 25th June 2018</p>	<p>Sheet 1 of 1</p>

**10 July 2018**

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**18TFC084      Windale - Lake Street - Bus Zone relocation**

Folder No:        F2018/00876/89/01

Report By:        Technical Assistant - Kane Hitchcock

**Committee's Submission and Recommendation:**

**No 6**

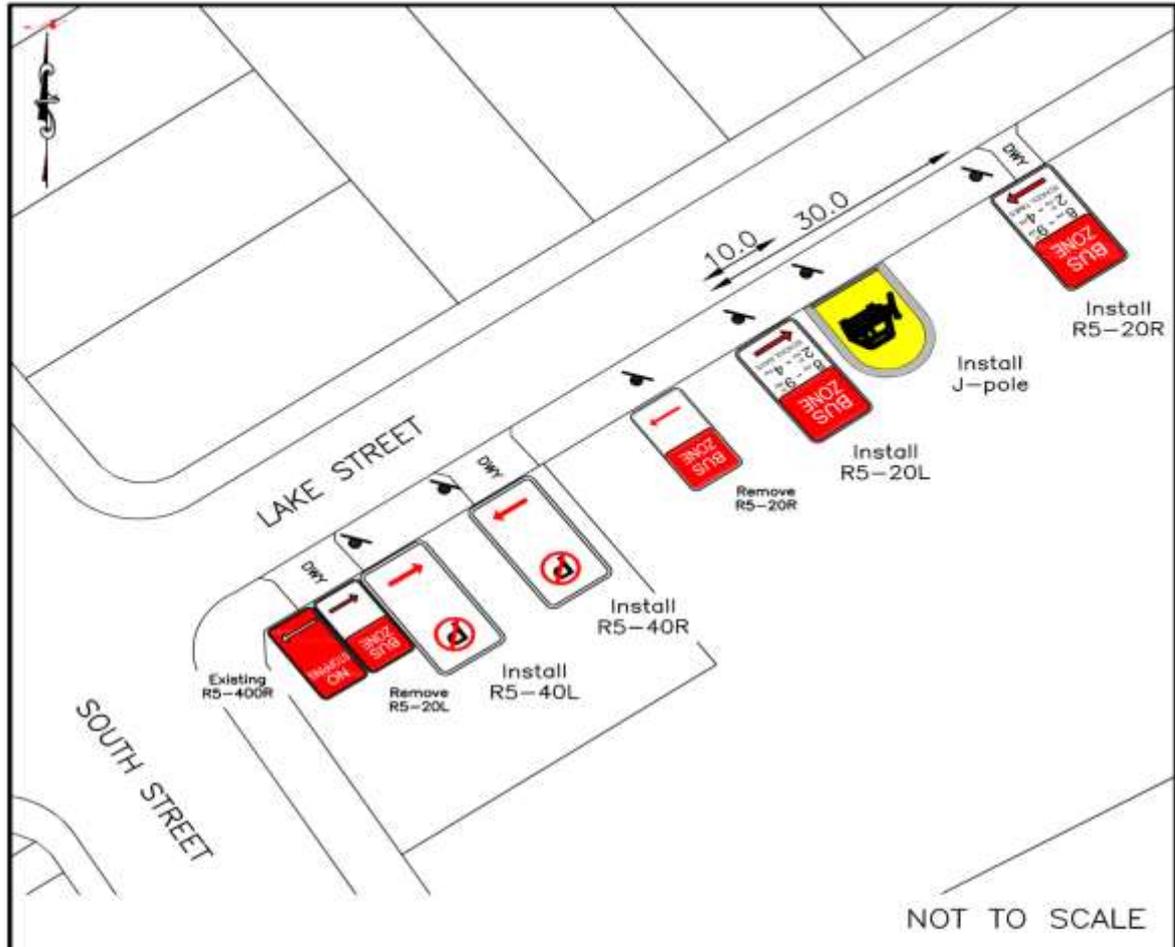
- A. Approve the installation of 30 metre Bus Zone (8 am – 9:30 am, 2:30 pm – 4.00 pm school days) on Lake Street, Windale west of the driveway of H/No 2 (St Pius X Primary School). Construct an accessible boarding pad and TGSI's to meet the requirements of the Disability Standards for Accessible Public Transport 2002.
- B. Approve the removal of 35 meter Bus Zone fronting H/No 4 Lake Street, Windale.
- C. Approve the installation of 10 metres No Parking restrictions fronting H/No 4 Lake Street, Windale east of existing No Stopping restrictions.

As detailed in attached plan

Recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee



10 July 2018



**WORK SUMMARY:**

1. Install 1xR5-20R & 1xR5-20L (Bus Zone-Schools Times) signs on Lake Street, Windale west of the driveway of H/No 2.
2. Remove 1xR5-20R & 1xR5-20L (Bus Zone) signs fronting H/No 4 Lake Street, Windale.
3. Install 1xR-5R & 1xR-5L (No Parking) signs fronting H/No 4 Lake Street, Windale.

The works is to be undertaken in accordance with AS1742.11 Manual of Uniform Traffic Control Devices - Part 11 Parking Controls.

 <p>PREPARED BY: Asset Management - Infrastructure Strategy 126-138 Main Road Speers Point Ph. (02) 4921 0333</p>	<p>RELOCATE BUS ZONE AND INSTALL PARKING RESTRICTIONS ON LAKE STREET, WINDALE.</p>	
	<p>PROJECT NUMBER: TMP18</p>	
<p>Drawn By: JM</p>	<p>Original Sheet Size A4</p>	<p>All Dimensions in metres (m) unless otherwise noted</p>
<p>Scale: : NA</p>	<p>Date: 25th June 2018</p>	<p>Sheet 1 of 1</p>

**10 July 2018**

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**18TFC085      Redhead - Beach Road - Intersection Investigation**

Folder No:        F2018/00876/72/01

Report By:        Technical Assistant - Kane Hitchcock

**Committee's Submission and Recommendation:  
No 7**

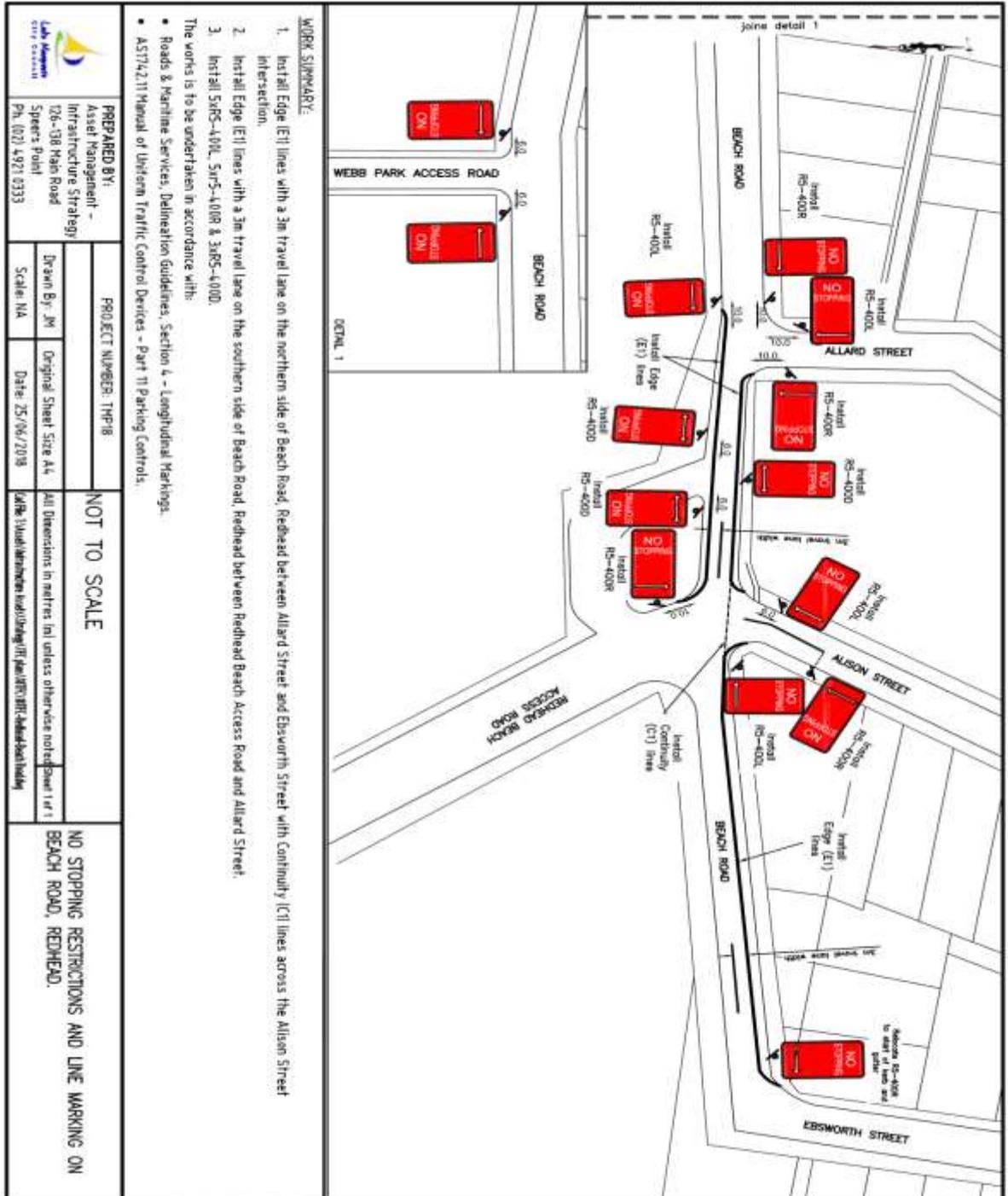
- A. Approve the installation of Edge (E1) lines with a 3 metre travel lane, on the northern side of Beach Road, Redhead between Allard Street and Ebsworth Street and on the southern side of Beach Road between Redhead Beach Access Road and Allard Street with Continuity (C1) lines across the Alison Street intersection.
- B. Install No Stopping Restrictions on Allard Street at Statutory 10 metres.
- C. Approve the installation of No Stopping restrictions on Alison Street 6 metres from the pedestrian access on the western side and 22 metres from the Give Way hold line on the eastern side in line with existing Dividing (BB) centre line to statutory 10 metres on Beach Road.
- D. Approve the installation of No Stopping restrictions on the northern side of Beach Road between Allard Street and Alison Street.
- E. Approve the installation of No Stopping restrictions on the southern side of Beach Road between Redhead Beach Access Road at Statutory 10 metres to 10 metres past Allard Road.
- F. Approve the extension of No Stopping restrictions at the northern intersection of Beach Road and Ebsworth Street 10 metres west to start of kerb and gutter.
- G. Approve the installation of No Stopping restrictions for 6 metres either side of the access road to Webb Park.

As detailed in the attached plan.

# Recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee



10 July 2018



**WORK SUMMARY:**

1. Install Edge (E1) lines with a 3m travel lane on the northern side of Beach Road, Redhead between Allard Street and Ebsworth Street with Continuity (C1) lines across the Alison Street intersection.
  2. Install Edge (E1) lines with a 3m travel lane on the southern side of Beach Road, Redhead between Redhead Beach Access Road and Allard Street.
  3. Install SFRS-400L, SFRS-400R & 3AR5-400D.
- The works is to be undertaken in accordance with:
- Roads & Maritime Services, Delineation Guidelines, Section 4 - Longitudinal Markings.
  - AS1742.11 Manual of Uniform Traffic Control Devices - Part 11 Parking Controls.

<p>PREPARED BY: Asset Management - Infrastructure Strategy 128-138 Main Road Sydney Point Ph: (02) 4921 0333</p>	PROJECT NUMBER: TRP18		<p><b>NOT TO SCALE</b></p> <p>All Dimensions in metres (m) unless otherwise notated 1 of 1</p> <p>DATE: 25/06/2018</p> <p>SCALE: NA</p> <p>DRAWN BY: JM</p>	<p><b>NO STOPPING RESTRICTIONS AND LINE MARKING ON BEACH ROAD, REDHEAD.</b></p>
	Scale: NA	Date: 25/06/2018		

Chairperson

Chief Executive Officer/General Manager

10 July 2018

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**18TFC086 Charlestown - Smith Street - Parking restrictions**

Folder No: F2018/00876/28/01

Report By: Technical Assistant - Kane Hitchcock

**Committee's Submission and Recommendation:**

**No 8**

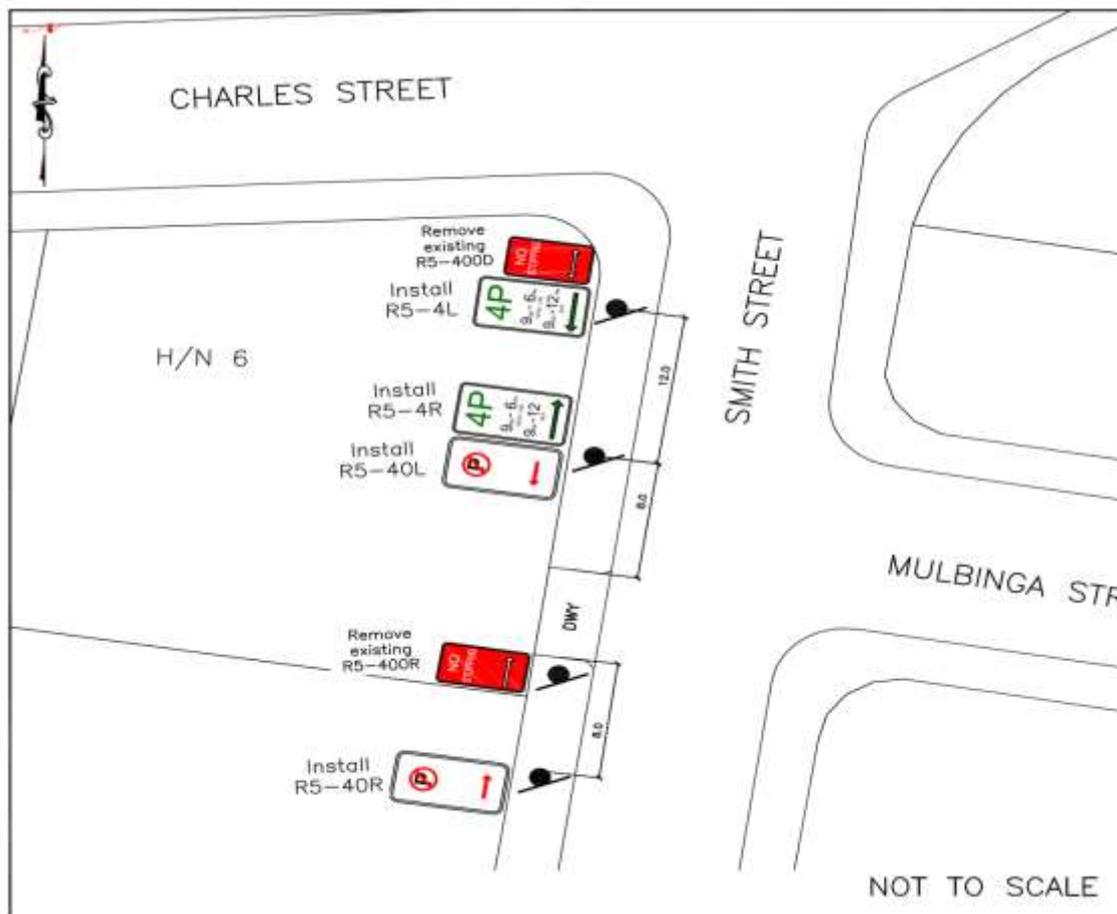
- A. Approve the installation of 8 metres No Parking restrictions either side of the access to 6 Charles Street in place of existing No Stopping restrictions, on Smith Street, Charlestown.
- B. Approve the installation of 12 meters 4P (9.00 am – 6.00 pm Mon – Fri, 9.00 am – 12.00 Noon Sat) north of the No Parking restrictions in place of existing No Stopping restrictions, on Smith Street, Charlestown.

As detailed in the attached plan

**Recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee**



10 July 2018



**WORK SUMMARY:**

1. Remove 1xR5-400D & 1xR5-400R (No Stopping) signs.
2. Install 2xR5-40L & 2xR5-40R (No Parking) signs.
3. Install 1xR5-4L & 1xR5-4R (Timed Parking) signs.

The works is to be undertaken in accordance with AS1742.11 Manual of Uniform Traffic Control Devices - Part 11 Parking Controls.

 <p>PREPARED BY: Asset Management - Infrastructure Strategy 126-138 Main Road Speers Point Ph. (02) 4921 0333</p>	<p>ADJUST PARKING RESTRICTIONS ON SMITH STREET, CHARLESTOWN.</p>	
	<p>PROJECT NUMBER: TMP18</p>	
<p>Drawn By: JM</p>	<p>Original Sheet Size A4</p>	<p>All Dimensions in metres (m) unless otherwise noted</p>
<p>Scale: : NA</p>	<p>Date: 27th June 2018</p>	<p>Call File: I:\Infrastructure Assets\Strategy\TFC plans\URTC\URTC-Charlestown-Smith Street2.dwg</p>
		<p>Sheet 1 of 1</p>

Chairperson

Chief Executive Officer/General Manager

10 July 2018

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**18TFC087 Tingira Heights - Violet Town Road - Pedestrian Refuge**

Folder No: F2018/00876/81/01

Report By: Technical Assistant - Kane Hitchcock

**Committee's Submission and Recommendation:  
No 9**

List on Council's Infrastructure Strategy Register the installation of a Pedestrian Refuge in Violet Town Road, Tingira Heights fronting St John Memorial Park.

**18TFC088 Redhead - Beach Road - Pedestrian Crossing**

Folder No: F2018/00876/72/01

Report By: Technical Assistant - Kane Hitchcock

**Additional Information:**

The Roads and Maritime Services did not concur with the installation of a Pedestrian zebra crossing as Council states that normal RMS warrants for a pedestrian (Zebra) crossing are not met and no evidence has been provided to support the consideration of reduced warrant or special warrant.

Council will request the Roads and Maritime Services to provide the criteria required for the provision of a reduced warrant or special warrant for the installation of a Pedestrian Crossing.

The NSW Police Representative did not support the proposed installation of the Pedestrian Crossing for safety reasons.

**Committee's Recommendation:  
No 10**

Defer the matter pending further investigation.

10 July 2018

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**18TFC089 Warners Bay - Hillsborough Road - Intersection investigation**

Folder No: F2018/00876/86/01

Report By: Technical Assistant - Kane Hitchcock

**Additional Information:**

The Roads and Maritime Services do not concur with the recommendation to install No left turn into Hillsborough Road Warners Bay stating that Council is not authorised to install traffic facilities or restrict traffic movements on State roads and can provide Council with traffic counts for the intersection to enable Council to determine the effects of banning the left turn in conjunction with analysis of crash data and community consultation.

**Committee's Recommendation:**

**No 11**

Defer the matter pending further investigation.

**18TFC090 Cardiff Heights - Currawong Road - Request for Parking restrictions**

Folder No: F2018/00876/23/01

Report By: Technical Investigation Officer - Robert Morris

**Committee's Submission and Recommendation:**

**No 12**

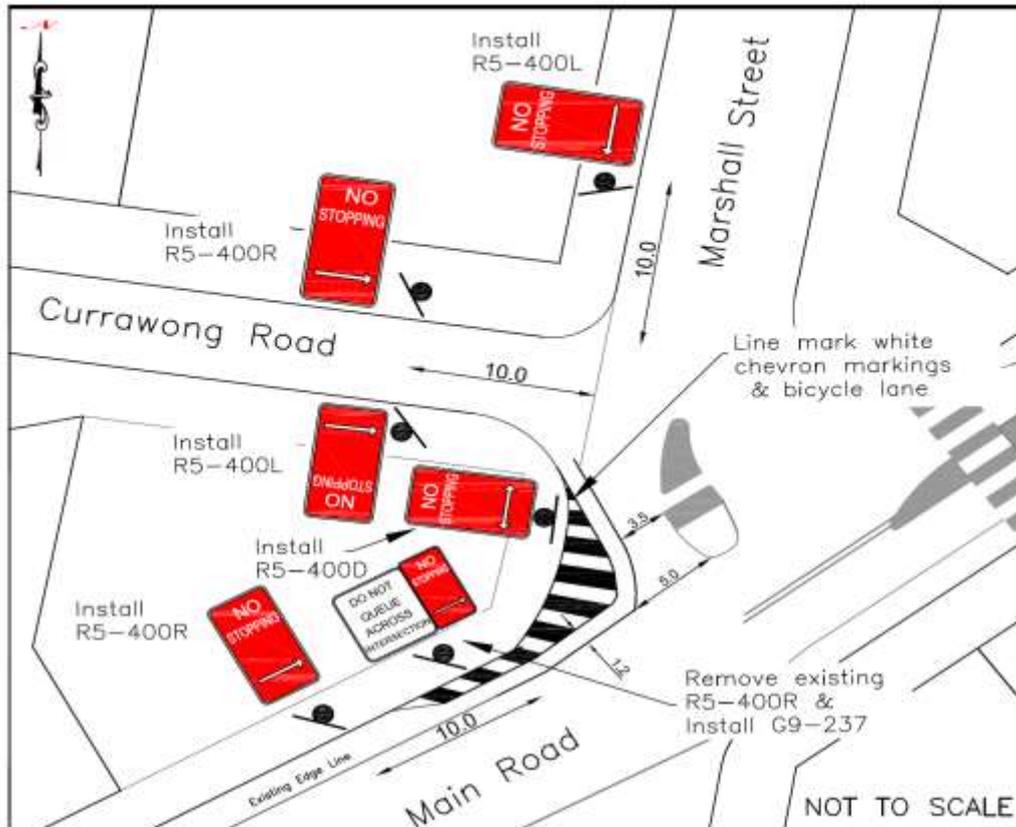
- A. Approve the amendment of item 15TFC060, to line marked chevron markings instead of a kerb extension.
- B. Approve the installation of do not queue across intersection signage on Main Road, Cardiff Heights prior to the intersection of Main Road and Marshall Street.
- C. Approve the installation of 10 metres No Stopping restrictions on the northern side of the intersection of Currawong Road and Marshall Street, Cardiff Heights.

As detailed in the attached plan.

**Recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee**



10 July 2018



**WORK SUMMARY:**

1. Install 2xR5-400L, 1xR5-400D and 2xR5-400R (No Stopping) signs at the intersection of Main Road, Marshall Street and Currawong Road.
2. Install G9-237 (Do Not Queue Across Intersection) sign.
3. Remove existing 1xR5-400R (No Stopping) sign on Main Road.
4. Line mark chevron markings with 1.2m bicycle lane on Main Road.

The works is to be undertaken in accordance with the following:

- Australian Standard AS 1742 – Manual of Uniform Traffic Control Devices.
- Roads and Maritime Services, Delineation Guidelines Section 8 – Diagonal and Chevron Markings.

 <p><b>PREPARED BY:</b> Asset Management – Infrastructure Strategy 126-138 Main Road Speers Point Ph. (02) 4921 0333</p>	<p><b>INSTALL CHEVRON MARKINGS AND NO STOPPING RESTRICTIONS AT THE INTERSECTION OF MAIN ROAD, MARSHALL STREET AND CURRAWONG ROAD, CARDIFF HEIGHTS.</b></p>	
<p>Drawn By: JM</p>	<p>Original Sheet Size: A4</p>	<p>All Dimensions in metres (m) unless otherwise noted</p>
<p>Scale: NA</p>	<p>Date: 27th June 2018</p>	<p>Call File: Y:\Infrastructure Assets\Strategy\RF plans\BTR\BTR-Cardiff Heights-Currawong Road.dwg</p>
		<p>Sheet 1 of 1</p>

Chairperson

Chief Executive Officer/General Manager

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10 July 2018

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**18TFC091      Macquarie Hills - Warburton Close - Request for Parking restrictions**

Folder No:        F2018/00876/56/01

Report By:        Technical Investigation Officer - Robert Morris

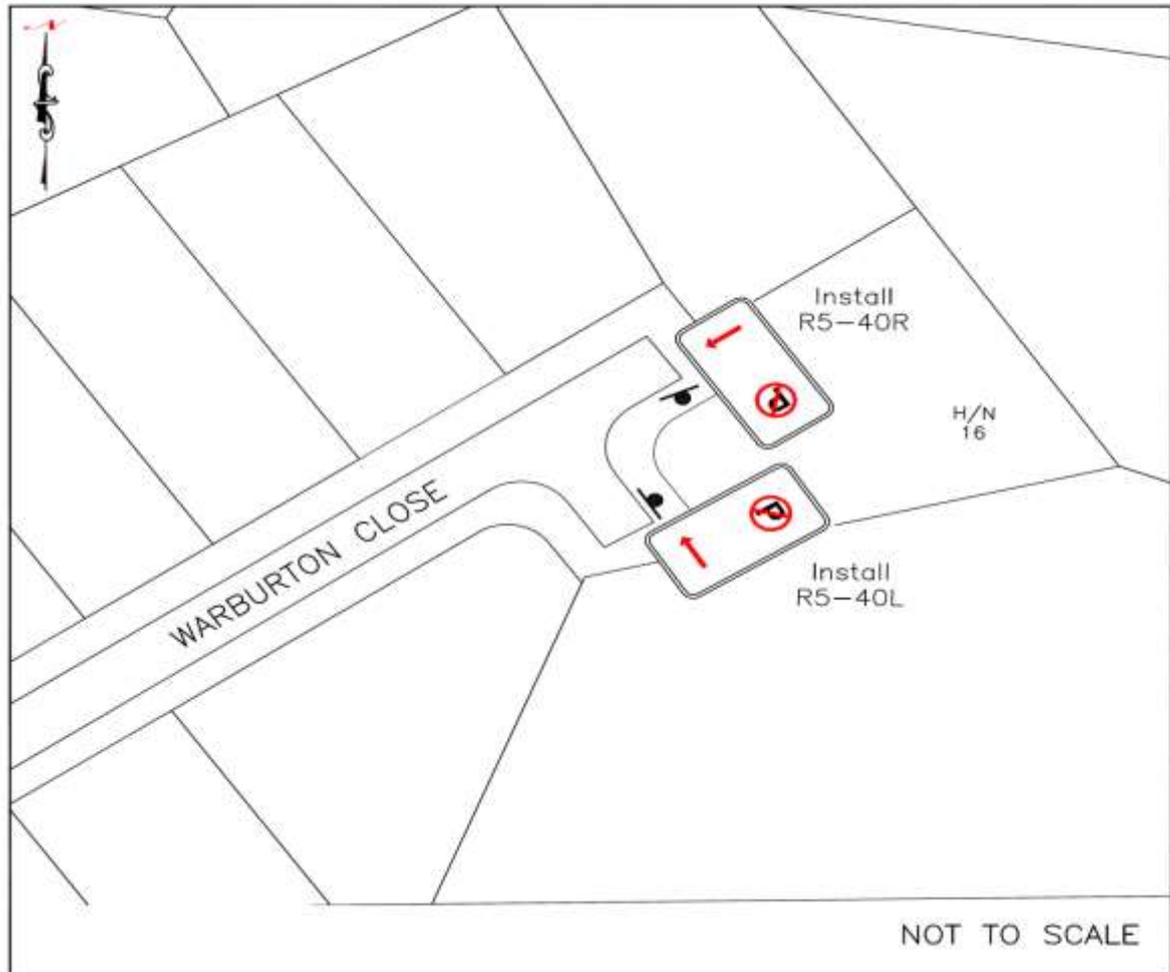
**Committee's Submission and Recommendation:  
No 13**

Approve the installation of No Parking restrictions in Warburton Close, Macquarie Hills across the frontage of H/No 16 to allow safe vehicle movements and access to the gross pollutant trap, as detailed in the attached plan.

**Recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee**



10 July 2018



**WORK SUMMARY:**

1. Install 1xR5-40L, 1xR5-40R (No Parking) signs.

The works is to be undertaken in accordance with AS1742.11 Manual of Uniform Traffic Control Devices - Part 11 Parking Controls.

<p>PREPARED BY: Asset Management - Infrastructure Strategy 126-138 Main Road Speers Point Ph. (02) 4921 0333</p>	<p><b>INSTALL NO PARKING RESTRICTIONS ON WARBURTON CLOSE, MACQUARIE HILLS.</b></p>	
	<p>PROJECT NUMBER: TMP18</p>	
<p>Drawn By: JM</p>	<p>Original Sheet Size A4</p>	<p>All Dimensions in metres (m) unless otherwise noted</p>
<p>Scale: : NA</p>	<p>Date: 2nd July 2018</p>	<p>Sheet 1 of 1</p>

10 July 2018

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**18TFC092      Cameron Park - Harris Street - Sign and Line Marking Plan**

Folder No:        F2018/00876/20/01

Report By:        Technical Investigation Officer - Robert Morris

**Additional Information:**

The Roads and Maritime Services does not concur with the recommendation in regards to the no stopping distances on approach to the traffic facility. The diagram shows kerb blisters and not kerb extensions – RMS practice does not permit variations to no stopping distances unless kerb extensions are installed. Refer TDT 2011/01a.

**Committee's Recommendation:**

**No 14**

Defer the matter pending further investigation.

**18TFC093      Booragul - Denman Way - Request for intersection investigation**

Folder No:        F2018/00876/16/01

Report By:        Technical Investigation Officer - Robert Morris

**Committee's Submission and Recommendation:**

**No 15**

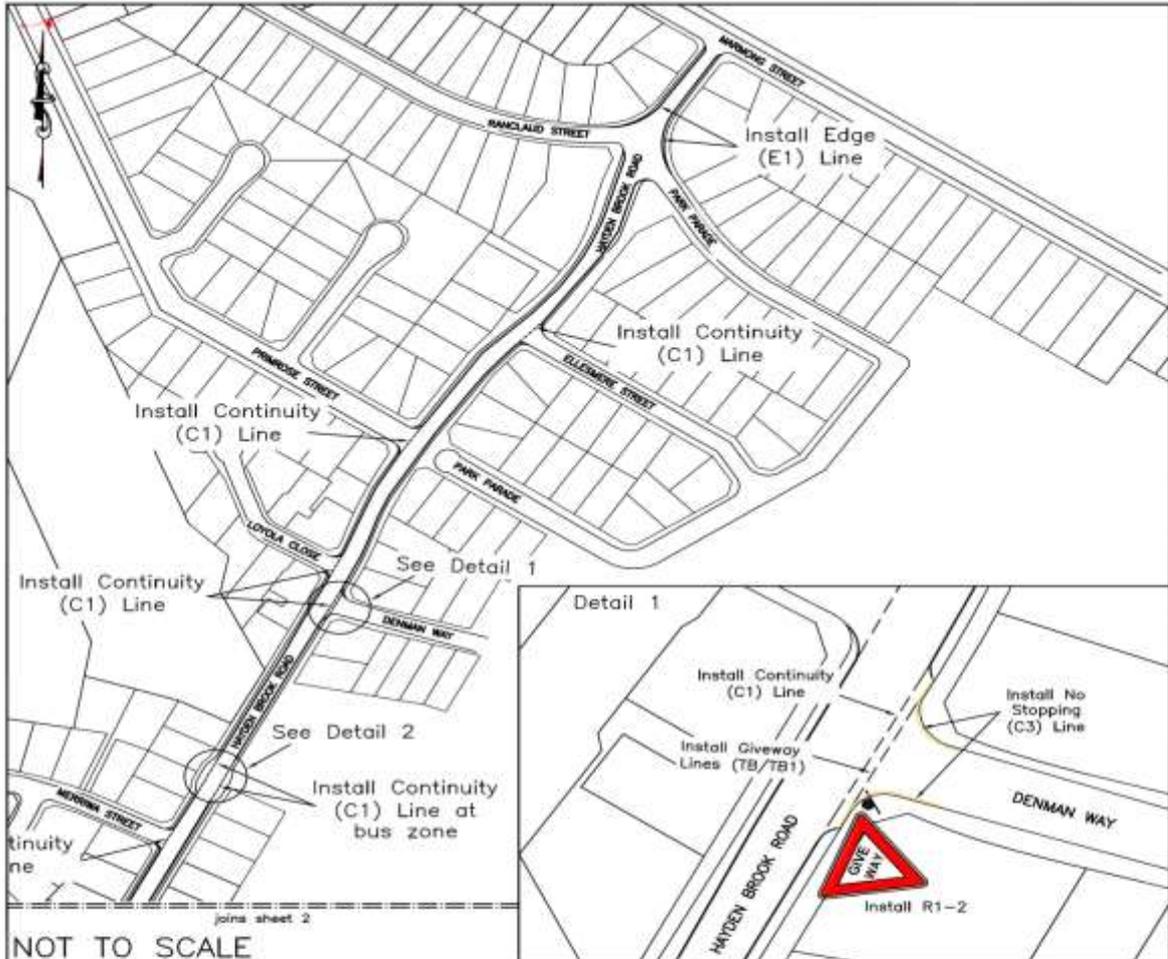
- A. Approve the installation of continuity (C1) line on Hayden Brook Road, Booragul between the Edge (E1) lines.
- B. Approve the installation of Give Way restrictions at the intersection of Hayden Brook Road and Denman Way, Booragul.
- C. Approve the installation of 10 metres of C3 Kerbside No Stopping line restrictions on both sides of the intersection.

As detailed in the attached Plans

**Recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee**



10 July 2018



**NOT TO SCALE**

**WORK SUMMARY:**

1. Install Continuity (C1) Lines on Hayden Brook Road, Booragul between Edge (E1) Lines.
2. Install 1xR2-1 (Give Way) sign at the intersection between Hayden Brook Road and Denman Way, Booragul.
3. Install Kerbside No Stopping (C3) Line restrictions on both sides of the intersection between Hayden Brook Road and Denman Way, Booragul.
4. Install and remark Edge (E1) Lines.

The works is to be undertaken in accordance with:

- Roads & Maritime Services, Delineation Guidelines, Section 4 - Longitudinal Markings & Section 6- Transverse Markings
- AS1742.13-2009 Manual of Uniform Traffic Control Devices

	<p><b>PREPARED BY:</b> Asset Management - Infrastructure Strategy 126-138 Main Road Speers Point Ph. (02) 4 921 0333</p>	<p><b>INSTALL LINEMARKING AND GIVE WAY RESTRICTION ON HAYDEN BROOK ROAD, BOORAGUL.</b></p>
	<p><b>PROJECT NUMBER:</b> TMP18</p>	
<p>Drawn By: JM</p>	<p>Original Sheet Size A4</p>	<p>All Dimensions in metres (m) unless otherwise noted</p>
<p>Scale: : NA</p>	<p>Date: 25th June 2018</p>	<p>Sheet 1 of 2</p>

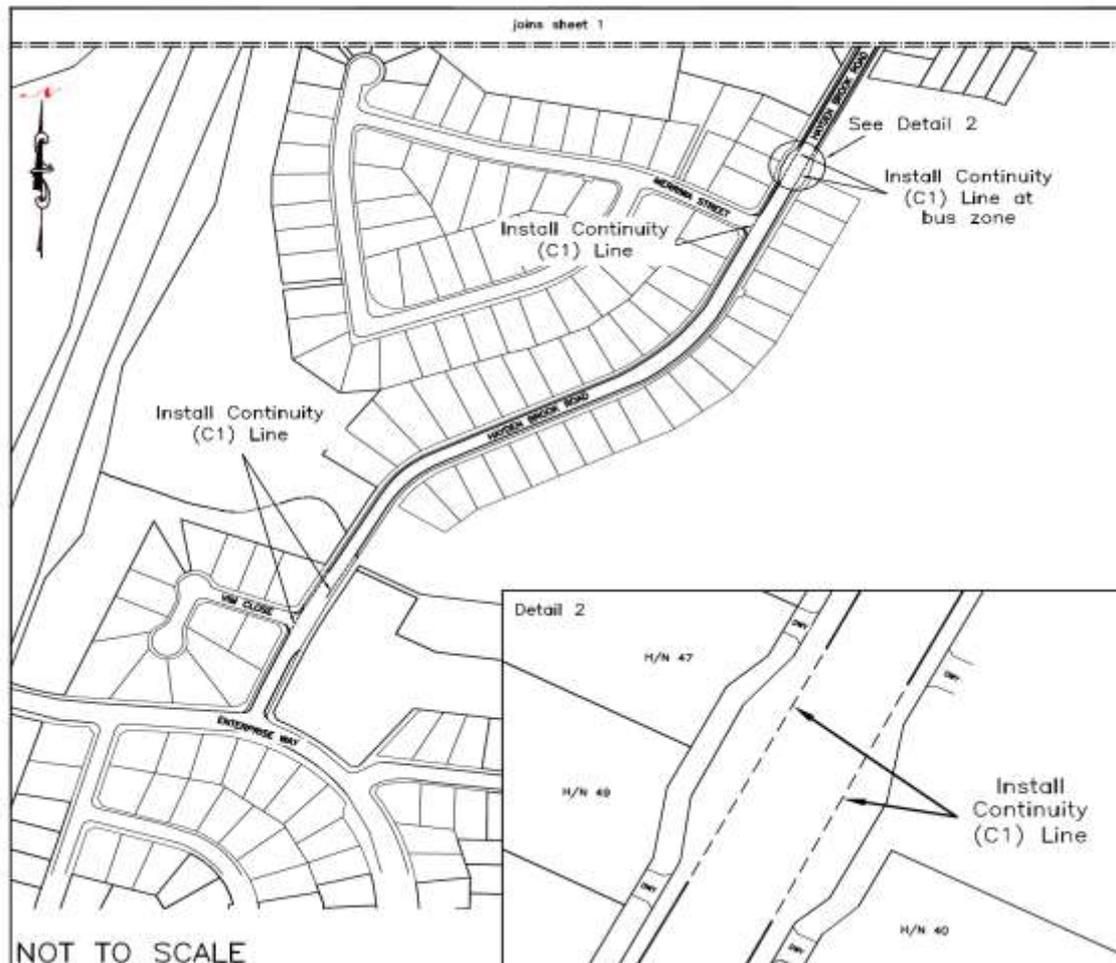
Chairperson

Chief Executive Officer/General Manager

**Recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee**



10 July 2018



**WORK SUMMARY:**

1. Install Continuity (C1) Lines on Hayden Brook Road, Booragul between Edge (E1) Lines.
2. Install 1xR2-1 (Give Way) sign at the intersection between Hayden Brook Road and Denman Way, Booragul.
3. Install Kerbside No Stopping (C3) Line restrictions on both sides of the intersection between Hayden Brook Road and Denman Way, Booragul.
4. Install and remark Edge (E1) Lines.

The works is to be undertaken in accordance with:

- Roads & Maritime Services, Delineation Guidelines, Section 4 – Longitudinal Markings & Section 6- Transverse Markings
- AS1742.13-2009 Manual of Uniform Traffic Control Devices

<p><b>PREPARED BY:</b> Asset Management - Infrastructure Strategy 126-138 Main Road Speers Point Ph. (02) 4921 0333</p>	<p><b>INSTALL LINEMARKING AND GIVE WAY RESTRICTION ON HAYDEN BROOK ROAD, BOORAGUL.</b></p>	
	<p>PROJECT NUMBER: TMP18</p>	
<p>Drawn By: JM</p>	<p>Original Sheet Size A4</p>	<p>All Dimensions in metres (m) unless otherwise noted</p>
<p>Scale: : NA</p>	<p>Date: 25th June 2018</p>	<p>Sheet 1 of 2</p>

**10 July 2018**

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**18TFC094      Arcadia Vale - Donnelly Road - Request for Line marking**

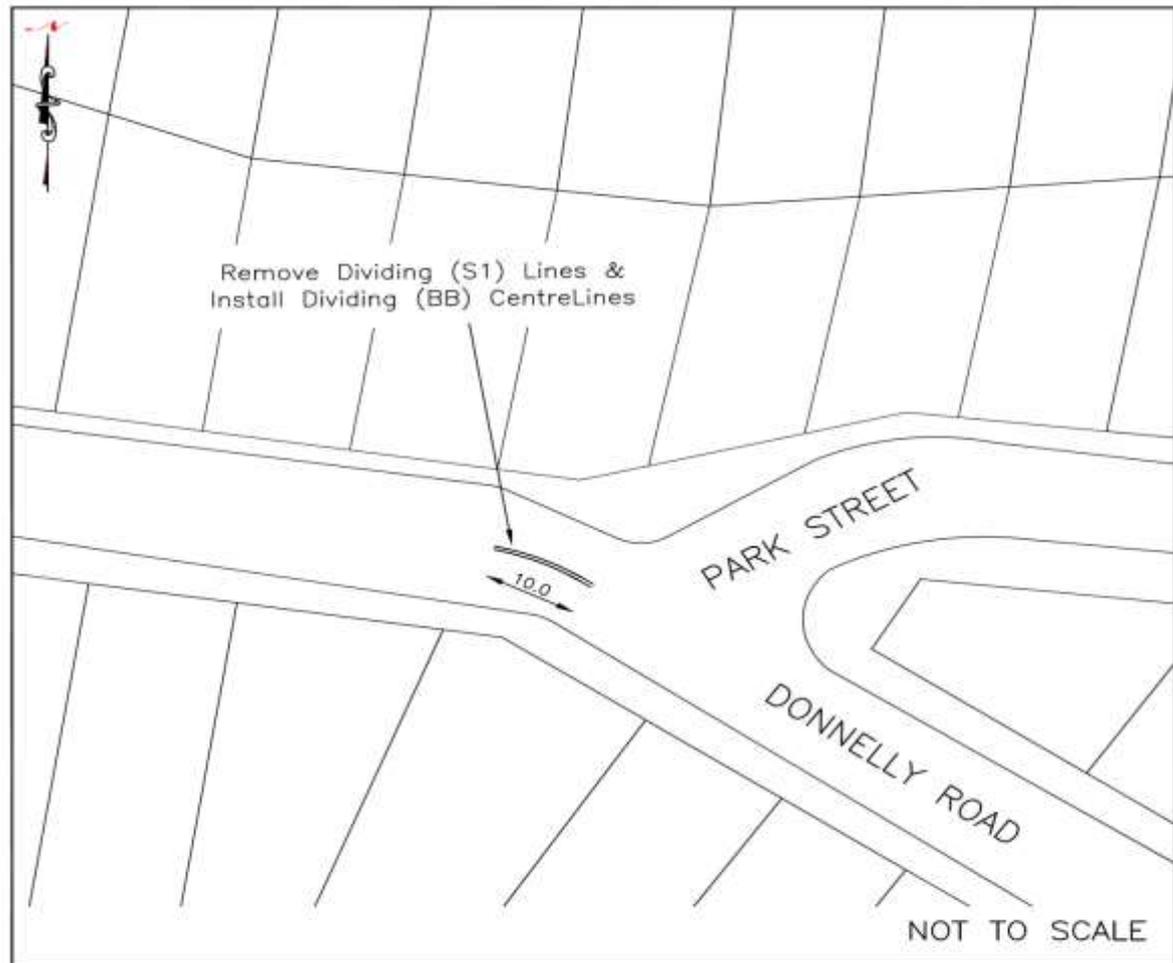
Folder No:        F2018/00876/02/01

Report By:        Technical Investigation Officer - Robert Morris

**Committee's Submission and Recommendation:  
No 16**

- A. Approve the removal of 10 metres of S1 Dividing lines on Donnelly Road, Arcadia Vale from the western side of its intersection with Park Street.
  - B. Approve the installation of 10 metres of Dividing (BB) centrelines on Donnelly Road, Arcadia Vale on the western side of its intersection with Park Street.
- As detailed in the attached plan.

10 July 2018



**WORK SUMMARY:**

1. Remove 10 metres of Dividing (S1) Lines on Donnelly Road, Arcadia Vale from the western side of the intersection with Park Street.
  2. Install 10 metres of Dividing (BB) Centrelines on Donnelly Road, Arcadia Vale from the western side of the intersection with Park Street.
- The works is to be undertaken in accordance with Roads & Maritime Services, Delineation Guidelines, Section 4 - Longitudinal Markings.

	<b>PREPARED BY:</b> Asset Management - Infrastructure Strategy 126-138 Main Road Speers Point Ph. (02) 4921 0333	<b>INSTALL DIVIDING (BB) CENTRELINES ON                  DONNELLY ROAD, ARCADIA VALE.</b>
	PROJECT NUMBER: TMP18	
Drawn By: JM	Original Sheet Size A4	All Dimensions in metres (m) unless otherwise noted
Scale: : NA	Date: 25th June 2018	Cat File: I:\Infrastructure Assets\Strategy\TFC\plans\RTFC\WRF - Arcadia Vale - Donnelly Road.dwg
		Sheet 1 of 1

**Recommendations of the Lake Macquarie Traffic Facilities & Road  
Safety Committee**



**10 July 2018**

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**18TFC095      Cameron Park - Constitution Drive - Parking restrictions**

Folder No:        F2018/00876/20/01

Report By:        Technical Investigation Officer - Robert Morris

**Committee's Submission and Recommendation:**

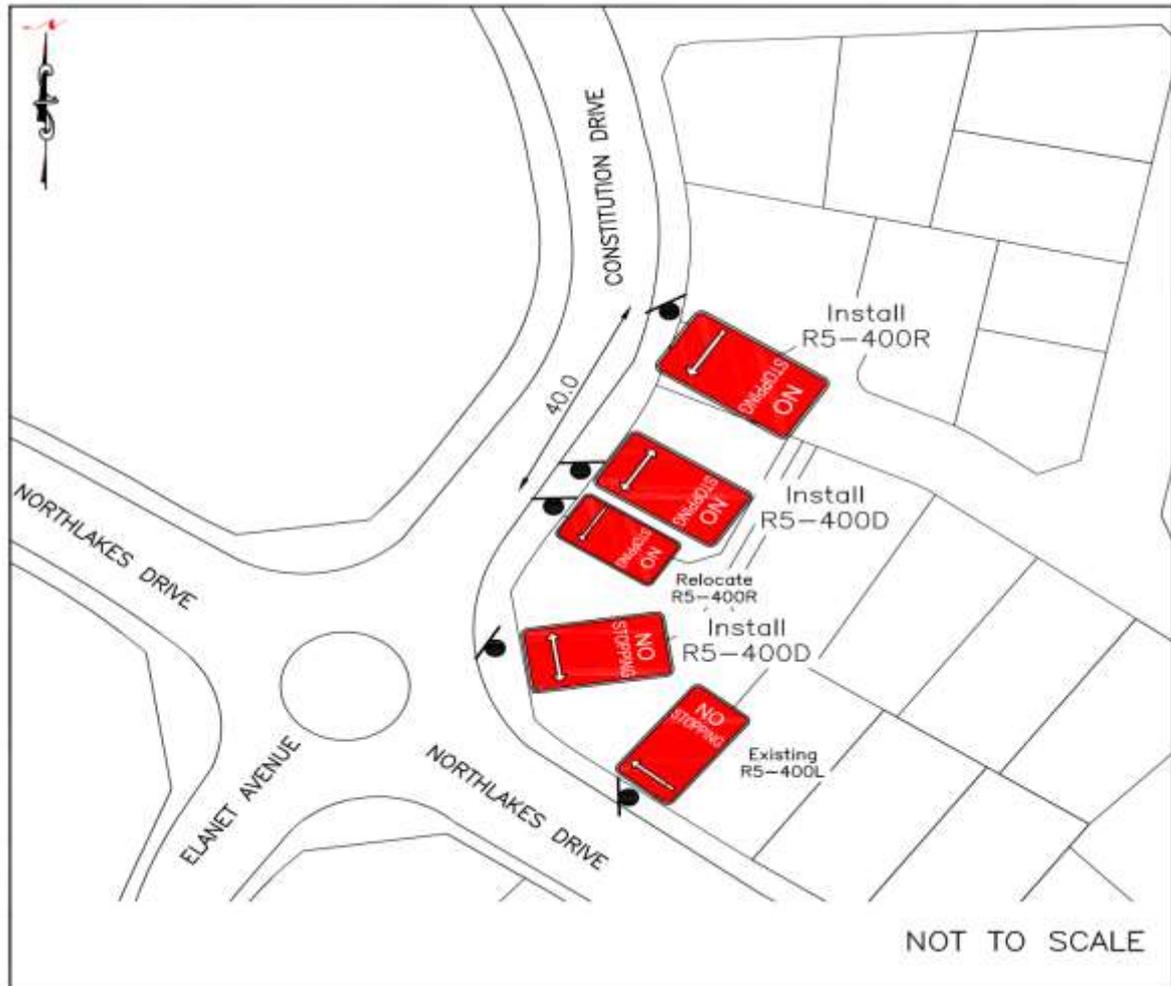
**No 17**

Approve the extension of the existing No Stopping restrictions at the southern end of Constitution Drive, Cameron Park for 40 metres as detailed in the attached plan.

**Recommendations of the Lake Macquarie Traffic Facilities & Road Safety Committee**



10 July 2018



**WORK SUMMARY:**

1. Relocate existing 1xR5-400L (No Stopping) sign 40m north along Constitution Drive, Cameron Park.
2. Install 2x R5-400D (No Stopping) signs.

The works is to be undertaken in accordance with:

- AS1742.11 Manual of Uniform Traffic Control Devices – Part 11 Parking Controls.

	<p><b>PREPARED BY:</b> Asset Management - Infrastructure Strategy 126-138 Main Road Speers Point Ph. (02) 4921 0333</p>	<p><b>EXTEND NO STOPPING RESTRICTIONS ON CONSTITUTION DRIVE, CAMERON PARK.</b></p>
	<p>PROJECT NUMBER: TMP18</p>	
<p>Drawn By: JM</p>	<p>Original Sheet Size A4</p>	<p>All Dimensions in metres (m) unless otherwise noted</p>
<p>Scale: NA</p>	<p>Date: 27th June 2018</p>	<p>Sheet 1 of 1</p>

**Recommendations of the Lake Macquarie Traffic Facilities & Road  
Safety Committee**

**10 July 2018**

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As this concluded the business the  
Chairperson terminated the meeting at 10.37 am.  
Minutes adopted by resolution of Council,  
at its meeting held on 14 August 2018

..... MAYOR

**Special Report of the Chief Executive Officer to Ordinary  
Council Meeting  
23 July 2018**

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**Special Report of the Chief Executive Officer to Ordinary Council  
Meeting - Monday 23 July 2018**

**18SP040 Meeting Arrangements - 2018 Local Government NSW Annual  
Conference, Albury 21-23 October**

Council Ref: F2011/04735 - D08888760  
Report By: Governance Administration Officer - Angela Lamb

**Précis:**

This report seeks to reschedule Council's meetings for October 2018, taking into consideration the 2018 Local Government NSW Annual Conference in Albury, from 21 to 23 October 2018.

**Recommendation:**

Council reschedules the Ordinary Council Meeting for Monday 22 October 2018 to Monday 29 October 2018.

**Background:**

The 2018 Local Government NSW (LGNSW) Annual Conference will be held in Albury from Sunday 21 October to Tuesday 23 October 2018. The Conference conflicts with the Ordinary Council Meeting scheduled for Monday 22 October 2018.

A number of Councillors will represent Council at the Conference. In the past, it has been Council's practice to avoid holding meetings of Council that conflict with the LG NSW Annual Conference.

**Proposal:**

The proposal is to reschedule the Ordinary Council Meeting scheduled for Monday 22 October to Monday 29 October 2018.

**Consultation:**

Consultation has occurred with the Executive, Manager Organisational Performance and Governance Coordinator.

**Implications:**

***Policy Implications:***

The proposed rescheduling ensures that the changes to the Ordinary Council Meeting align as closely as possible with Council's Code of Meeting Practice.

***Environmental Implications:***

Nil.

**Special Report of the Chief Executive Officer to Ordinary  
Council Meeting  
23 July 2018**

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***Social Implications:***

The proposed rescheduling of the Ordinary Council Meeting is unlikely to cause any major inconvenience to the public. If Council approves the recommendation, the new meeting date will be advertised accordingly.

***Infrastructure Asset Implications:***

Nil.

***Financial Implications:***

Nil.

***Risk and Insurance Implications:***

Nil.

**Options:**

1. Council reschedules the Ordinary Council Meeting of Monday 22 October 2018 to Monday 29 October 2018 in accordance with the recommendation;
2. Council reschedules the Ordinary Council Meeting of Monday 22 October to Monday 15 October 2018. This is not the preferred option as it limits the time available for council officers to refer items to Council.

If Council selects option 2 a Special Council Meeting may be required on 29 October 2018 to adopt Council's 2017-18 Financial Statements.

**Conclusion:**

The recommendation is consistent with past practice to allow for the maximum number of elected representatives to be present at Council meetings, while allowing for Council representation at the LGNSW Annual Conference.

Interim Manager Organisational Performance - Alexis Hill

**Attachments:**

Nil

## Special Report of the Deputy Chief Executive Officer to Ordinary Council Meeting 23 July 2018

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### Special Report of the Deputy Chief Executive Officer to Ordinary Council Meeting - Monday 23 July 2018

#### **18SP041            Exhibition of Draft Lake Mac 2050 Strategy**

Council Ref:        F2016/01522/06 - D08853212  
Report By:         Principal Strategic Planner - Iain Moore

#### **Précis:**

The draft Lake Mac 2050 Strategy has been prepared to provide long-term direction for land use in the City. Directions and priority growth areas identified in the draft Strategy reflect the City vision and are consistent with outcomes and actions provided in the Lake Macquarie Community Strategic Plan 2017-2027. It is proposed that draft Lake Mac 2050 be placed on public exhibition.

#### **Recommendation:**

That Council:

- A. Publicly exhibits the draft Lake Mac 2050 Strategy (Attachment 1) for a minimum period of 42 days.
- B. Agrees to a Councillor briefing session to be held towards the end of the consultation period.
- C. At the conclusion of the public exhibition period, receives a further report from Council officers on the matter.

#### **Background:**

At its meeting held on 11 May 2015, Council resolved to prepare the Lifestyle 2050 Strategy (15STRAT030). Preparation of the draft Lifestyle 2050 Strategy involved a two-stage process. Stage 1 comprised extensive collaboration with the community throughout 2016 to develop the City vision and values, captured in the Lake Macquarie City Community Strategic Plan 2017-2027. Stage 2, undertaken throughout 2017/18, saw the Lifestyle 2050 Strategy renamed to draft Lake Mac 2050. This stage also involved analysing the community's views around land use, undertaking further engagement to identify strategic directions and progressed the City vision into a new draft land use strategy, draft Lake Mac 2050 (Attachment 1).

Draft Lake Mac 2050 (the draft Strategy) is a high-level land use strategy that provides long-term direction for the City. The draft Strategy will inform development of Council's planning documents and provide a spatial plan to guide land use in the City. It will also guide private and community sector decision-making about proposed developments, services or community facilities and assist in evaluating resourcing, infrastructure and budgetary decisions by Council.

The draft Strategy has the following seven Directions:

## Special Report of the Deputy Chief Executive Officer to Ordinary Council Meeting 23 July 2018

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- Focus activity within and around our towns and centres
- Develop well connected high quality public spaces
- Increase housing choice
- Increase local jobs and investment
- Provide more options to get around
- Protect and enhance our Lake, natural landscape and heritage
- Ensure the City is resilient and responsive to change

In addition to the Directions providing guidance for land use planning across the City, the draft Strategy identifies a number of priority growth and change areas for special attention. The draft Strategy also provides for widespread, small-scale infill and medium density development across the City in higher accessibility locations.

The growth and change expected in the City will offer an opportunity to diversify the City's employment base and capitalise on technological change to create more jobs. The draft Strategy will facilitate jobs growth in the small business sector, particularly in creative and knowledge based industries. It also continues to support the growth of urban services and advanced manufacturing.

The City has a large number of areas of high biodiversity significance. The draft Strategy highlights that, together with linking corridors, these areas provide an important biological, recreational and scenic resource for our City, and provides for their protection.

Six supporting documents have been prepared to inform draft Lake Mac 2050. Publication of these reference documents will coincide with the exhibition of the draft Strategy. These documents are:

- Lake Macquarie Population, Demographics and Housing 2018
- Lake Macquarie Housing Study 2018
- Lake Macquarie Transport Study 2018
- Lake Macquarie Economic Study 2018
- Lake Macquarie Biodiversity Mapping Project 2018
- Lake Macquarie Rural Residential Housing Issues Paper 2018

A rolling five-year implementation plan will detail actions arising from Lake Mac 2050. This plan will be prepared following adoption of the draft Strategy, and referred to the Unique Landscape Portfolio, prior to reporting to Council for adoption.

### **Proposal:**

That Council exhibits draft Lake Mac 2050, included at Attachment 1, for a minimum of 42 days, prior to coming back to Council for final determination.

## Special Report of the Deputy Chief Executive Officer to Ordinary Council Meeting 23 July 2018

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### Consultation:

#### Community and external stakeholder consultation

As reported to Council in November 2016 (16SP089), Stage 1 of the project to develop the City's vision involved a comprehensive stakeholder engagement campaign throughout 2016. In addition to developing the City vision, the information obtained during the 2016 community engagement also informed the drafting of directions for the draft Strategy.

In September-October 2017, further engagement was undertaken with the community to see if Council was "on the right track" in preparing directions for the draft Strategy. The engagement was designed to build awareness within the community about the local challenges and opportunities for land use and development in the City to 2050. Spotlight papers presented the key challenges and opportunities for the City, and district papers compared and contrasted how different centres and precincts may function. An interactive on-line map spatially presented the spotlight papers' information.

The engagement involved a broad social media campaign, including use of a promotional video, university and TAFE engagement, and face-to-face activities such as attendance at Lake Macquarie Living Smart Festival and other local events and markets.

Over 2,000 people were actively engaged, providing feedback and participating in face-to-face discussions. In addition, more than 15,000 people interacted with the information, online.

Overall, there was strong support for:

- Protecting our bushland and natural environment
- More footpath and cycleway connections and linkages to day to day services
- Living close to cafes, restaurants and services
- More local jobs

While most people still preferred traditional housing forms, there was support for medium density housing with 18 per cent of people preferring to live in an apartment and 24 per cent preferring to live in a town house. An area of community concern was excessive high-rise development. People wanted to ensure good quality open spaces, and maintain access and views to the Lake.

Further information about the 2017 external stakeholder engagement, including an analysis of the feedback received, can be found in the 'Lake Mac 2050 – Are we on the Right Track?' Community Engagement Summary Report, available on Council's website.

#### Department of Planning and Environment (DoPE)

The Department of Planning and Environment supports the draft Strategy, acknowledging the draft Strategy aligns closely with the Hunter Regional Plan and the draft Greater Newcastle Metropolitan Plan. Minor modifications were suggested by the DoPE, including

- Addressing the Action in the draft Greater Newcastle Metropolitan Plan for Council to identify locations needed for primary industries and subsequently review land zoned primary production small lots to focus primary production small lots to locations where there is a need for primary industries.
- Identifying "Cardiff-Glendale" as the strategic centre, rather than Glendale alone.

## Special Report of the Deputy Chief Executive Officer to Ordinary Council Meeting 23 July 2018

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- Clarifying alignment with Council's LEP and DCP.
- Clarifying the need for additional greenfield housing.
- Addressing economic and housing development around existing railway stations.

These matters have been largely addressed. As the draft Greater Newcastle Metropolitan Plan only commenced exhibition in November 2017 and is yet to be finalised, detailed analysis to identify locations needed for primary industries has not yet been undertaken. However, the draft Strategy identifies the need to increase opportunities for rural production, including protection of land with agricultural land potential. The draft Strategy addresses the other issues raised by DoPE.

The draft Greater Newcastle Metropolitan Plan may be adopted and released by the State Government during the exhibition period. Any consistencies and inconsistencies will be reviewed and considered as part of the exhibition period.

### Internal stakeholder consultation

Throughout 2017-18, staff from Asset Management, Property and Business Development, Development Assessment and Compliance, City Projects, Sustainability, Community Planning, Finance and Administration, Leisure Services, Waste and Environment and Rangers, Cultural Services, Organisational Performance, Customer Service and CiviLake Departments undertook a number of workshops.

The workshops assisted to build organisational understanding of the Lake Mac 2050 project. They also enabled participants to work through implications of delivering draft directions and outcomes in terms of policy, change management and resource allocation. The feedback obtained from the workshops informed the preparation of draft Lake Mac 2050.

In March 2018, copies of an early draft Lake Mac 2050 were distributed to all staff who had participated in the internal workshops for review. Comments received have been considered and addressed in preparing the version of draft Lake Mac 2050 proposed for public exhibition.

### **Implications:**

#### ***Policy Implications:***

#### Draft Greater Newcastle Metropolitan Plan 2036 (draft Metropolitan Plan)

The draft Metropolitan Plan identifies Lake Macquarie as a crucial part of the identity of Greater Newcastle, and within its narrative, identifies the need to reverse the flow of people who work outside of Lake Macquarie. It also identifies Charlestown, Boolaroo-Cardiff (including Glendale), Warners Bay, and Belmont as having redevelopment opportunities. Future housing growth is seen to occur through infill development, with new housing areas in the greenfield Newcastle - Lake Macquarie Western Growth Area, and in areas that can better access train stations and proximity to the Central Coast and Sydney. The draft Metropolitan Plan also identifies improved public transport services along the Pacific Highway to Charlestown and Belmont.

The draft Metropolitan Plan also provides an action for Council to review land zoned primary production small lots and focus primary production small lots zoned land to locations where the need for primary industries is demonstrated.

## **Special Report of the Deputy Chief Executive Officer to Ordinary Council Meeting 23 July 2018**

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As discussed above, draft Lake Mac 2050 is consistent with the narrative and actions of the draft Metropolitan Plan. Draft Lake Mac 2050 progresses the draft Metropolitan Plan by identifying areas for special attention in relation to urban renewal and growth. It also emphasises the importance of the Cardiff - Glendale area as a focus for development, and identifies options for significant redevelopment of the Gateshead – Windale - Mount Hutton area over the medium-long term. The draft Strategy is consistent with Council's submission on the draft Metropolitan Plan (18SP005).

### Hunter Regional Plan 2036

The Hunter Regional Plan provides four goals for the Hunter: to be the leading regional economy in Australia; have a biodiversity-rich natural environment; create thriving communities; and provide greater housing choice and jobs. Draft Lake Mac 2050 is consistent with the goals of the Hunter Regional Plan.

### Lower Hunter Regional Conservation Plan (LHRCP)

The aims, directions and envisaged outcomes of draft Lake Mac 2050 are consistent with those of the LHRCP.

### NSW Coastal Management Framework

The NSW coastal management framework includes the Coastal Management Act 2016 and State Environmental Planning Policy (Coastal Management) 2018.

Draft Lake Mac 2050 is consistent with the objects of the Coastal Management Act 2016 to manage the coastal environment in a manner consistent with the principles of ecologically sustainable development for the social, cultural and economic wellbeing of the people of NSW. The draft Strategy is also consistent with the provisions of the SEPP (Coastal Management) 2018 to facilitate the protection of environmental assets of the coast.

### Lifestyle 2030 Strategy

When adopted, draft Lake Mac 2050 will supersede Council's current land use strategy, Lifestyle 2030.

### Lake Macquarie City Community Strategic Plan 2017-2027

The Lake Macquarie City Community Strategic Plan 2017-2027 sets out the community's vision and values, and the City's key focus areas. Draft Lake Mac 2050 is a high-level land use strategy that seeks to progress the City vision. The Directions in draft Lake Mac 2050 are consistent with outcomes and actions provided in each of the key focus areas. Draft Lake Mac 2050 seeks to protect and enhance natural areas, promote vibrant centres, well-connected healthy public spaces, safe transport options, user-friendly and direct public transport connections to centres and neighbourhoods, a diverse and thriving economy, protection of heritage and the development of partnerships between community, government and business benefit.

### Lake Macquarie Local Environmental Plan 2014 (LMLEP2014) and Lake Macquarie Development Control Plan 2014 (LMDCP2014)

Draft Lake Mac 2050 will guide the content of future amendments to *LMLEP 2014* and *LMDCP 2014*. Exhibition of draft Lake Mac 2050 will not affect the current provisions of *LMLEP 2014* or *LMDCP 2014*.

## **Special Report of the Deputy Chief Executive Officer to Ordinary Council Meeting 23 July 2018**

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### Lake Macquarie Coastal Zone Management Plan (CZMP)

The CZMP identifies controls on certain types of development in areas seaward of the 2050 and 2100 coastal risk planning lines. Exhibition of draft Lake Mac 2050 will not affect the provisions of the CZMP.

### Council's Biodiversity Planning Policy and Guidelines for Rezoning Proposals (Policy and Guidelines)

Draft Lake Mac 2050 is consistent with the objective of Council's Biodiversity Planning Policy and Guidelines for Rezoning Proposals. The draft Strategy ensures consideration and resolution of biodiversity issues early in the rezoning process.

Amendments are required to the Biodiversity Planning Policy and Guidelines for Rezoning Proposals to include reference to Lake Mac 2050, when adopted by Council.

### Other Council Policy

In addition to guiding the content of *LMLEP2014* and *LMDCP2014*, the draft Strategy seeks to guide the review or development of other Council policy such as asset management, developer contributions, community facilities, biodiversity conservation and recreation planning. The rolling five-year implementation plan, to be prepared following adoption of the draft Strategy, will detail specific actions that may relate to other Council policy.

The recent amendments to the *Environmental Planning and Assessment Act 1979* require Council to prepare local strategic planning statements. While the DoPE has not yet published guidelines for these statements, it is intended that the draft Strategy will meet this requirement in its current form or with minimal amendment.

### ***Environmental Implications:***

The draft Strategy recognises the natural assets of the City. Through the Directions and envisaged outcomes, the draft Strategy aims to protect the integrity and sustainability of these assets. The draft Strategy identifies areas of high ecological value, including those outside and within areas that may be developed.

The draft Strategy identifies the need for the City to be prepared for the impacts of climate change, which will require engaging the community to develop and implement policy response to any risk to asset values.

### ***Social Implications:***

A key Direction of the draft Strategy is the focus on centres. The draft Strategy provides for places for expression of local character and opportunities for social connection and gathering, as well as providing diverse housing, employment and services.

The high-level directions will result in people orientated, pedestrian and cyclist friendly, and human-scale centres. The draft Strategy provides for local employment and retail opportunities, and a reduction in the overall proportion of detached housing in urban fringe locations. Future growth of the City's centres and neighbourhoods will provide opportunities for people to live close to work, shopping, and recreation if they choose.

The draft Strategy will assist in reducing motor vehicle dominance by promoting viable transport alternatives. By facilitating public transport oriented development, the draft Strategy will continue to increase walking and cycling opportunities within the City and provide greater opportunities for community interaction. Encouraging public transport will

## Special Report of the Deputy Chief Executive Officer to Ordinary Council Meeting 23 July 2018

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assist in expanding job opportunities and productivity by lessening commute times, and cushion the effect of high petrol costs. Development of centres and neighbourhoods will allow people to meet the majority of their day-to-day needs locally, create more jobs, foster a sense of community, and provide full and easy access for all including the young, the elderly, and those with disabilities, thus promoting social equality.

### ***Infrastructure Asset Implications:***

Draft Lake Mac 2050 provides high-level policy that will influence spatial arrangements within the City. The directions for well-connected, high quality public spaces, focusing activity within and around centres and providing more options to get around provide guidance for the planning and delivery of various types of infrastructure needed for the future of the City. This includes guidance for walking and cycle links, recreation facilities, green infrastructure, public art, community facilities, playgrounds and road infrastructure.

### ***Financial Implications:***

There are no significant financial implications for Council relating to exhibition of the draft Strategy. Should the Strategy be adopted, its implementation will require allocation of resources through application of Council's usual budgeting process.

### ***Risk and Insurance Implications:***

The draft Strategy provides a strategic direction for the land use and land management of the City over the next 30 years, and is consistent with the outcomes envisaged in the Hunter Regional Plan and draft Metropolitan Plan. The draft Strategy addressed risks associated with climate change, such as sea level rise. Exhibition of the draft Strategy will provide an opportunity for community and agency comment before a final document is prepared and reported to Council.

### **Options:**

1. Council resolves to exhibit draft Lake Mac 2050. This is the recommended option.
2. Council requests further changes be made to draft Lake Mac 2050. This will delay the exhibition of draft Lake Mac 2050.
3. Council resolves to not proceed with Lake Mac 2050, and not exhibit draft Lake Mac 2050. This would mean Lifestyle 2030 would continue to serve Council as the principal contemporary land use strategy for the City over the next 30 years. This option is not recommended, as Lifestyle 2030 does not reflect current planning policies and strategies, particularly those developed by the NSW Government.

## **Special Report of the Deputy Chief Executive Officer to Ordinary Council Meeting 23 July 2018**

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### **Conclusion:**

Draft Lake Mac 2050 will provide the strategic direction for land use in the City for the next 30 years. Draft Lake Mac 2050 implements the City vision and is consistent with the outcomes and actions provided in each of the Council's key focus areas. The draft Strategy reflects changes in regional and local planning policies and adopts contemporary planning principles. Exhibition of draft Lake Mac 2050 will provide an opportunity for community and government agency stakeholders to provide feedback.

Interim Manager Planning & Sustainability - Alice Howe

### **Attachments:**

1. Lake Mac 2050 Draft Strategy D08949928



# PLANNING OUR FUTURE

**DRAFT**

Lake Mac 2050 Strategy

# OVERVIEW

Our Community has a shared vision for Lake Macquarie City that is clear and compelling:

*Lake Macquarie is a City with a Lake at its heart encircled by distinctive towns and villages. We balance our cherished environments with our need for great spaces to live and visit, smart transport options and a thriving economy; which adapt and strive to be fair for all.*

- City Vision and Community Values  
November 2016

Lake Mac 2050 is a high-level land use strategy that seeks to progress this Vision for our City. It does this through influencing practices and policies that affect the distribution of people and activities.

Our City has significant opportunities to reinforce the role of our centres and neighbourhoods, increase local jobs, diversify our housing stock, improve local transport and protect our environment.

Population growth and climate change, as well as technological and social change, need to be considered.

The Greater Newcastle Metropolitan Plan estimates the Lake Macquarie local government area will have 24,450 more people, 13,700 new dwellings and 11,741 new jobs by 2036. The population is projected to increase by almost 50,000 people by 2050.

Lake Mac 2050 addresses these opportunities and challenges to deliver benefits for our community and the environment consistent with the City Vision.

Lake Mac 2050 is intended for use:

- by state, regional and local policy makers and decision makers on matters that affect Lake Macquarie City, such as transport infrastructure;

- to guide review or development of other Council policy such as asset management, contributions, community facilities, biodiversity conservation, recreation planning, LEP amendments and development control policy;
- to guide specific works or infrastructure;
- to guide private and community sector decision-making about proposed developments, services or community facilities;
- to inform assessments of the impact of new technologies, environmental, economic and societal change; and
- to evaluate resourcing, infrastructure and budgetary decisions by Council.

Lake Mac 2050 has seven Directions that respond to a range of issues and influences, from local to global levels:

- focus activity within and around our towns and centres;
- develop well-connected high-quality public spaces;
- increase housing choice;
- increase local jobs and investment;
- provide more options to get around;
- protect and enhance our Lake, natural landscape and heritage; and
- ensure the City is resilient and responsive to change.

In addition to the Directions providing general guidance for land use planning and the distribution of people and activities across our City, a number of localities have been identified for special attention.

Centres, including strategic centres of regional importance, anchor each of the localities anticipated to experience significant change.

## 2

Lake Macquarie City  
DRAFT Lake Mac 2050 Strategy

Research undertaken for Lake Mac 2050 shows that there is considerable potential to increase jobs in our centres by providing high amenity to attract investment and employers.

Our City is fortunate that many of its centres are in attractive locations with excellent access to recreation resources, such as the Lake.

By encouraging more housing in and around our centres we can respond to demographic and lifestyle change, increase the demand for local services and improve residents' access to community services and facilities.

In addition to increased development in and around centres, a number of other localities will be subject to considerable change and will also require a comprehensive locality-wide approach to planning and development, including infrastructure planning and biodiversity and heritage conservation.

Notwithstanding a focus on the growth of our centres, there will be widespread, small-scale infill and medium density development across the City in high-accessibility locations.

A major policy focus of the Plan is reducing the dominance of the private motor vehicle, by improving the safety and convenience of our pedestrian and cycle network, and by supporting better public transport.

The growth and change expected in the City offers an opportunity to diversify our employment base and capitalise on technological change to create more jobs. The small business sector will continue to be a major jobs generator, particularly in creative and knowledge based industries. Our industrial areas will continue to restructure and provide opportunities for the growth of urban services and advanced manufacturing.

Cardiff/Glendale is the largest employment area in Lake Macquarie. With investment in infrastructure, such as transport, and a flexible approach to land use, we could double the number of people working and living in this area by 2050. Combined with the former Pasminco site, the area has great potential for new jobs and

**LAKE MAC 2050 PROVIDES  
A LONG-TERM PLAN THAT  
REFLECTS OUR  
LOCAL CHARACTER,  
PROVIDES OPPORTUNITIES FOR  
IMPROVED  
WELLBEING  
SUPPORTS A  
SENSE OF  
COMMUNITY  
AND PROTECTS OUR UNIQUE  
ENVIRONMENT**

for people to live close to those jobs. Together these areas form the bulk of the North West Lake Macquarie Catalyst Area.

Completion of the Lake Macquarie Transport Interchange will stimulate growth and provide a new focus for development in north Lake Macquarie.

Our City has a large number of areas of high biodiversity significance. Together with linking corridors, these areas provide an important biological, recreational and scenic resource for our City and need protection.

A rolling five year implementation plan will detail actions arising from Lake Mac 2050.

Many outcomes envisaged in the Strategy may be beyond Council's direct control and, in particular, rely on the support and actions of state agencies. Furthermore, prevailing property and development markets will influence some of the outcomes envisaged in the Strategy, particularly the timing of implementations.

Lake Mac 2050 supersedes the previous strategy, Lifestyle 2030.

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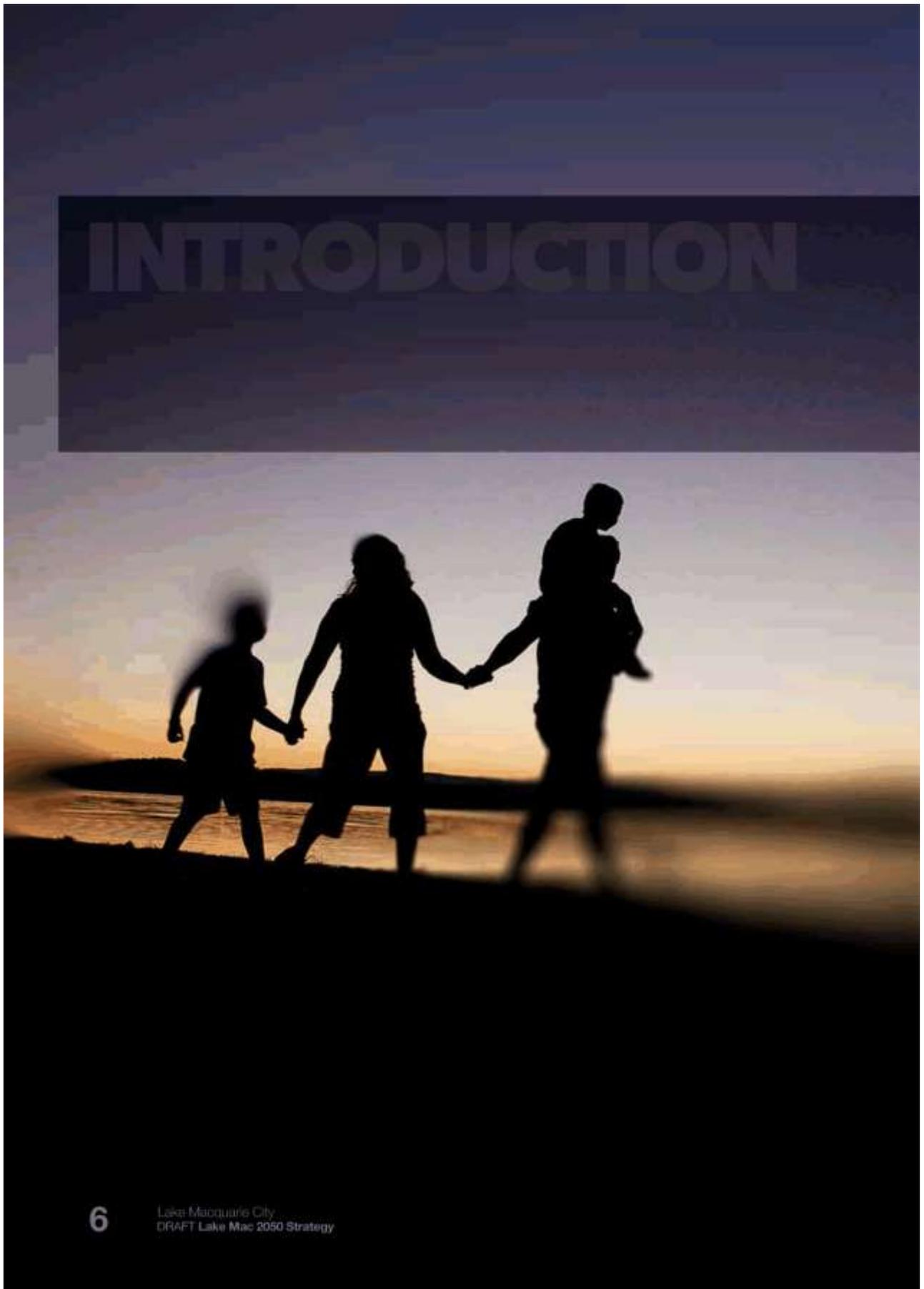
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Our Community has a shared vision for Lake Macquarie City that is clear and compelling:

*Lake Macquarie is a City with a Lake at its heart encircled by distinctive towns and villages. We balance our cherished environments with our need for great spaces to live and visit, smart transport options and a thriving economy; which adapt and strive to be fair for all.*

- City Vision and Community Values  
November 2016

Lake Mac 2050 is a high-level land use strategy that seeks to progress the City vision. It does this through influencing practices and policies affecting the distribution of people and activities. Because 2050 is over 30 years in the future, much of the content of Lake Mac 2050 is conceptual and direction setting and does not provide the level of detail found in a plan with a shorter horizon.

Importantly, Lake Mac 2050 addresses more than land use controls, it seeks to guide a wide range of locational actions by Council and other stakeholders in support of a desirable physical form for the City to help achieve desired social, economic and environmental outcomes.

Lake Mac 2050 will inform the development of all of Council's strategies, policies, projects and proposals affecting the City, as well as its operational decisions.

In order to provide flexibility to respond to future change, the actions in Lake Mac 2050 are directed at three time horizons:

1. Short term horizon: what we know  
– the next five years
2. Medium term horizon: what is likely  
– the next 6-15 years
3. Long term horizon: what is emerging  
– beyond the next 15 years

A five-year rolling action plan will be developed to support implementation of Lake Mac 2050.

This approach will ensure that the community's interests are maximised.

### Our region

Lake Macquarie City has an important and distinctive role to play within Greater Newcastle Metropolitan Area and the Hunter Region. Regional relationships and collaboration will assume greater importance as the City becomes more socially and economically integrated with the Greater Newcastle area, and increasingly the Central Coast, Sydney and wider Hunter Region. This would build on Council's existing involvement in regional organisations and dialogues in the past.

The Greater Newcastle Metropolitan Plan, discussed later, highlights the importance of collaborative partnerships to help coordinate planning for growth, optimise opportunities for transformation and drive the emergence of Greater Newcastle as a metropolitan city.

At a tangible level, the existence of strategic regional infrastructure such as the University of Newcastle, John Hunter Hospital, Port of Newcastle, and Newcastle Airport in adjacent local government areas means that the City must think about its role and relationships within the region if it is to maximise advantage from this infrastructure.

Should growth 'spill over' from the Sydney region, growth rates in Lake Macquarie will increase beyond current projections. This needs to be monitored and action taken should revised growth predictions exceed current estimates. An improved awareness of what Lake Macquarie City has to offer will also attract investment. This will provide opportunities in new and emerging industries, as well as continuing to support growth of local tourism and improve public spaces, which takes advantage of our natural assets.

## THE LOCAL IMPERATIVE

Lake Mac 2050 responds to Council's peak strategic planning document, the Lake Macquarie City Community Strategic Plan 2017-2027.

Lake Mac 2050 progresses the Community Strategic Plan by directing future growth and spatial matters consistent with the City Vision.

Our City has significant opportunities to reinforce the role of our centres, increase local jobs, improve local transport and protect our environment.

At the same time, population growth and climate change, as well as technological and social change, pose challenges.

The Greater Newcastle Metropolitan Plan estimates the Lake Macquarie local government area will have 24,450 more people, 13,700 new dwellings and 11,741 new jobs by 2036. The population is projected to increase by almost 50,000 people by 2050, as shown in the table below.

Lake Mac 2050 seeks to address these opportunities and challenges to deliver benefits for our community and the environment, while remaining consistent with the City Vision.

Lake Macquarie population	2016	2050	Increase
Population	202,847	250,000	+47,153
Dwellings	82,595	112,397	+29,802

Source: FEMPLAN forecast, ABS census

### Our approach to bring it all together

Lake Mac 2050 aims to be a holistic document that focuses on outcomes for people and the environment. Each element of this strategy is not exclusive of the other, but needs to be implemented in a coordinated way with concerted focus to achieve the outcomes sought by relevant global, national, state and local goals, values, strategies and policies.

## SHAPING LAKE MAC 2050 WITH A GLOBAL TO LOCAL PERSPECTIVE

Lake Mac 2050 is based on an approach that combines an appreciation of global influences with an understanding of how people experience the places where they live, work and play.

The Strategy is built on a cascading policy framework from a global to local focus. It aims to create a distinctive local response that is consistent with this policy framework.

The United Nations Sustainable Development Goals ([sustainabledevelopment.un.org/sdgs](https://sustainabledevelopment.un.org/sdgs)) has provided high-level guidance in relation to desirable, social, economic and environmental goals in the development of Lake Mac 2050.

The Australian Government's Smart City Plan ([cities.infrastructure.gov.au/smart-cities-plan](https://cities.infrastructure.gov.au/smart-cities-plan)) has provided a national perspective on the development of cities, based on a cooperative approach to long-term planning, targeted investment and reform.

The NSW Government has provided clear direction to councils about the importance of strategic planning, energy efficiency, diverse and affordable housing supply, coordination of infrastructure with development and cultivation of economic growth.

The Hunter Regional Plan 2036 ([planning.nsw.gov.au/Plans-for-your-area/Regional-Plans/Hunter/Hunter-regional-plan](https://planning.nsw.gov.au/Plans-for-your-area/Regional-Plans/Hunter/Hunter-regional-plan)) provides regional level land use policy. Employment and urban containment are important themes in the Regional Plan, including focusing development to create compact communities that allow 95 per cent of people to live within 30 minutes of a strategic centre. Charlestown, Morisset and Cardiff-Glendale are nominated as strategic centres in the Plan, with Belmont, Toronto, Cardiff, Warners Bay, Swansea and Mount Hutton centres of local significance.

The Greater Newcastle Metropolitan Plan 2036 ([planning.nsw.gov.au/Plans-for-your-area/Greater-Newcastle-metropolitan-planning](https://planning.nsw.gov.au/Plans-for-your-area/Greater-Newcastle-metropolitan-planning)) sets out further detail across the Lower Hunter local government areas, including Lake Macquarie. The Plan states there is enough urban land in the Lower Hunter to cater for an expected metropolitan population of 1.2 million.

### Forming strong links with our policies

Lake Macquarie City Council has a well-developed suite of policies that operate at a number of levels and have informed Lake Mac 2050. They include:

- Arts Heritage and Cultural Plan 2017-2027;
- Cycling Strategy 2021;
- Lake Macquarie Development Control Plan (LMDCP) 2014;
- Lake Macquarie Coastal Zone Management Plan (2015)
- Environmental Sustainability Action Plan 2014-2023;
- Lake Macquarie Local Environmental Plan (LMLEP) 2014;
- Lifestyle 2030; and
- a range of Town Centre Plans and land use strategies.

A number of these documents, along with the Community Strategic Plan, set targets and reporting processes, which informed the development of performance indicators in Lake Mac 2050.

### Specialist studies shape Lake Mac 2050

A number of specialist studies undertaken during the development of Lake Mac 2050 provide greater understanding of trends and possible responses. The outcomes of these background studies have informed Council's thinking and been incorporated into the Strategy. These studies included:

- population, demographics and housing, including 2016 Census analysis, and population and housing forecasts to 2050;
- transport, including a preferred transport future incorporating options to increase the modal shift towards active and public transport in the City, emerging technologies and freight movement;
- housing, including options to capitalise on liveability, increase diversity and improve the affordability and viability of housing;
- economic development, including the City's economic relationship with the Hunter, the Central Coast and Sydney, managing economic change, increasing local employment and building on local strengths;
- biodiversity mapping, providing comprehensive data on native vegetation, flora and fauna species, habitat distribution as well as corridors and connectivity; and
- rural residential housing in Lake Macquarie, highlighting issues and recommending future policy directions for rural and environmental living in the City.

Copies of the full studies are available separately.

### The community has a say

Council has undertaken extensive community consultation to inform the development of the City Vision and Community Values, the Community Strategic Plan and its suite of policies and strategies. Extensive consultation has also occurred during specific land use planning projects. The results of these consultations informed the development of Lake Mac 2050.

Community consultation in September and October 2017 about whether Council is "on the right track" confirmed the principles proposed to underpin Lake Mac 2050. This consultation process consisted of a range of personal, media and web-based methods to seek the community's views. The consultation largely confirmed Lake Mac 2050's direction was on track and provided additional information to guide the detail of its strategies and actions.

Further information about the 2017 external stakeholder engagement, including analysis of the feedback received, can be found in the Lake Mac 2050 - Are we on the right track? Community Engagement Summary Report, available separately to this Strategy.

## RELATIONSHIP TO THE REGIONAL PLANNING FRAMEWORK

The Lake Mac 2050 Directions build on the regional policy framework of the Hunter Regional Plan and Greater Newcastle Metropolitan Plan in the following way.

Hunter Regional Plan 2036				Goals
The leading regional economy in Australia	A biodiversity-rich natural environment	Greater housing choice and jobs	Thriving communities	
Greater Newcastle Metropolitan Plan				Outcomes
Create a workforce skilled and ready for the new economy	Enhance environment, amenity and resilience for quality of life	Deliver housing close to jobs and services	Improve connections to jobs, services and recreation	
Lake Mac 2050				Directions
Increase local jobs and investment	Develop well connected high-quality public spaces Protect and enhance our Lake, natural landscape and heritage	Focus activity within and around our towns and centres Increase housing choice	Provide more options to get around	
Ensure the City is resilient and responsive to change				



## MEGATRENDS

Social, economic and environmental megatrends will have major impact on Australia over the next 20 years, influencing how we plan our cities and regions.

*Our Future World: Global Megatrends Report* (CSIRO 2012) outlines six interrelated megatrends that will specifically change the way we live:



### More from less

The earth has limited supplies of natural mineral, energy, water and food resources essential for human survival and maintaining lifestyles.



### Going, going...gone?

Many of the world's natural habitats, plant species and animal species are in decline or at risk of extinction.



### The silk highway

Coming decades will see the world economy shift from west to east and north to south.



### Forever young

Australia and many other countries that make up the Organisation for Economic Cooperation and Development (OECD) have an ageing population.



### Virtually here

A world of increased connectivity where individuals, communities, governments and businesses interact with the virtual world more than ever before.



### Great expectations

The rising demand for experiences over products and the rising importance of social relationships.

We will be better able to achieve the social, economic and environmental outcomes sought by the Community Strategic Plan if Lake Mac 2050 takes into account these megatrends a number of which have particular relevance to Lake Macquarie:

- Increasingly, the activities undertaken in our City will need to use fewer resources and be more efficient. Our urban area will need to adapt and assume a more efficient urban form within which buildings and activities consume less energy and other resources. Focusing activity in our centres will assist this. Renewable energy will become more important.
- Our community expects that the quality of our Lake and natural places will be maintained if not improved. We have made great strides in improving water quality of the Lake but we will need to try harder to maintain and improve on these gains.
- Further increases in population will place greater pressure on the City's biodiversity and environmental systems. We will need to reduce our impact on environmental systems maintain their integrity and function. We can achieve this through protecting ecosystems, areas of biodiversity significance, enhancing biodiversity corridors and the urban forest, and improving water quality, all of which support life itself. The health of natural systems is very important to reduce the greenhouse effect and manage global warming.
- Climate change will directly affect our communities through sea level rises, increased incidence and strength of storms and sea storm surges. Climate change will also result in increasing incidence of bushfires, extreme heat events and reduced average rainfall. It is potentially a direct threat to life and property in a number of areas in our City, and requires concerted action ensure our community is resilient and adapts to these changes. Action also

needs to reduce the human induced factors accelerating climate change, such as carbon emissions.

- Globalisation will lead to import competition, greater export opportunities, a more multicultural perspective and more rapid social change.
- Technological change will mean that we are all connected. Access to fast telecommunications will be essential. Access to data will help us better manage our urban area and lead our lives, but it has the potential to overwhelm and leave behind those without basic technological life skills or internet access. Technological change through automation will affect workplaces and, in transport, will affect how we get around. We know the changes will be significant but, for many, we do not know their impact and need to be aware and agile to adapt positively to change.
- An ageing community will change the workforce pool, transport needs, nature of work and recreation and service demand. It will significantly affect the demand for more diverse housing, including smaller dwellings.
- People will demand community settings that facilitate social interaction – places that are pedestrian-friendly and human-scale. This has major implications for the nature of our town centres and how they operate. Low-amenity centres will not attract people, customers or investment.



## STRATEGIC, TOWN AND LOCAL CENTRES



### Strategic centres

are regionally significant centres providing a wide range of services, community facilities, retail and employment to a wide spatial catchment. Typical strategic centres include more intensive multilevel housing development than elsewhere in the Lake Macquarie. Strategic centres often include a transport interchange. Charlestown, Glendale and Morisset are strategic centres.



### Town centres

provide a range of services, community facilities, retail, and employment to a spatial catchment comprising a number of suburbs. They often include relatively intensive multilevel housing development, particularly in centres near the Lake. They are Belmont, Cardiff, Mount Hutton, Swansea, Toronto and Warners Bay.



### Local centres

typically provide a range of day-to-day services, community facilities, retail, and employment to a catchment usually comprising a suburb or group of neighbourhoods. They include such centres as Blacksmiths, Blackalls Park, Bonnells Bay, Cardiff South, Caves Beach, Dudley, Edgeworth, Redhead, Teralba, Wangi Wangi, West Wallsend and Windale.

### Neighbourhoods

are defined as places that may be part of a suburb or group of suburbs with which residents relate and undertake most of their social interaction.

## CENTRES AND NEIGHBOURHOODS

Less than 15 per cent of our residents live within a 10-minute walk of our town centres. By increasing the population in and around our centres we can reduce car dependency, reduce household travel costs, improve well-being, enhance local business viability and increase economic productivity.

The structure of Lake Macquarie's centres and neighbourhoods provides a great opportunity to offer housing that is part of a distinct neighbourhood, with focus points such as parks or local shops. By pursuing an integrated approach, Lake Mac 2050 can ensure housing

facilitates a quality lifestyle, affordability and a stronger sense of community.

Lake Macquarie has a number of strategic and town centres, including Belmont, Cardiff, Charlestown, Glendale, Morisset, Toronto, Swansea, Warners Bay and Mount Hutton. Of these, Charlestown, Glendale and Morisset are the strategic centres and play, or will play, a wider role in delivering higher level and specialist goods and services to a wider catchment.

Complementing the town centres are a large number of local centres, such as Kahibah, Valentine and Wangi Wangi.

These vary greatly in size, but all perform an important role in providing a focus and sense of identity for the surrounding community.

Our City's centres have not reached their potential. They have evolved over time from shopping areas with some office development and, to some extent, reflect the needs and priorities of the past.

Our centres offer considerable scope to rise to the challenges of the future by incorporating a more balanced range of land uses such as employment, retail, services and housing. Undertaking place making, developing improved public spaces and a more pedestrian-friendly, human-scale environment will reinforce their role as a focus for the surrounding community.

Increased housing within and around our centres will increase and diversify street life. Improved public and active transport links will ensure centres are highly accessible without increased traffic congestion or demand for car parking.

As development in parts of our City becomes more intensive, it will be important to reduce the impact of urban 'heat islands' for amenity and environmental reasons.

Similarly, our neighbourhoods can evolve to meet the challenges of the future. Small-scale infill development, secondary dwellings, terraces, villas and low rise townhouses, can provide much-needed housing choice at the local level. Ideally, infill development should occur near local focus points, such as parks, schools, shops and public transport stops, to take advantage of this infrastructure. Improved active transport links to the centres from the surrounding neighbourhoods will improve their access to local services and jobs.

Council's existing policies and actions, including the Community Strategic Plan, Local Environmental Plan, Development Control Plan, and Local Area Plans, support the transition of our centres to meet future needs. Lake Mac 2050 seeks to accelerate this trend.

## WHAT ARE COMPLETE STREETS AND NEIGHBOURHOODS?



A complete neighbourhood is one that provides community infrastructure and services within easy reach, preferably a walkable catchment. Our centres and their surroundings best provide this environment because the large numbers of people living and working nearby improves the viability of services relative to a low-density area. Complete neighbourhoods provide community health, social and economic benefits.



The streets of our town centres and suburbs are important to the liveability of our community. Too many streets are dominated by the needs of motor vehicles. Complete streets provide a safe environment for users of all ages and abilities – pedestrians, cyclists, motorists and public transport. This environment includes the footpaths, street trees, seats, gathering points, road crossings and the road surface.

If we are to encourage growth in our centres, it is very important that the surrounding street system reflect a complete streets philosophy in order to create a high-amenity environment for pedestrians.

Clearly, street design should reflect its function and context – an arterial road has different design requirements to a residential street. The complete street philosophy is to provide a street network that delivers safety, amenity, social interaction, wellbeing and choice of transport mode.

## HOUSING CHOICE

The population of Lake Macquarie is changing. Not only is the population expected to grow by almost 50,000 (around 25 per cent) by 2050, the population will have a higher proportion of older age groups, and a greater diversity of household types.

In 2016, almost 85 per cent of Lake Macquarie's dwellings were large detached houses, but this type of home does not meet everyone's needs. Demand is expected to increase for more diverse housing, such as smaller dwellings, and those that can be adapted to changing needs.

There is an opportunity to better meet community needs by increasing housing choice throughout the City and increase the availability of dwellings in places with good access to jobs and services, such as our centres. This is particularly the case for our growing population that needs adaptable housing close to services.

Affordability, social inclusiveness and sustainability will need to be improved. We can help improve the affordability of housing by better matching housing type, design and location with community needs, applying new building technologies and reducing whole of life cycle housing costs.

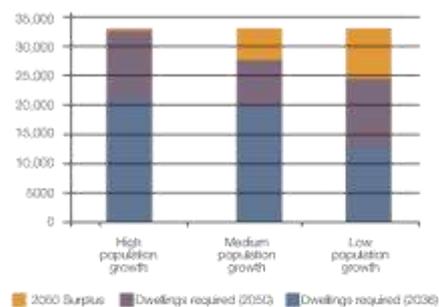
In addition, reducing unnecessary regulation, efficiently processing development applications, and by reducing resources consumed in the construction, maintenance and day-to-day use of housing will help to contain housing costs.

Housing also needs to be designed and located so that it is resilient to natural disasters and adaptive to climate change.

Demographic trends, combined with a growing preference for 'urban' lifestyles and the community's desire to protect our natural areas, provide a strong rationale for limiting fringe growth. This will help reduce costs to the community that come from servicing spread-out settlements.

An examination of projected population growth and estimated dwelling supply shows there is enough land zoned to permit dwellings in the City's urban areas, or in Council's Urban Development Program (UDP), to accommodate our needs to 2050.

The graph below shows that supply is adequate under low, medium and high population growth scenarios. The low projection is based on the 2036 population projection produced by the NSW Department of Planning and Environment, the medium projection was produced by REMPLAN for Lake Macquarie Council, and the high projection assumes a growth rate of 0.7 per cent per annum which is higher than that used for the medium projection and the existing rate of growth (0.55 per cent per annum over the past 10 years).



The assumptions underpinning the projected dwelling supply calculations are conservative and are likely to underestimate supply.

It is prudent practice to have 15 years of potential land supply for housing in excess of estimated demand at any time. This practice allows for rezoning processes, market competition, alternative sourcing and changes in market preferences to occur without creating shortfalls in supply and affordability issues.

The graph (previous page) shows that in 2036 there will be around 15 years of potential supply in excess of medium projected demand, on the basis of estimates of supply in 2018. There is currently 30 years supply in excess of demand. Notwithstanding the overall adequacy of supply, there may be a need to zone areas of additional land for residential purposes to meet local needs. In these cases, a well substantiated case for rezoning will be required, with a focus on economic, social and environmental impacts rather than generalised arguments about market demand.

Future rezoning will need to be consistent with the directions in this strategy. Preference will be given to locations in the priority growth and change areas.

The supply and demand for land and housing should be reviewed every five years. Adjustments to supply will be made as necessary, in consideration of the nature of demand at that time. This will ensure an ongoing 15 year 'buffer' of supply over demand, particularly beyond 2036. Provided this is done the City should be readily able to maintain sufficient land for housing.

This analysis shows that the supply of land for housing in Lake Macquarie City is consistent with the Greater Newcastle Metropolitan Plan, which states there is more than enough urban land in Greater Newcastle to cater for the expected metropolitan population in 2036.

## JOBS AND ECONOMIC CHANGE

The growth and change expected in the City offers an opportunity to diversify our employment base and capitalise on our existing amenity, skills and industries as well as technological change to create more jobs.

In 2016, almost half of our residents commuted for work outside the City. There is considerable scope to increase local jobs in our centres and employment areas. More local jobs will reduce commuting and lower household travel costs, particularly if we can focus jobs growth in centres.

Half of all the jobs in Lake Macquarie are within four industries - retail, manufacturing, healthcare and education. Our employment base is less diverse than similar cities.

The health and education sectors are predicted to grow strongly. Leverage from the nearby John Hunter Hospital and University of Newcastle is important, as is capitalising on our existing hospitals and TAFE network. The Greater Newcastle Metropolitan Plan refers to the importance of facilitating complementary land uses near health precincts and prioritising planning for seniors housing and aged care

### EMPLOYMENT AREAS

Employment areas are those zoned for industrial or business development. Typically these areas support industrial, warehousing and distribution, urban services and manufacturing. Urban services are activities that support local communities and businesses. Examples include motor vehicle services, printing, waste management, and courier services.

services close to frequent public transport, within centres or planned or existing health precincts.

Manufacturing is undergoing transition due to automation and import competition, and we need to support building on our specialist strengths and technology to provide jobs into the future.

New land use possibilities will open up, as coal mining and coal fired power generation on the western side of the Lake decrease in importance to the point of closure, because of ageing infrastructure and the global shift to renewable energy. Notwithstanding this, there are opportunities for the City to build on its strengths in providing services to the mining industry by diversifying into services for other industries or globalised markets.

In addition, the development of renewable energy generation, sustainable technology industries and industries based on the 'circular' economy have potential. Economic activity should aim to meet present market needs without compromising the ability of future generations to meet their needs.

Flexibility and openness is the key because many jobs of tomorrow probably do not exist today.

The small business sector will continue to be a major jobs generator, particularly in creative and knowledge based industries. Typically, these industries set up in flexible work spaces, sometimes in a co-working environment, in town and local centres, as well as in employment areas. Importantly, this sector can attract bright young professionals to the area to rejuvenate our ageing workforce and demography.

High speed internet has become essential for business and needs to be ubiquitous.

Our community has told us that our town and local centres should be the focus of our growth. Currently, about 30 per cent of jobs and economic output comes from our centres. Charlestown, Glendale, Morisset, Toronto, Warners Bay and Belmont are performing strongly, however Swansea, Mount Hutton and Cardiff could do better. All centres have the potential to support more jobs, more mixed

## CREATIVITY AND INNOVATION

Rapid changes in information technology and global competition have increased the need for businesses to apply creativity and innovation to improve their service delivery and products.

These economic and technological changes have also fostered an environment for the growth of small flexible small businesses, including 'start ups'. These businesses are often more competitive and adaptable to changing business conditions and are an important generators of economic growth.

It is very important for Lake Macquarie to nurture creativity and innovation to:

- boost economic and employment growth for its residents;
- support the transition of economic activity to be more efficient and environmentally friendly;
- to permit existing enterprises adapt and prosper in changing times; and
- attract new businesses.

use and an increased focus on services and non-retail uses.

Cardiff/Glendale is the largest employment area in Lake Macquarie. With investment in planning, catalytic infrastructure, such as transport, and a flexible approach to land use, we could double the number of people working and living in the area by 2050. Combined with the former Pasminco site, the area has great potential for new jobs and for people to live close to those jobs.

Completion of the Lake Macquarie Transport Interchange will catalyse growth and provide a new focus for the development of north Lake Macquarie.

## TRANSPORT

Transport networks have a major impact on the form of our urban areas. It is important that our spatial planning and transport planning mutually support each other.

Our road system is showing signs of congestion. In the past, solutions to congestion have been greater investment in the road network. While this is warranted in some cases, experience shows that this is a temporary and expensive solution.

The changes in our City to 2050 offer an opportunity to reduce our dependence on motor vehicles by improving public transport services, as well as pedestrian and cyclist infrastructure (active transport). Our consultations for the Community Strategic Plan showed strong community support for more cycling and walking infrastructure. Many of our car trips are very short, and could be easily walked or cycled instead. Motorised scooters (gofers) and ebikes are making this an option for a greater number of people.

Reducing the distance between housing, jobs and services by enabling more people to live in or close to our local and town centres will make walking and cycling more attractive. Improving safety through physical separation between cars and cyclists will add to this attraction.

Reliance on car parks will decline and there will be increased opportunities for providing high quality public spaces.

Our centres can be better linked with their neighbourhoods by a high quality, high amenity pathway network, including between our centres.

Lake Macquarie's topography and population density offer challenges for public transport. Nonetheless, our network of centres around the Lake, combined with strong spines such as along the Pacific Highway, and from Glendale

### ACTIVE TRANSPORT

Active transport refers to unassisted or non-motorised travel, such as walking and cycling. There are some motorised inclusions to the definition such as ebikes, which provide limited assistance when needed. Often use of active transport is accompanied by use of public transport, due to the need to walk or cycle to a bus stop or railway station. As a result, good active transport infrastructure, such as safe pathways, can significantly increase the catchment of public transport stops.

to West Wallsend, could provide the basis of a high-frequency, high-capacity public transport network, with each of our centres providing hubs for local services and active transport.

Such a network would reinforce the development of our centres, economic strategy and reduce congestion.

Interregional links such as the Main Northern Railway, M1 Pacific Motorway, and Hunter Expressway will become more important as the City's economy becomes more entwined with that of the Central Coast, Sydney, the wider Hunter Region, and beyond. These interregional road transport links are likely to

be complemented by the Lower Hunter Freight Corridor and Very Fast Train projects, which are in early planning stages but need to have their corridors secured as soon as possible.

The Greater Newcastle Metropolitan Plan seeks to create higher speed connections to Sydney and protect major freight corridors.

Freight logistics is a growing industry in Lake Macquarie and many of our employment areas are dependent on efficient access to the main roads system, port, and motorway. It is important we continue to improve efficient freight access, while at the same time safeguard residential and other sensitive areas from heavy vehicle intrusion.

Intracity, water-based passenger transport across the Lake might become more viable in the future.

Technological change will significantly affect transport in the coming decades. The impact of maturing technologies, such as electric vehicles, autonomous vehicles, on-demand transport, transport sharing and drones, is not yet clear, but is likely to be major. It needs to be closely monitored to maximise benefits to the community and the environment.

## ACTIVATING CENTRES WITH A NEW MOVEMENT AND PLACE FRAMEWORK

Successful places include attractive spaces where people can meet and enjoy their leisure time, such as town squares, libraries and community centres, parks, sportsgrounds and waterways.

Being able to access these spaces easily by active or public transport encourages people to be more physically active and increases social interactions in communities.

Roads through our centres serve an important movement purpose, allowing people travel to and from the centre and move around easily within it. They also serve a place function, allowing attractive places for people and strong local economies to develop and thrive.

The Movement and Place framework provides a tool to manage the road network in a way that supports safe, efficient and reliable journeys for people and freight while enhancing the liveability and amenity of places.

Future Transport Strategy 2030 Transport NSW

**TRANSPORT CAN PLAY A BIGGER ROLE IN SUPPORTING HEALTHY LIFESTYLES**

**AN INCREASE IN ACTIVE TRANSPORT, WALKING AND CYCLING RESULTS IN...**





**HEALTH BENEFITS AND REDUCED HEALTH SPENDING**

**REDUCED CONGESTION**



**INCREASED SOCIAL CONNECTIONS**

**COMMUNITY BUILDING**



**MORE DESIRABLE LIVE/WORK AREAS**

**Impacts of increased active transport and public transport use**

**First order transport impacts**

- Mode shift from private vehicles to walking, cycling and public transport
- Reduced distance travelled by motorised transport
- Reduce demand for vehicle parking space
- Increased use of lower-impact vehicles using emerging technologies
- Increased multi-modal accessibility for households and businesses
- Reduced truck movements through centres
- Reduced road congestion
- Reduced deaths and injuries from road crashes

**Second order impacts**

- Increased levels of physical activity for individuals
- Reduced household and business transport costs
- Reduced public and private costs from road crashes
- Improved labour market connectivity - between firms and jobs
- Improved business connectivity - customers and suppliers
- More efficient freight supply chains
- Improved social connectivity - households to social services and opportunities
- Reduced environmental impacts from transport system
- Reduced public infrastructure costs
- Increased levels of local economic activity in centres

**Wider impacts**

- Improved health and wellbeing
- Local economic development
- Increased economic productivity
- Improved urban amenity



## BLUE AND GREEN NETWORK

Lake Macquarie's waterways, coast, green ridges and slopes are a unique feature of our City. We are renowned for our bushland and biodiversity and the value of our green and blue assets will continue to grow.

The Community Strategic Plan and our consultations with the community show we highly value the amenity and lifestyle provided by the Lake and its foreshore, the coast, and the City's parks and bushland. These places are essential for our health and wellbeing.

Our natural assets and setting are a defining feature of our City and, combined with our lifestyle, attract new residents, visitors and investment.

As our population grows, it is important that development does not reduce the health and amenity of natural areas, our waterways and coast.

Lake Mac 2050 will pose new challenges for our recreational areas; recreational needs change over time as sports and leisure pursuits change. In particular, green spaces and places near our centres will need to retain flexibility for changing demands and be managed for increased demand and a greater variety of user needs.

The integrity and health of our natural areas and assets need to be maintained and enhanced by protecting and prudently managing significant areas of biodiversity and reinforcing local and regional biodiversity corridors. City-wide planting and augmenting our urban forest will improve urban amenity and lessen the warming effects of climate change. Planting is likely to make an important contribution to the amenity of active transport options.

The Green Network "green spaces" in the map opposite is made up of National Park Estate, high ecological value areas, rural and other environmental areas as well as recreational open space such as playing fields.

High ecological value includes biodiversity, corridors and areas needed to maintain habitat connectivity as well as buffers to the Blue Network including the Lake foreshore, major creeks and coast.

High biodiversity value is split into high ecological value occurring on land that is not anticipated to be developed according to current plans and high ecological value occurring on land that either has or may be developed according to current planning documents.

Other planning priorities may necessitate the unavoidable loss of high value vegetation and impacts on biodiversity values, riparian areas, native vegetation corridors and fauna should be adequately offset. Where possible, clearing native vegetation should be avoided.



**KEY TO MAP**

- National Park
- High ecological value outside of development areas
- High ecological value within areas that may be developed
- Recreational open space
- Other components of the Green Network
- Area zoned for urban and other purposes
- Areas zoned for electricity, mining and other support uses
- Major creeks, waterbodies, Lake and ocean
-



## GREEN NETWORK

Lake Macquarie is home to more than 500 recorded species of birds, mammals, amphibians and reptiles. Of these, 111 are listed as threatened species within NSW and 47 listed nationally, with three species being critically endangered. There are 12 endangered ecological communities.

Thirty-three key threatening processes threaten Lake Macquarie's biodiversity. One of the main threatening processes is land clearing.

Fifty-nine per cent of the native vegetation that existed in the City prior to urban settlement remains. The current rate of clearing bushland is 55 hectares a year. Clearing results in:

- decreased ability of a bushland patch to support animal species;
- reduced connectivity between patches of bushland (i.e. destruction of wildlife corridors); and
- a decline in biodiversity.

The encroachment of urban areas into bushland not only kills and displaces the native plants and animals that live there, it reduces the health of bushland and habitat around the edges of urban development through the spread of introduced animal species, weeds and other urban uses into adjoining bushland.

Healthy native vegetation can filter stormwater, remove carbon dioxide, provide oxygen, reduce temperatures at ground level and improve community wellbeing.



## BLUE NETWORK COAST

Lake Macquarie City has 32km of scenically stunning coastline, including beaches, dunes, high cliffs, sea caves, fossilised rock platforms and fossil forests, with a largely natural backdrop. It is a signature feature of the City, highly valued by residents and visitors.

A healthy natural coast is more resilient to the impacts of climate change. Retaining adequate native vegetation buffers to the coast will assist:

- in maintaining coastal processes and reducing risks to any built assets; and
- adjusting to higher sea levels.

Healthy coastal ecology and clean water is essential for resident lifestyles, recreational use and tourism.



## BLUE NETWORK

### LAKE AND WATERWAYS

Lake Macquarie is an iconic waterway that contains high-value habitat including seagrass beds, salt marsh, sandy beaches, islands, mudflats, rocky headlands, mangroves and wetlands. It contains a great diversity of fauna species including invertebrates, fish, migratory birds, manne turtles and marine mammals, recognised as being of state significance. One critically endangered species, one vulnerable species and one endangered population occur exclusively in the Lake.

Healthy natural waterways, bordered by native vegetation, assist in reducing pollutants from urban areas, moderate temperatures, improve air quality, are highly utilised recreational spaces, and is a key reason people choose to live in our City.

While the health of the Lake has improved significantly in recent decades, pressures from an increasingly urbanised catchment continue to threaten Lake health, especially in the more sensitive bays. The health of the Lake and its tributaries remains an important priority the community.

The Lake is more than a landscape feature; it dominates the lifestyle, identity, look and feel of our City.



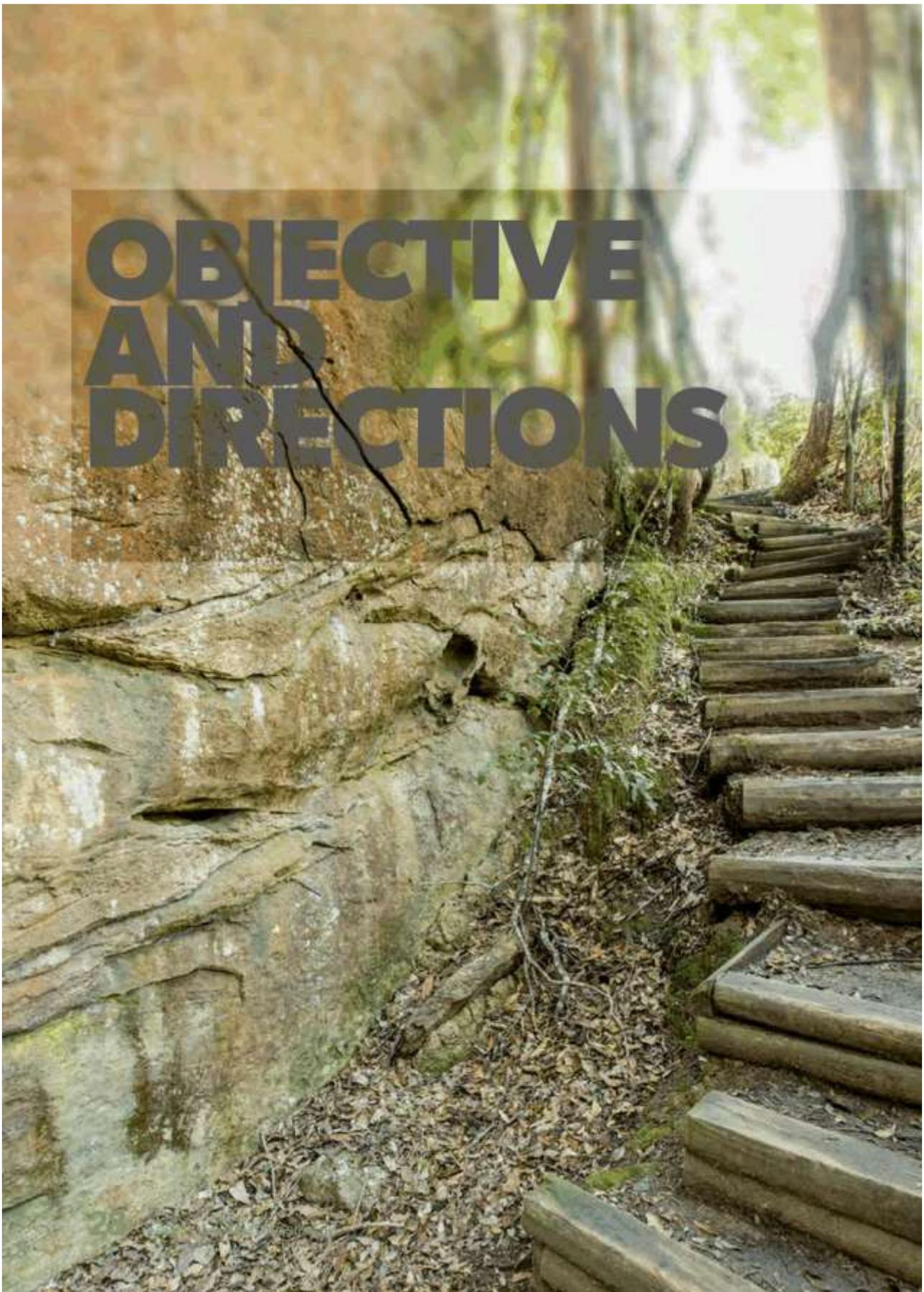
## ADAPTATION PLANNING

Adaptation planning is a process that will lead to the identification of options that could be taken to respond to the uncertainty associated with climate change impacts.

The focus of adaptation planning in Lake Macquarie is on responding to the impacts of climate change on flooding and permanent inundation associated with rising sea level. Adaptation planning is about understanding which options are most suitable, at a local level, to respond to this increasing hazard.

These options could include:

- Defending against the flood risk, or modifying the flood risk. For example, by constructing levees, retaining walls and land filling. Retaining walls within private property, with a beach profile on the lake side of the retaining wall, is preferable to sea walls for environmental and social reasons (e.g. foreshore access, biodegradation of sea grass).
- Building or property modifications to reduce risks from flooding. Some examples are the use of flood proof materials, temporary flood barriers, raising floor levels of buildings if post and beam or when new buildings are constructed.
- Managed retreat to avoid risks. For example, increasing density in flood free areas and allowing low lying land to revert to natural shorelines, setting buildings back on longer blocks to be outside high flood risk areas.



## OBJECTIVE

The objective of Lake Mac 2050 builds on the Vision and Values of the Community Strategic Plan by focusing on outcomes for people.

**Lake Mac 2050 aims to achieve the City Vision by directing spatial decisions to meet the opportunities and challenges of the future, in a way consistent with the community's values.**

It aims to protect what is important to us and influence where and how change occurs so that the City prospers.

## DIRECTIONS

Seven Directions reflect local priorities and respond to the megatrends, as well as national, state and regional plans and policies described earlier.

Notwithstanding the importance of each of the Directions, Lake Mac 2050 is based on a holistic approach, whereby the overall outcome is of prime importance and no Direction should be pursued to the exclusion of others.

The Directions express what we will focus on as a priority towards 2050. The maps and content in the 'Our priority growth and change areas' section of this Strategy communicates how we expect those actions to play out in specific locations. Because this document is focused well into the future, it is necessarily broad. Rolling five-year action plans will provide more detail.

## DIRECTIONS



### FOCUS ACTIVITY WITHIN AND AROUND OUR TOWNS AND CENTRES

A core part of the community's Vision is to have the Lake encircled by distinctive towns and villages.

Our centres will provide places for expression of our local character and provide opportunities for social connection and gathering, as well as providing more housing, employment and services.

Our centres will be people-oriented, pedestrian and cyclist friendly, and human-scale, with high-amenity and quality urban design.

#### Desired outcomes:

- Each centre has a distinctive character.
- Vibrant centres with diverse jobs, shopping, services, community facilities, housing, quality public places and public transport.
- People spend more time in centres and not just visit for necessities.
- People walking and cycling more in and around centres.
- Lively footpath trading.
- Robust night-time economy especially in lakeside town centres.
- Viable and sociable neighbourhood shops.
- Green cover positively contributes to amenity and reduces heat in urban areas.

#### Indicators:

- Increased percentage of the City's residents living within 400m of a centre.
- Increased number of people working within 400m of a centre.
- Increased number of businesses located in centres.



### DEVELOP WELL-CONNECTED, HIGH-QUALITY PUBLIC SPACES

People will have improved access to high-quality, high-amenity open spaces, and natural areas, including the coast, Lake and foreshore, and bushland for leisure, recreation, health and wellbeing. High-quality urban spaces will support community interaction, gatherings and events.

Urban infill will be accompanied by the adequate provision of public space.

#### Desired outcomes:

- A high-quality, high-amenity public domain.
- Public spaces that are well connected to centres and residential areas.
- A Blue and Green network within the urban area that links to our natural areas.
- Quality public space close to or within town and local centres.
- Public spaces have focal points, interest and activation.

#### Indicators:

- Increased satisfaction with our facilities and public spaces.
- Increased percentage of dwellings within 400m and 800m of green space.



### INCREASE HOUSING CHOICE

People will have increased housing choice to meet their needs in complete neighbourhoods.

More residents will be able to meet their day-to-day needs without relying on the motor vehicle, reducing household running costs, as well as public infrastructure and servicing costs.

#### Desired outcomes:

- There are more types of housing available to meet changing household needs.
- More people can afford the housing they need.
- Housing caters for a variety of life stages and lifestyles, demographic diversity and social inclusiveness.
- The environmental and economic lifecycle cost of housing is reduced.
- More housing is provided in centres.
- More people live closer to the services and facilities they need to meet their day-to-day needs.
- Residents have a range of social and recreational opportunities close to their home.
- New housing improves safety and amenity of adjoining streets and public spaces.
- Quality design offering higher density living with high amenity for residents, neighbourhoods and centres.

#### Indicators:

- Increased percentage of housing that is not single detached dwellings.
- Decreased percentage of households for which rental payments are 30 per cent or more of household income.
- Decreased percentage of households for which mortgage payments are 30 per cent or more of household income.
- Increased satisfaction with new development.
- Reduced per capita residential water and energy consumption.



### INCREASE LOCAL JOBS AND INVESTMENT

The growth and change expected in the City offers an opportunity to diversify our employment base and capitalise on technological change and the drive for a circular economy to create more jobs.

There is considerable scope to increase local jobs in our centres and employment areas. More local jobs will improve our wellbeing, reduce commuting and lower household travel costs.

#### Desired outcomes:

- Lake Macquarie is an attractive place to invest.
- More local jobs.
- More employment in our centres.
- More diverse industries.
- Skilled and talented people in the 20-35 year-old age group staying or moving to Lake Macquarie to work.
- Infrastructure that supports economic and employment growth.

#### Indicators:

- Increased percentage of the workforce that lives and works in the City.
- Increased number of people employed.
- Increased percentage of jobs within a 30-minute commute.
- Increased employment and economic output in knowledge intensive and non-traditional industries, such as the creative sector.

## DIRECTIONS



### PROVIDE MORE OPTIONS TO GET AROUND

Our dependence on motor vehicles will be reduced by improving public transport services, as well as pedestrian and cycling infrastructure (active transport).

There will be efficient freight access to employment areas, while at the same time safeguarding residential and other sensitive areas from heavy vehicle intrusion.

Maturing technologies, such as autonomous vehicles and developments in on-demand transport and drones, will be closely monitored to maximise community benefit.

#### Desired outcomes:

- More places where people live, work, play or visit day-to-day are within walking or cycling distance.
- Walking and cycling links to and around centres and other important local destinations are safe, comfortable and direct.
- Walking and cycling routes are high-amenity using complete streets and public places, particularly in and around centres.
- Walking and cycling is an easy and convenient way to connect with public transport.
- There will be efficient freight access to employment areas.
- Maturing technologies, such as autonomous vehicles, and on demand transport serve to maximise community benefit.
- Public transport is efficient and convenient.

#### Indicators:

- Increased percentage of people using public transport for journey to work, shopping, social or recreation related travel.
- Increased walk score of centres, the number of centres with a walk score of 90 or more.
- Increased percentage of dwellings within 400m of a frequently serviced public transport node or stop, with a scheduled service at least every 30 minutes from 7am-7pm weekdays.
- Increased length of dedicated cycle paths or shared paths.
- Decreased number of car parking spaces per square metre of retail and commercial floorspace in strategic and town centres.
- Decreased delays on designated freight routes.



## PROTECT AND ENHANCE OUR LAKE, NATURAL LANDSCAPE AND HERITAGE

The natural setting provided by our bushland, natural waterways, Lake and coast is integral to our sense of identity and local character. Lake Mac 2050 seeks to maintain and improve a high quality setting for our lifestyle.

The health and integrity of our natural areas is maintained and enhanced by protecting and managing significant areas of biodiversity and reinforcing biodiversity corridors. The integrity of our green ridges and slopes remain.

The City has a rich Indigenous and post-colonial settlement heritage that is protected and celebrated.

### Desired outcomes:

- Minimise the impact of development on non-urban areas.
- People experience the natural setting of the City.
- Important biodiversity areas and corridors are protected and enhanced.
- Water quality in Lake Macquarie, its tributaries and in coastal streams continues to improve.
- Rural land is preserved for rural, agricultural and environmental uses.
- Natural and cultural heritage and places of significance are cherished and well managed.

### Indicators:

- Increased percentage of the urban area with canopy coverage.
- Increased percentage of new dwellings developed in the existing urban zoned area.
- Increase in catchment waterway and estuary health.
- No increase in urban zoned land at the expense of environmental, recreational and rural zoned land.



## ENSURE THE CITY IS RESILIENT AND RESPONSIVE TO CHANGE

We will approach the future with an open mind, closely monitor local and global trends, such as demographic change, climate change and technological advancements, and act decisively and responsively in the community's best interest.

Aboriginal, post-colonial and natural heritage is respected and maintained.

### Desired outcomes:

- An adaptable City with effective policy responses to change.
- Plans are made to address uncertainty including:
  - Decisions address short-term risks for the community;
  - Decisions keep future options open;
  - Use of adaptation pathways and triggers to guide decision-making;
  - Decisions avoid over investment in possible at-risk assets or areas; and
  - Decisions avoid locking in a future course of action and allow for future opportunities.

### Indicators:

- Increased percentage of dwellings and businesses with an active broadband connection of 50mpbs or more.
- Five-yearly review of Lake Mac 2050 has been undertaken.
- Increased percentage of the City's dwellings and business that are built to be resilient to natural hazards.



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Lake Macquarie Council  
DRAFT Lake Mac 2050 Strategy

This section identifies the priority areas in Lake Macquarie for change and investment. These priorities are informed by the seven Directions of Lake Mac 2050.

The figure overleaf shows the significant localities of change to 2050. These localities have been determined through:

- a comprehensive review of Council's planning studies;
- community consultations and specialist studies undertaken for Lake Mac 2050, in the context of Council's Community Strategic Plan;
- the seven Directions of this Strategy; and
- the Greater Newcastle Metropolitan Plan.

A number of centres, including strategic centres of regional importance, anchors each of the localities anticipated to experience high change. There are three strategic centres: Charlestown; Glendale; and Morisset. These are complemented by town centres at Belmont, Cardiff, Mount Hutton, Swansea, Toronto and Warners Bay, as well as a large number of local centres. The following maps identify the location of these centres.

In addition to increasing development in and around centres, a number of other localities will be subject to considerable change and will require a comprehensive locality wide approach to their planning and development including infrastructure planning, biodiversity and heritage conservation.

These localities will be subject to significant economic or residential change and, depending on their characteristics, are highlighted as infill and growth investigation areas, areas with significant development of new housing, or catalyst areas (widespread change triggered by investment in new infrastructure or state assets) in the maps following.

The map overleaf highlights these 'high change' localities, while the following section explores the nature of change for each locality in more detail.

Our City has a large number of areas with high biodiversity significance. Together with linking corridors, these areas provide an important biological, recreational and scenic resource for our City and are proposed to be protected. The maps show these areas, with varying shades of green identifying their level of biodiversity significance or function.

The Hunter Region Plan emphasises maintaining and improving biodiversity links from the Watagans to the Lake, coast and wetlands to the north, and along the coast.

The infill and growth investigation areas identified in this Strategy are indicative and may overlap with development constraints and significant heritage or environmental attributes. More detailed plans will be progressively developed to provide detail on the location and parameters of future urban development that will achieve the Directions and outcomes sought by Lake Mac 2050.

The following section contains a series of desired outcomes for a wider area and are accompanied by detailed descriptions of changes within selected precincts within each locality.

In the narrative:

- **Desired outcomes** apply for the wider area and identify what we are trying to achieve.
- The **precincts** section identifies objectives and actions to guide development in precincts.

## PRIORITY GROWTH AND CHANGE AREAS



### WHY FOCUS GROWTH IN CENTRES?

Research undertaken for Lake Mac 2050 shows that there is considerable potential to increase jobs growth in our centres by providing high-amenity to attract investment and employers.

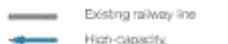
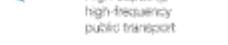
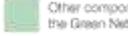
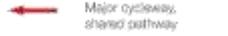
Our City is fortunate that many of its centres are in attractive locations with excellent access to recreational resources, such as the Lake. By encouraging more housing in and around our centres, we can respond to demographic and lifestyle change, increase the demand for local services and improve residents' access to jobs, community services and facilities.

The village environment of our centres also provides an attractive environment for the growth of small businesses and 'start up' enterprises.





**KEY TO MAP**

- |   |                                 |   |  |   |  |   |  |
|---|---------------------------------|---|--|---|--|---|--|
|  | Strategic centre                |  | National Park  |  | Area zoned for urban and other purposes                    |  | Conceptual route Lower Hunter Freight corridor |
|  | Town centre                     |  | High ecological value outside of development areas       |  | Areas zoned for electricity, mining and other support uses |  | Conceptual route Very Fast Train (VFT)         |
|  | Local centre                    |  | High ecological value within areas that may be developed |  | Major creeks, waterbodies, Lake and ocean                  |  | Existing railway line                          |
|  | Heritage sensitive local centre |  | Recreational open space                                  |  | Infill and growth investigation area                       |  | High-capacity, high-frequency public transport |
|   |                                 |  | Other components of the Green Network                    |  | Adaptation planning area                                   |  | Major cycleway, shared pathway                 |

## CHARLESTOWN – BELMONT DISTRICT

Generally aligning with the Pacific Highway from Charlestown to Belmont, this transport and urban corridor offers considerable opportunities for urban redevelopment, including intensification of the centre at Charlestown, major redevelopment of the Mount Hutton Windale Gateshead Area to take advantage of nearby jobs and services, and the orientation of Belmont Town Centre towards the Lake.





**KEY TO MAP**



## CHARLESTOWN STRATEGIC CENTRE AREA

Major redevelopment as the Charlestown regional centre continues to attract intensive commercial and residential development. The adjacent residential areas, particularly those to the east, undergo medium density redevelopment because of the nearby jobs and services, as well as the high transport accessibility.

### Desired outcomes

- Charlestown regional centre provides a wide catchment with higher commercial and community services.
- The area provides diverse housing to meet the needs of those wishing to live closer to a regional centre.
- Effective planning ensures adequate recreational and community services and facilities to meet the needs of the growing local population.
- Safe and convenient pedestrian and cycle paths link the regional centre with the adjacent medium density areas and the local centres at Kahibah and Whitebridge as well as the Fernleigh Track.

## CHARLESTOWN REGIONAL CENTRE PRECINCT

The focus of activity for east Lake Macquarie and beyond, delivering higher-order retail and services

A diverse range of businesses, including medical, personal services, creative enterprises, government and community services, all taking advantage of the clustering of activity

More intensive development, albeit with a human-scale at the street level

The highest intensity office and housing area in the City

Significantly improved public spaces, providing places for gatherings and relaxation and pedestrian-friendly streets

Interchange point for public transport local to high-frequency, high-capacity 'spine' services to major destinations and interchange points, such as Glendale, Belmont, the University of Newcastle, Newcastle City Centre and John Hunter Hospital

A focus for an improved local pedestrian and cyclist active transport network, with direct links to cycleways such as the Fernleigh Track

A well-connected centre with frequent public transport connections into Newcastle, Lake Macquarie and John Hunter Hospital and adjoining suburbs

Future growth is orientated to the east of the Pacific Highway, in conjunction with the redevelopment of underdeveloped sites throughout the centre

The environment for walking and cycling is dramatically improved, with a safe and convenient network throughout the centre

A focus on medium-density housing between Charlestown and the local centres of Kahibah and Whitebridge, in conjunction with improved active transport links and upgraded public spaces to meet the needs of the incoming population.

Amenity is improved by:

- providing a series of public spaces that act as community focal points and meet the needs of workers, visitors and residents;
- providing a more human-scale pedestrian-friendly environment on Pearson, Smart and Smith streets; and
- upgrades to community cultural and recreation facilities such the Charlestown Swim Centre and Library to meet contemporary needs, in step with demand from the increased local population

**EXAMPLE OF COMPLETE STREETS IN CHARLESTOWN**



- Improved walking conditions on the Pacific Highway
- Widen footpaths and increase amenity for people, leading to more economic vitality with more retail use
- Introduce street trees and improve the public realm to improve the amenity and activity in the centre
- Remove barriers and prioritise pedestrian movement

## MOUNT HUTTON WINDALE GATESHEAD AREA

### Desired outcomes

- The area is significantly redeveloped, particularly the Windale and Gateshead areas, to provide a range of affordable housing with a mix of townhouses, terraces and small lot housing close to transport, employment and services.
- The environment for walking and cycling is dramatically improved with a safe and convenient pathway network throughout the area, with a direct link between the local centre and to cycleway routes.
- A native vegetation corridor along Scrubby Creek combines informal and formal walking with riparian rehabilitation and landscaping.

### MOUNT HUTTON PRECINCT

The Mount Hutton Precinct continues to provide a range of retail and services to meet the needs of the surrounding suburbs

The Mount Hutton shopping centre grows and evolves into a mixed use development with retail, services, offices and housing

The aged accommodation in the area is more comprehensive, featuring a diverse range of accommodation options and services for residents, as well as a wide range of jobs

### GATESHEAD HEALTH PRECINCT

The hospital campus includes a much wider range of medical and allied health services, offering a complement to John Hunter Hospital and providing local jobs

The adjacent housing area is redeveloped with a mix of townhouses, terraces and small lot housing to take advantage of local employment and transport accessibility

### WINDALE PRECINCT

The area undergoes considerable redevelopment to provide an affordable mix of multistorey housing, townhouses, terraces and small-lot housing to take advantage of the precinct's access to open space, transport and jobs.

The role of the local centre to provide a range of retail and services to meet the needs of the local residents is reinforced. Some mixed use development is located in the town centre



## BELMONT AREA

### Desired outcomes

- Belmont town centre is oriented to take advantage of the Lake.
- It is a focus for an improved local pedestrian and cyclist active transport network, with direct links to cycleways, such as the Fernleigh Track, and completion of the direct off road cycleway to Eleebana and Swansea.
- Increased medical services leverage off the presence of Belmont Hospital and the aged care services in the area.
- Amenity of the Pacific Highway is improved.

### BELMONT TOWN CENTRE PRECINCT

The service role of the local centre is reinforced, with an increase in services to cater for the growing population in and around the town centre

The relationship (in particular the pedestrian connection) between Belmont Centre and the Lake foreshore is improved

Under-developed sites and land between the Lake and the Pacific Highway will be redeveloped with intensive mixed use and residential development

Brooks Parade will become considerably more active with people and commercial activity

More intensive development in the centre, particularly creating a pedestrian-friendly environment along Macquarie, Maude and Ernest streets, linking Ernest Street to the Lake foreshore

Existing residential areas around the centre are investigated for future housing redevelopment opportunities because of the centre's access to services and transport

The Aboriginal cultural heritage significance of the site of Reverend Threkeld's first mission will be recognised, managed, conserved and interpreted in cooperation with the local Aboriginal community

### BELMONT NORTH PRECINCT

The Belmont North Industrial-Business Precinct transitions to provide a range of flexible spaces for a variety of urban services, businesses and entrepreneurial activity

Manage this area to ensure conservation and enhancement of the adjoining Belmont Wetlands

## SWANSEA BELMONT SOUTH DISTRICT

The suburbs south from Belmont to Swansea are likely to be significantly affected by the impacts of climate change, particularly sea level rise. These communities will be supported to adapt to changes in the natural environment in order to minimise the impact on life and property.

### SWANSEA AREA

#### Desired outcomes

- New development responds to the effects of climate change and sea level rise which will significantly affect the centre and other parts of Swansea.
- Sea level rise adaption and evacuation planning shape the future nature of the urban area.
- Tourism providers, including accommodation and recreational opportunities, capitalise on its proximity to the Lake, foreshore parks, beaches and bushland, within the constraints of sea level rise.

### SWANSEA TOWN CENTRE PRECINCT

The centre adapts to sea level rise and climate change

Endeavour to adapt while where possible maintaining the functionality of the components that are important to the community

The relationship between the centre and Lake foreshore is improved to take advantage of its setting

The amenity of the streetscape on the Pacific Highway is improved

Improved access to enhanced foreshore areas

The generally flat topography is utilised for walking and cycling by an improved safe and convenient pathway network throughout the area, with a direct link between Swansea and an extension of the Fernleigh Track

### LAKE MACQUARIE AIRPORT PRECINCT

Further use of the airport, including the co-location of associated aviation and related tourism industries

Ensure conservation and enhancement of high value biodiversity areas adjacent to the air strip

### CATHERINE HILL BAY PRECINCT

This State heritage-listed village retains its character, notwithstanding new housing development nearby

There is a safe and convenient network throughout the area for walking and cycling particularly between the Middle Camp and Catherine Hill Bay areas

Investigate opportunities to link urban developments with the beach and passive recreational trails in the National Park



**SWANSEA BELMONT SOUTH DISTRICT**

Adapt Swansea centre to manage sea level rise impacts

Build on tourism assets

Mixed use and medium density development at Caves Beach

Catherine Hill Bay new development to be consistent with the heritage and environmental values of the area

**KEY TO MAP**

- |  |                                 |  |  |  |  |  |  |
|--|---------------------------------|--|--|--|--|--|--|
|  | Strategic centre                |  | National Park  |  | Area zoned for urban and other purposes                    |  | Conceptual route Lower Hunter Freight corridor |
|  | Town centre                     |  | High ecological value outside of development areas       |  | Areas zoned for electricity, mining and other support uses |  | Conceptual route Very Fast Train (VFT)         |
|  | Local centre                    |  | High ecological value within areas that may be developed |  | Major creeks, waterbodies, Lake and ocean                  |  | Existing railway line                          |
|  | Heritage sensitive local centre |  | Recreational open space                                  |  | Infill and growth investigation area                       |  | High-capacity, high-frequency public transport |
|  |                                 |  | Other components of the Green Network                    |  | Adaptation planning area                                   |  | Major cycleway, shared pathway                 |

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## NORTH WEST LAKE MACQUARIE DISTRICT

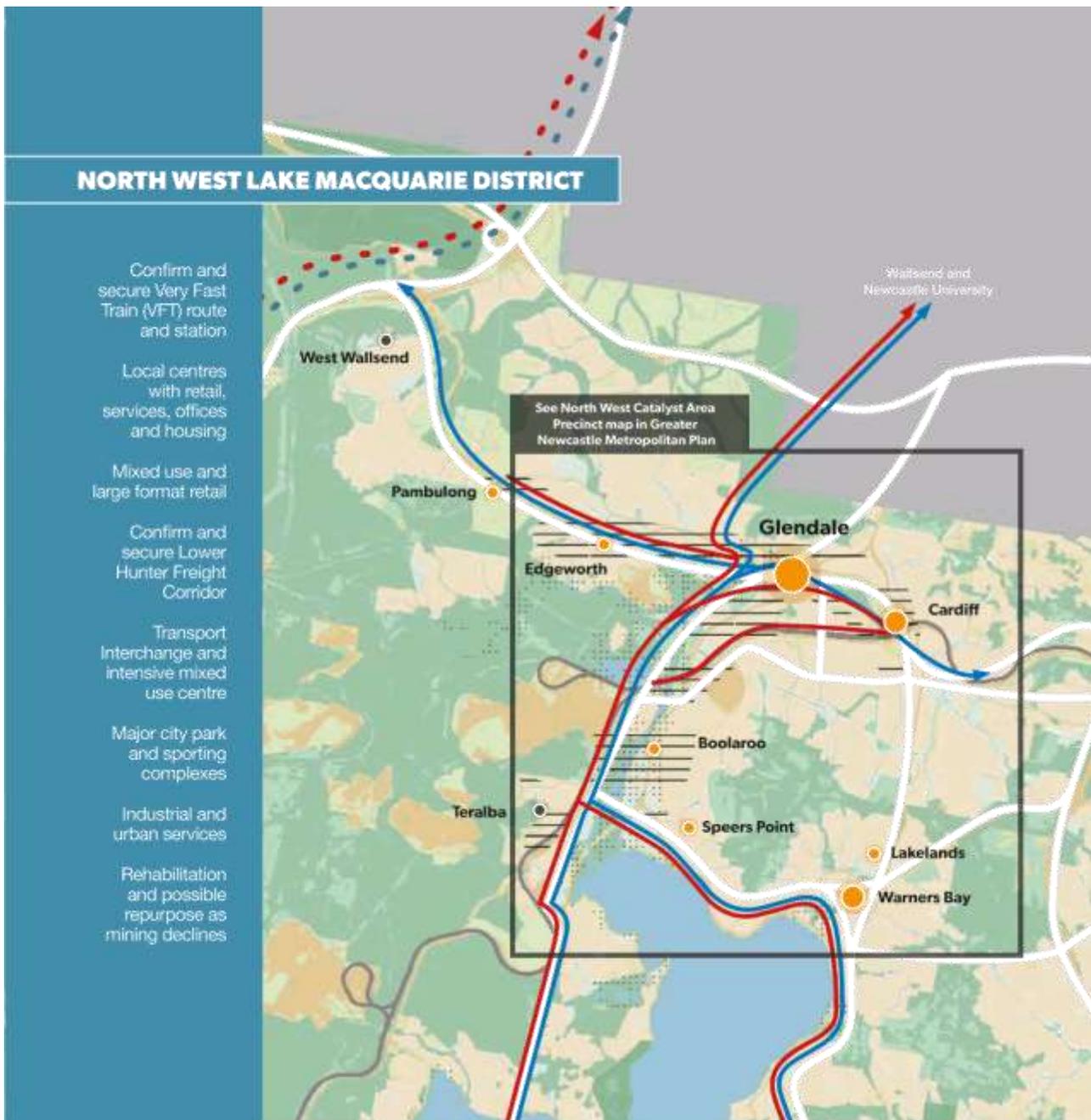
Its central and accessible location within the Greater Newcastle Metropolitan Area provides considerable potential to provide jobs and services to a wide geographic catchment. Its location on the heavy rail line and access to arterial road network provides a solid foundation for a wide range of economic growth opportunities.

It includes developed and brownfields land stretching from Cardiff in the east to the M1 in the west, Speers Point in the south and Glendale in the north.

It provides opportunities for retail, diverse housing, advanced manufacturing, office-based jobs and open space with a regionally significant catchment; and urban renewal meeting demand for affordable medium density housing and enhanced recreational opportunities.

As mining and quarrying ceases disturbed land occupied by Westside mine, Teralba, Newstan, the former Rhondda Colliery and Teralba Quarry will be remediated, rehabilitated to acceptable standards with parts likely to be repurposed to other land uses.





**KEY TO MAP**



## NORTH WEST LAKE MACQUARIE CATALYST AREA

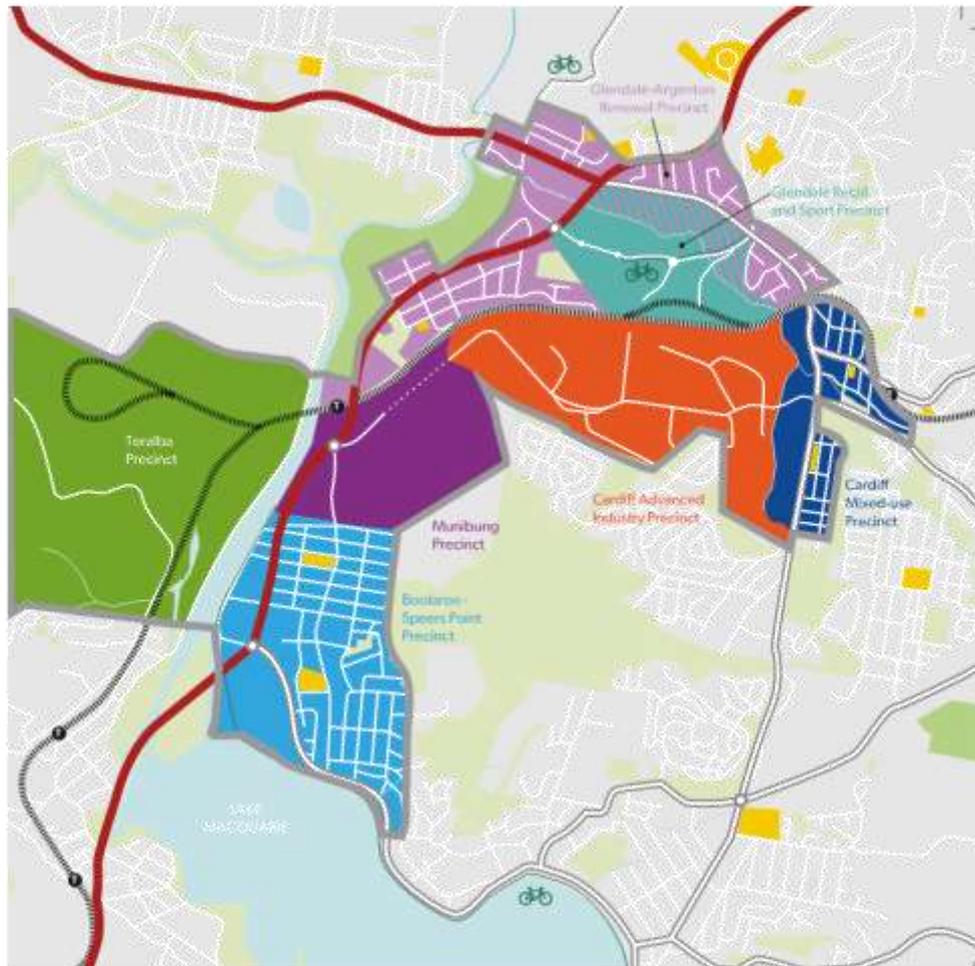
The North West Area has diverse characteristics and potential including:

- Urban development in north west Lake Macquarie
- A new regional centre created by the combination of:
  - intensive mixed use development;
  - public and active transport that is easy to access;
  - large and small-format retail;
  - advanced manufacturing and urban services;
  - office and services employment; and
  - well connected recreational facilities and open space with a regionally significant catchment.
- A focus for an improved local pedestrian and cycle network, with direct links to cycleways such as the Eleebana to Wallsend shared pathway
- Urban renewal particularly around the corridors to Cardiff, Edgeworth, Argenton and Speers Point, meeting demand for affordable medium-density housing
- Protect and enhance the natural features of this area including Munibung Hill, the Lake, foreshores, wetlands, Cockle, Winding and Brush creeks and riparian areas

### Desired outcomes

- Comprehensive land use, economic and infrastructure planning maximises its transport connectivity and short and medium term economic opportunities.
- Critical infrastructure investments will be made and existing infrastructure are leveraged to increase the opportunities for growth in manufacturing, light industry, and technology based industries. Growth in these sectors will replace employment opportunities lost as a result of economic restructuring and as mining activities wind down, creating new jobs for our residents.
- Urban renewal, environmental rehabilitation, the development of better recreational facilities, retail and services expansion and diversification, improved public transport and interchange infrastructure, and other supportive mixed use development.
- Community infrastructure keeps pace with development.
- Sea level rise adaption and evacuation planning shape the future nature of the urban area.

**COUNCIL'S SUBMISSION TO  
THE GREATER NEWCASTLE METROPOLITAN PLAN**



Catalyst Area <b>North West Lake Macquarie</b> DPF		



## GLENDALE CORE PRECINCT

The existing low-scale, low-intensity retail centre transforms into a higher intensity mixed retail, services and housing area

A town park is created to provide a formal community focus and a place for workers, visitors and residents to gather or relax

Elite sports, casual sports and recreation facilities at the Hunter Sports Centre are further developed

Lake Macquarie Transport Interchange is completed, including a public transport interchange and extension of Glendale Drive to Munibung Road

A significant public transport interchange point is developed for local buses, the heavy rail system and high-frequency, high-capacity 'spine' services to major destinations and interchange points, such as Charlestown, Warners Bay, Toronto, the University of Newcastle, Newcastle City Centre and John Hunter Hospital

Improve connections for cyclists and pedestrians between recreational and retail areas

A network of public spaces provides places for gatherings and relaxation and pedestrian-friendly streets

The railway workshop area intensifies its advanced manufacturing capabilities

Additional tertiary education providers are established

Winding Creek riparian area is rehabilitated and provides an informal relaxing recreation resource

## MUNIBUNG PRECINCT

Mixed use and residential development occurs in a range of densities

Large format retail developed in select locations

Small local enterprises establish to benefit from the larger investments

Implement improved walking and cycling access to the Cockle Creek foreshore and train station and other facilities such as those located in Argenton

Improve amenity around the railway station and investigate recreational and mixed use potential of Cockle Creek foreshore land near the railway station

Maintain and improve scenic amenity, ridgeline native vegetation corridor of Munibung Hill and facilitate appropriate access and recreational activities

The Aboriginal cultural heritage significance of Munibung Hill is recognised, conserved and interpreted in cooperation with the local Aboriginal community

Rehabilitation of Cockle Creek riparian area and wetlands

## CARDIFF ADVANCED INDUSTRY PRECINCT

Revitalisation of the area occurs renewed focus on advanced manufacturing, technology and urban services

Support business services develop to broaden the employment base and accelerate transformation of the precinct

Transport accessibility improves as a result of the Glendale Drive-Pennant Street road link and the extension of Munibung Road to Cockle Creek

Intensive mixed use is developed adjacent to the Lake Macquarie Transport Interchange

Flexibility in planning regulations accommodates changes in technology and business consistent with the overall objectives of Lake Mac 2050

## GLENDALE ARGENTON CARDIFF RENEWAL PRECINCT

Development focuses on a high-frequency, high capacity public transport 'spine' to east and west Lake Macquarie

Affordable medium-density development occurs in the walkable catchments of the high-frequency public transport and active transport routes

The local service roles of the centres at Argenton, Boolaroo, Glendale and Speers Point is reinforced

Tertiary education provision increases through expansion and new providers, who take advantage of partnerships with enterprises in the Glendale Regional Centre and Cardiff Industrial Area

The Eleebana to Wallsend shared pathway is completed, as is a new link to Charlestown

Improve street amenity for pedestrians and cyclists

### CARDIFF MIXED USE PRECINCT

Capitalise on the presence of the railway station by improving access and park and ride facilities

The human-scale, pedestrian-friendly character of the main street of Cardiff Town Centre is reinforced

Increased medium-density redevelopment continues in the walkable catchment of the town centre and railway station

Improved amenity and accessibility of recreational areas and connection to the town centre and areas where residential density increases

Pedestrian and cyclist networks are improved, including to the railway station

### TERALBA PRECINCT

The service role of the local centre is supported with streetscape improvements

New economic uses evolve for the former mining lands and the existing industrial lands

Improved and more direct transport links are established between Cockle Creek and Barnsley

More intensive residential development occurs, respecting the character of the Teralba Heritage Conservation Area

Encourage decontamination and reuse of disturbed areas

Ensure adequate conservation measures and buffers to natural areas, creeks and important wetlands are implemented

Improved links to existing, adjacent urban areas

### BOOLAROO SPEERS POINT PRECINCT

More intensive residential development occurs

New development in Boolaroo complements the character and significance of the Boolaroo Heritage Precinct

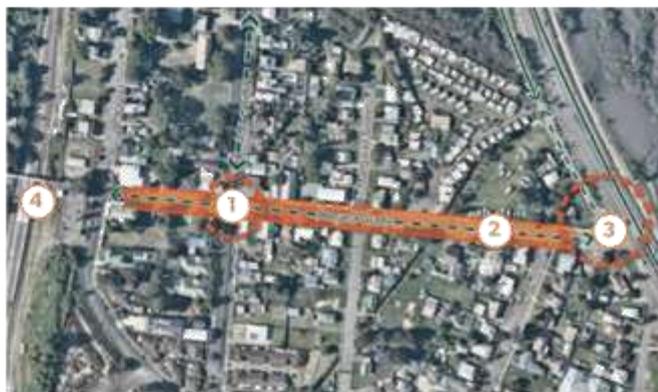
The service role of the local centres is reinforced with streetscape improvements

Speers Point Park is the premier park in Lake Macquarie, offering a range of high-level sporting, cultural and recreational settings

Cockle Creek forms part of a network of rehabilitated green spaces extending from the lake to, and along, Winding Creek

Pedestrian and cycle links between Boolaroo, recreational areas and Lake foreshore are improved

**EXAMPLE OF COMPLETE STREETS IN TERALBA**



**Legend**  
 ○ Intersection improvement  
 — Improved path, main and footpath  
 — Existing cycle path  
 ● Public transit

**1 Upgrade the Anzac Parade / York Street intersection**

A raised table intersection will slow traffic speeds at the intersection of Anzac Parade and York Street, improving the safety of the intersection for walking and cycling while enhancing the public realm.

**2 Construct protected bike lanes between Teralba Station and Five Islands Road bike path**

The existing cycle path provides a high-quality cycling connection along the foreshore. Use of this asset could be enhanced with provision of a new high-quality connection between the path and the Teralba Railway Station such as a physically-separated on-road cycle path. There are two options for such a connection:

- A link along Anzac Parade which provides a direct connection to the waterfront and access north and south, but would require an intersection upgrade at Five Islands Road to allow for direct connections south from Teralba.
- A link north from Teralba along York Street to the existing cycle path and towards the underpass of Five Islands Road.



**3 Upgrade the Anzac Parade / Five Islands Road Intersection**

Improved connections across Five Islands Road from Anzac Parade will enable cycling connection to the existing cycling path on the Lake Macquarie foreshore and enhance pedestrian safety.



**4 Enhance station interchange**

Improvements to multi-modal connectivity at Teralba Station can enhance customer experience and encourage uptake of public transport modes. The station interchange can be improved by providing safe and direct walking and cycling access to the station, improved lighting and overall station amenity, direct bus connections, as well as accommodating station car parking with spaces reserved for car share services and kiss-and-ride bays.

## GLENDALE EDGEWORTH WEST WALLSEND URBAN RENEWAL AND GROWTH AREA

Generally aligning with Main Road, the Corridor provides opportunities for redevelopment for medium density housing to the east of Edgeworth and new residential development to the west, including new mixed use centres at Pambulong and Cameron Park and a revitalised heritage village at West Wallsend.



### Desired outcomes

- Substantial urban growth including a new mixed use centre at Pambulong.
- More intensive mixed use and residential development adjacent to centres.
- Potential Very Fast Train (VFT) station near the M1.
- High-frequency, high-capacity public transport from West Wallsend to Glendale.
- Options for a VFT route and station and Lower Hunter Freight Corridor are confirmed and their corridors secured. Development arising from the development of the VFT and supportive infrastructure, such as fast, frequent public transport to Glendale, is provided.
- Design and location of the VFT route and Lower Hunter Freight Corridor avoids and minimises impacts on the local community and environment.
- Walking and cycling to the centres is safe and convenient and connected to a shared pathway from West Wallsend to Glendale.
- Vegetation ridges and side slopes that provide amenity the natural scenic setting to this growth corridor are retained and enhanced.

### **PAMBULONG CENTRE PRECINCT**

The new local centre will service this area with retail, business, civic and medical services collocated with medium-density housing

The area will grow to support an increased residential population with new development and recreational uses

Pedestrian and cyclist infrastructure within the walkable catchment of the local centre is enhanced

### **CAMERON PARK PRECINCT**

Cameron Park employment area capitalises on its location at the junction of the M1, Link Road and Hunter Expressway

The local centre offers an increased range of day to day services to the surrounding neighbourhoods

The urban area continues to be developed within the existing urban zoned land

### **WEST WALLSEND PRECINCT**

New development complements the character of West Wallsend Heritage Conservation Area

Human-scale, pedestrian-friendly development occurs within the centre along Carrington and Withers streets

The Aboriginal cultural heritage significance of Mount Sugarloaf and Mount Sugarloaf Range is recognised, managed, conserved and interpreted in cooperation with the local Aboriginal community

### **EDGEWORTH PRECINCT**

Future mixed use expansion of the centre is encouraged along Arnott Street, creating a pedestrian-friendly environment away from Main Road

A strong relationship exists between the centre, residential areas, recreational facilities and Brush Creek, including pedestrian and cyclist connectivity

## WARNERS BAY AREA

### Desired outcomes

- Increased employment and housing in the centre and its surrounds.
- Pedestrian-friendly development at the street level.
- Interchange point for local buses to high-frequency, high-capacity 'spine' services to major destinations and interchange points, such as Glendale, Belmont, the University of Newcastle, Newcastle City Centre and John Hunter Hospital.
- The relationship between the centre and the foreshore is improved through urban design and a complete streets approach.

## WARNERS BAY TOWN CENTRE PRECINCT

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Increased commercial and residential development as the centre transitions from its existing largely single-level character to multistorey development

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Public spaces are developed within the centre, such as a town square

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Housing intensity decreases with distance from the centre

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Existing residential areas near the centre are investigated for additional housing density, supported by active transport infrastructure

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Legible pedestrian and cyclist networks through and around the centre, including the surrounding residential area, are improved and extended to the waterfront and recreational facilities

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The Hillsborough Road business park area will focus on its role in delivering large format indoor recreation, bulky goods and urban services. Office and other uses more appropriately located in a centre will not be encouraged

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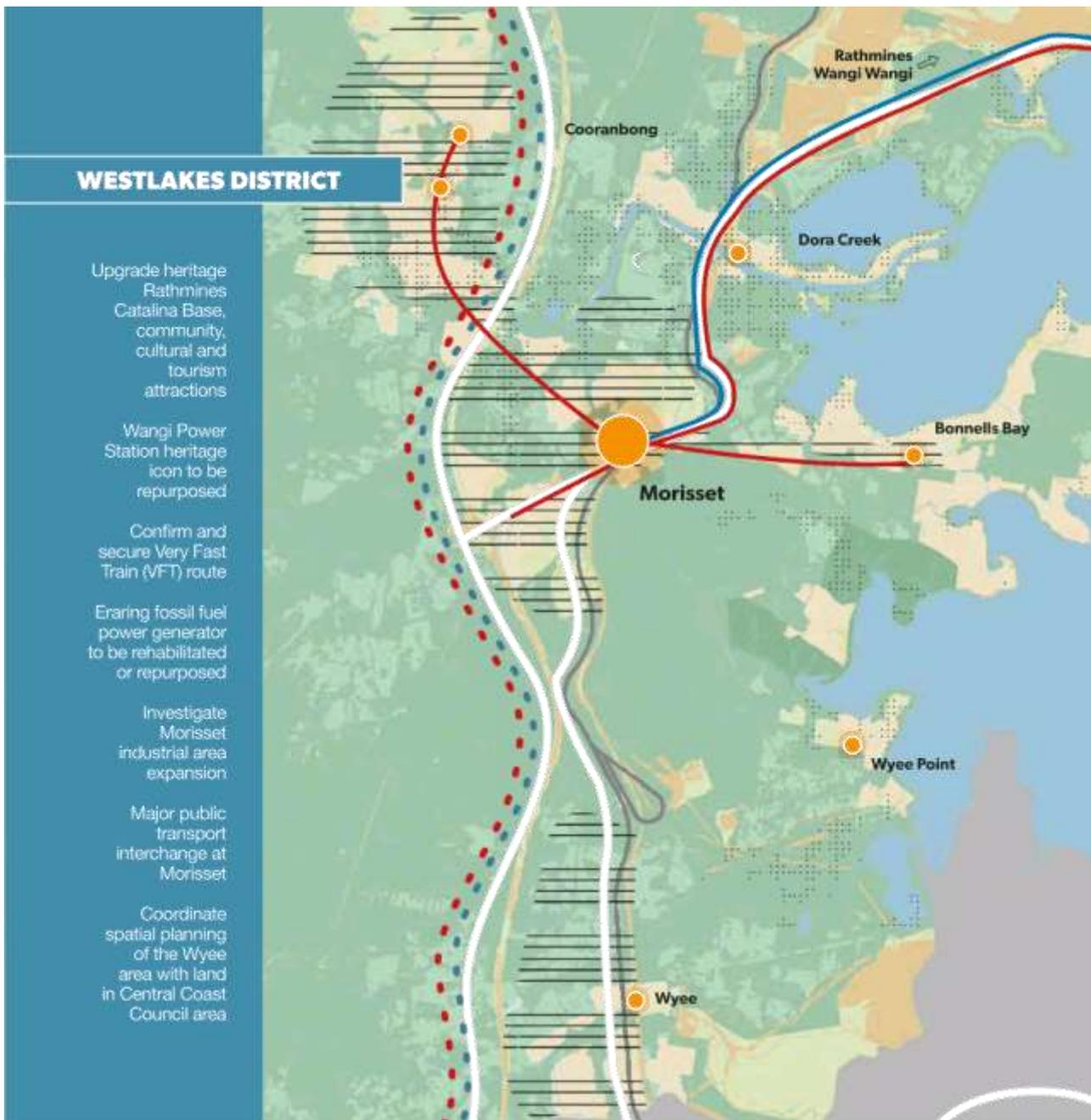


## WESTLAKES DISTRICT

### COORANBONG MORISSET WYEE GROWTH AREA

#### Desired outcomes

- Because the Cooranbong Morisset Wyee Growth Area has considerable undeveloped, zoned urban land and is identified in the Greater Newcastle Metropolitan Plan it will be a location of significant population and employment growth. Its position near the Central Coast and the M1 Pacific Motorway mean that it will increasingly provide employment and services to the northern Central Coast, as well as provide a source of affordable housing. Increased access to the M1 will facilitate this development.
- Trinity Point is likely to develop into a significant tourism asset, supporting a growing visitor economy including conference facilities, restaurants and a marina.
- The coal-fired Eraring Power Station will be remediated and repurposed to another economic use, possibly renewable energy generation, following cessation of coal-fired power generation.
- The area has important biodiversity assets that have been maintained and enhanced, such as native vegetation corridors to the Central Coast. The rural areas of the locality will be protected from inappropriate development, particularly land with agricultural potential or scenic value such as the Martinsville and Mandalong Valleys.
- Sea level rise adaptation and evacuation planning shape the future nature of the urban area.



**KEY TO MAP**



## MORISSET TOWN CENTRE PRECINCT

The focus of activity for southwestern Lake Macquarie and the northern Central Coast, delivering higher-order retail, employment and services

A diverse range of businesses, medical, personal services, creative enterprises, government and community services, all taking advantage of the clustering of activity

More intensive commercial, mixed use and residential development, albeit with a human scale at the street level

The Morisset Square and future town hub provides a focus for the community, with civic uses, cafes and commercial uses that are developed activate Yambo Street

Interchange point for active transport, local buses and park and ride to the heavy rail system to Glendale, Newcastle and Sydney

A focus for an improved local pedestrian and cyclist active transport network, including direct links to cycleways to the Morisset Peninsula and Cooranbong, such as the Bonnells Bay cycleway

The potential of the industrial area to expand is investigated, to capitalise on its motorway access

Future development opportunities, including the potential expansion of commercial and residential zoned land to the south of the Morisset train station, are investigated

A traffic bypass for Dora Street is investigated to improve the amenity of the town centre, taking into consideration the implications for the development of land to the south

The heritage significance of the State listed Morisset Hospital site is maintained, enhanced and interpreted



**COORANBONG PRECINCT**

New residential development consistent with the complete streets model

The service role of the local centre, with an increase in services to cater for the growing population, is reinforced

Dora Creek and its riparian corridor is rehabilitated and conserved

Housing choice through the development of a range of housing densities, particularly near the local centre

The heritage significance of the Cooranbong Seventh Day Adventist Heritage Precinct and iconic Weetbix factory site is maintained, enhanced and interpreted



**WYEE PRECINCT**

New residential development consistent with the complete streets model

The service role of the local centre, with an increase in services to cater for the growing population, is reinforced

Housing choice through the development of a range of housing densities, particularly near the local centre and railway station

Potential additional residential areas, consistent with biodiversity considerations

High-amenity cycle and pedestrian linkages between new residential recreation, commercial areas and the train station

Areas of high biodiversity value and native vegetation corridors are conserved and enhanced

Manning Creek and its riparian corridor is rehabilitated and conserved

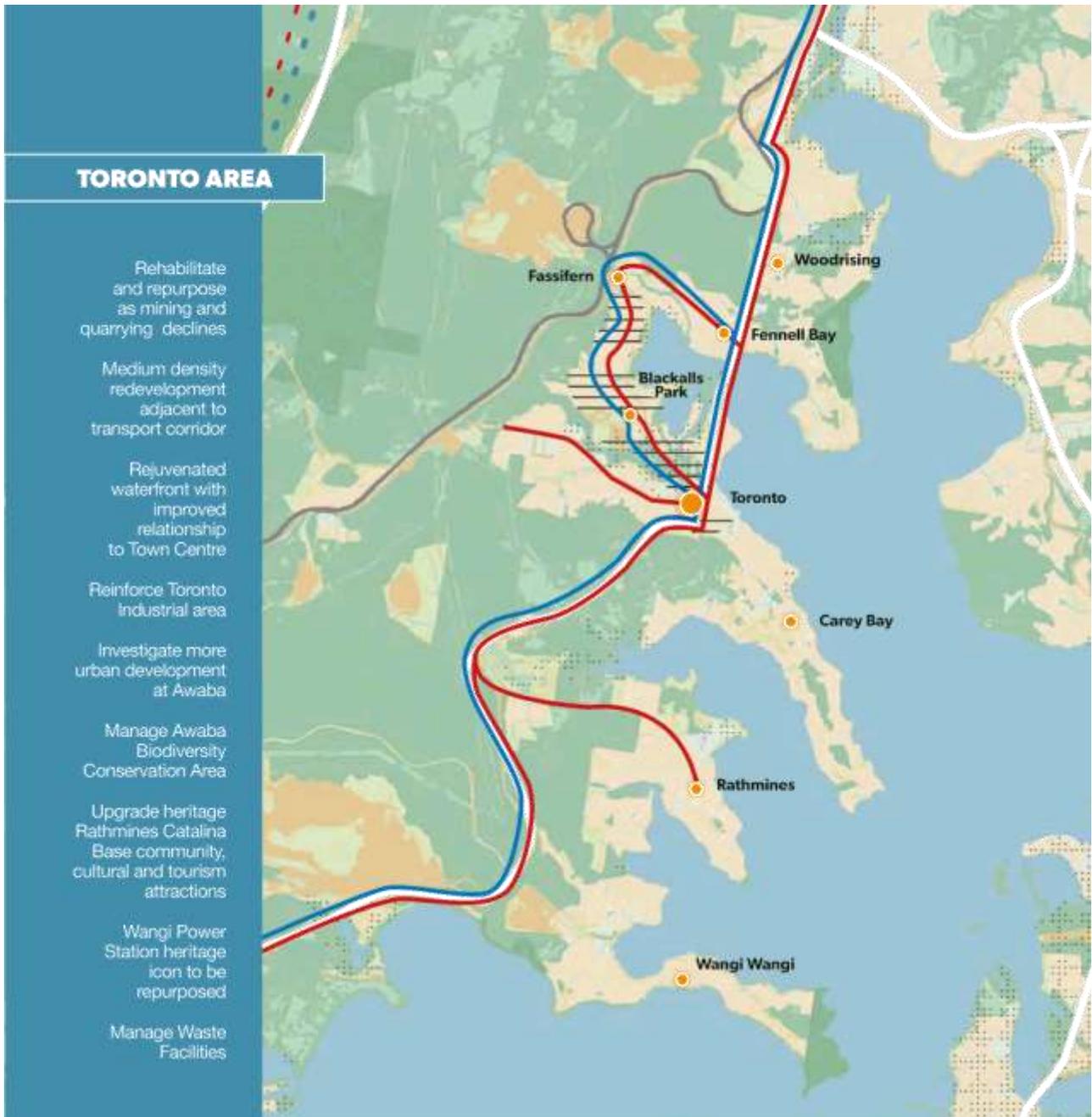
Quality recreational areas are provided commensurate with population growth

## TORONTO AREA

### Desired outcomes

- The focus of activity for West Lake Macquarie, delivering a range of community, cultural services, retail and employment.
- A diverse range of businesses, medical, personal services, creative enterprises, government and community services, all taking advantage of the cluster of activity.
- A lively centre with a focus on high-quality, mixed used developments, with diverse housing close to services.
- A high-amenity, waterfront precinct supporting recreational uses with limited supporting commercial and tourism development.
- The human-scale, pedestrian-friendly environment and the significance of the Toronto Heritage Precinct will be maintained.
- Sea level rise adaption and evacuation planning shape the future nature of the urban area.





**KEY TO MAP**



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## TORONTO TOWN CENTRE PRECINCT

The relationship between the waterfront and The Boulevard is improved

The foreshore is rejuvenated, consistent with the cultural and heritage values of the foreshore area and the waterway, including appropriate small-scale commercial opportunities

A town park provides a formal community focus and a place for workers, visitors and residents to gather or relax along The Boulevard, west of Pemell Street

Walking and cycling in the centre and surroundings is safe and convenient, with connections to the Fassifern Greenway and recreational areas along Stony Creek

The centre provides an interchange point for local buses to high-frequency, high-capacity 'spine' services to major destinations and interchange points, such as Glendale, Belmont the University of Newcastle, Newcastle City Centre and John Hunter Hospital, as well as to the Fassifern train station

## TORONTO-BLACKALLS PARK-AWABA PRECINCT

Housing and mixed use redevelopment occurs adjacent to the public transport and active transport corridors from Toronto to Fassifern, especially around the Blackalls Park centre

Conserve and rehabilitate riparian areas, Stony and Muddy creeks, Toronto Wetlands and the railway corridor

Blackalls Park Flying Fox Camp is considered in future decisions to avoid land use conflict

The Toronto industrial area (Awaba Road) is likely to be more intensively developed

## RATHMINES PRECINCT

Adaptive re-use of the state-listed RAAF Catalina Base and adjoining structures to improve cultural, heritage, recreation, sustainability and economic outcomes occurs, including rehabilitation of native vegetation

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### **FASSIFERN COLLIERY PRECINCT**

New land uses are investigated, in coordination with a reduction of mining activities, with consideration of the nearby Fassifern train station, north-south rail loading loop and private haul road linking the colliery and Eraring Power Station to the south

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Disturbed areas are rehabilitated, decontaminated and reused

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### **AWABA PRECINCT**

Opportunities are investigated to increase urban development close to the Awaba train station, while maintaining nearby high biodiversity areas and native vegetation corridors

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## CENTRES NOT IDENTIFIED IN PRECINCTS

Smaller centres outside the precincts are likely to experience incremental change. In these areas, you could expect to see:

- More small-scale businesses, often as part of mixed use developments;
- An increase in housing diversity, including medium-density development;
- Improvements to local parks and community facilities to reinforce their role and function as community focus points;
- Implementation of 'complete streets' strategies to improve amenity, safety and convenience for pedestrians and cyclists, such as such as the provision of street trees, reduced vehicle road widths and reduced traffic speed; and
- Local scale infrastructure development to reinforce the role of the centre as a community focus, such as improvements to parks, extension and enhancement of footpath and cycleway infrastructure consistent with Council's strategies.

## RESIDENTIAL NEIGHBOURHOODS ADJACENT TO CENTRES

Residential areas surrounding precinct areas (or centres) are likely to experience more intensive housing development but not of the scale of that in centres. You should expect to see:

- More housing diversity, such as townhouses, low-scale residential flat buildings and villas;
- Increased numbers and diversity of home-based businesses, particularly in the creative sector;
- Improved links to the adjacent centres for cyclists and pedestrians;
- Implementation of 'complete streets' strategies to improve safety and convenience for pedestrians and cyclists, such as such the provision of street trees, reduced vehicle road widths and reduced traffic speed; and
- An increase in the number and diversity of 'car-light' and 'car-free' dwellings.

## OTHER RESIDENTIAL NEIGHBOURHOODS

Residential areas outside the identified precinct areas and smaller centres will experience change. These areas will experience small-scale infill development scattered across the area, including secondary dwellings, subdivision, dual occupancies and villa developments, particularly in those areas with good access to public or active transport

Development should be less intensive in these areas, primarily because of their distance from centres and services. However, the establishment or reinforcement of community focal points will be supported. This could be a shop, cafe, playground or other community facility

Residential areas that are a significant distance from centres are usually serviced by low-frequency or circuitous public transport and because of distance may be less conducive to walking or cycling trips, except to the local shop, park or school

Nonetheless, in those areas with characteristics likely to be conducive to walking or cycling, it will be important to ensure that pedestrian and cycling is safe and convenient, but may involve on-road travel

## LARGE FORMAT BUSINESS PRECINCTS

Business precincts, such as the Hillsborough Road business park area, aim to cater for bulky goods retail, urban services, large format recreation, manufacturing and high-technology land uses

The nature of these areas is dynamic and should be closely monitored. Land use planning should be regularly reviewed to maximise overall community benefit, especially the maintenance of strong centres

Land uses such as offices and retail should not generally be located in business precincts because they should be located in centres

## INDUSTRIAL PRECINCTS

Industrial precincts, such as the Cardiff industrial area, focus on manufacturing, urban services, logistics and warehousing land uses

Change and diversification will occur in industrial precincts in response to long-term structural changes in the economy, such as impacts on manufacturing as a result of automation

Ensure adequate freight routes to important industrial areas, such as Cardiff

Land uses such as offices and retail generally should not be located in industrial precincts because they detract from the role, activity and viability of these areas

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## RURAL LANDS

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As the demand for land for urban and other uses, such as mining and power generation, have grown over preceding decades, rural lands have been rezoned for these uses. Rural areas protect a significant area of the City's land that has high biodiversity values and/or high scenic value

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Rural land will be managed to ensure this finite resource is best used to achieve a balance across a number of functions:

- rural production;
  - buffers to land of high biodiversity value or include land of high biodiversity value;
  - protection to scenic areas or places with a highly valued landscape;
  - opportunities for lifestyle living; and
  - economic activities such as tourism.
- 

Land with agricultural potential will be protected because agricultural production is declining in the Sydney basin, pressure is increasing for more localised food production, and to diversify our local economy. The land is mainly located in the south west of the City

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The economic contribution of existing agricultural production will be supported and new opportunities facilitated, particularly in high value niche products

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Urban development should be directed away from rural areas consistent with the action accompanying strategy 2.4 of the Greater Newcastle Metropolitan Plan

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Ensure there is a sufficient buffer to avoid land use conflict between urban development and agricultural production

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## ENVIRONMENTAL AREAS AND BIODIVERSITY CORRIDORS

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The green ridges and side slopes throughout the City will be protected and enhanced to retain this unique asset

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Areas of high-value biodiversity and native vegetation corridors will be conserved and enhanced

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Where avoidance and mitigation is not possible within strategic centres, clearing of native vegetation and impacts on biodiversity values, riparian areas, native vegetation corridors and flora and fauna will be adequately offset

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Degraded and contaminated areas (such as those affected by the cessation of mining, industry or power generation) should be rehabilitated to facilitate new land uses and to prevent environmental damage

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Degraded areas of highly significant environments should be rehabilitated to improve scenic values, integrity and connectivity

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Important natural ecosystems (including aquatic ecosystems, wetlands, riparian areas, Lake foreshore and coastal areas) and biodiversity will be protected and landscape connectivity maintained

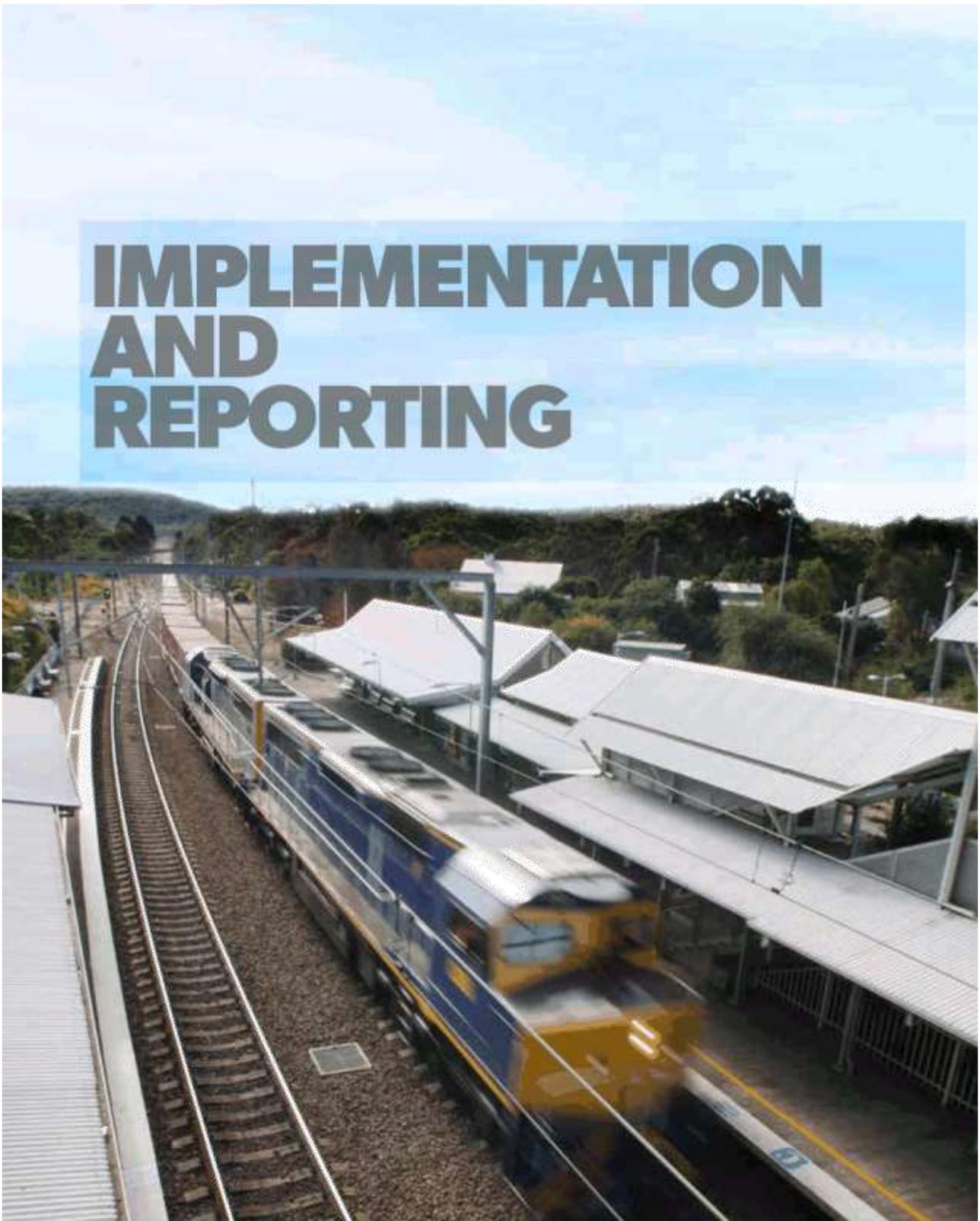
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Water regimes (quality and quantity) and the water cycle is maintained as close as possible to natural regimes

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Note: Significant environments include riparian, coastal and foreshore areas, areas of high and moderate biodiversity value, native vegetation corridors, areas of natural heritage, scenic significance or steep slopes

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**70** Lake Macquarie City  
DRAFT Lake Mac 2050 Strategy

## IMPLEMENTATION

Lake Mac 2050 is based on the Vision of the Community Strategic Plan.

It provides a spatial interpretation of the Lake Macquarie Community Strategic Plan 2017-2027, and is an integral part of the Council's Integrated Planning and Reporting Framework.

In this context, the Community Strategic Plan identifies Council's priorities for the short to medium-term. Lake Mac 2050 will guide decisions about the location and priority of works and facilities identified in the Community Strategic Plan.

While Council's land use planning tools, such as the Lake Macquarie Local Environmental Plan (LMLEP), are the major implementation tools, the implementation of Lake Mac 2050 is largely dependent on policy and expenditure decisions by government and the private sector to undertake development. Lake Mac 2050 will guide the content of the LMLEP and Lake Macquarie Development Control Plan (DCP), which provide City-wide and locally specific development guidelines.

Lake Mac 2050 is intended for use:

- by state, regional and local policy makers and decisions makers on matters that affect Lake Macquarie City, such as transport infrastructure;
- to guide the review or development of other Council policy such as asset management, contributions, community facilities, biodiversity conservation, recreation planning, LEP amendments and development control policy;
- to guide the detail of specific works or infrastructure;
- to guide private and community sector decision-making about proposed developments, services or community facilities;

- inform assessments of the impact of new technologies, climate change and economic and societal change; and
- evaluate resourcing, infrastructure and budgetary decisions by Council.

Some outcomes envisaged in the Strategy may be beyond Council's direct control and, in particular, rely on the support and actions of state agencies, including state policy implementation. At times, there may be conflict in policy implementation, and it is acknowledged that issues may need to be resolved at state level.

Furthermore, prevailing property and development market will influence the timing and delivery of some of the outcomes envisaged in the Strategy. To this extent, the timing of private development will largely be beyond Council's direct control.

A rolling five year implementation plan will detail actions arising from Lake Mac 2050.

These actions will be prioritised consistent with Council's corporate planning and budgeting processes, and detailed briefs, resource requirements and specific timetables specified at this stage.

## COLLABORATION

The Greater Newcastle Metropolitan Plan states that metropolitan cities succeed and perform best when all spheres of government collaborate and work together with business, industry and the community to deliver a shared vision for their City.

This is equally true at the local level. The implementation of Lake Mac 2050 is dependent on strong collaboration between Council and a range of other government, private sector and non-government organisations, as well as the wider community.

Council aims to work closely with a range of organisations to achieve the desired outcomes of Lake Mac 2050 and will build on its existing consultative structures, partnerships and collaborations.

The extent of collaboration and partnerships and the resultant outcomes will form part of the regular reporting on Lake Mac 2050.

## REVIEW AND MONITORING

Lake Mac 2050 will be monitored regularly to identify changes to such matters as the wider policy environment, development pressures and political priorities.

It is anticipated that major reviews of Lake Mac 2050 will occur every five years, with the next major review due in 2023 to coincide with the release of results from the 2021 Census. As much as possible, this reporting will be linked to Council's existing reporting processes for the Community Strategic Plan and the Environmental Sustainability Action Plan.

The identified performance indicators will be monitored to measure progress in implementing Lake Mac 2050, and flag any need for corrective action. Council will also regularly monitor development activity within the City.

The indicators will measure progress in general and the act as triggers for the need to amend Lake Mac 2050 more frequently than the scheduled review.

Any successors of the Greater Newcastle Metropolitan Plan will also inform reviews of Lake Mac 2050.

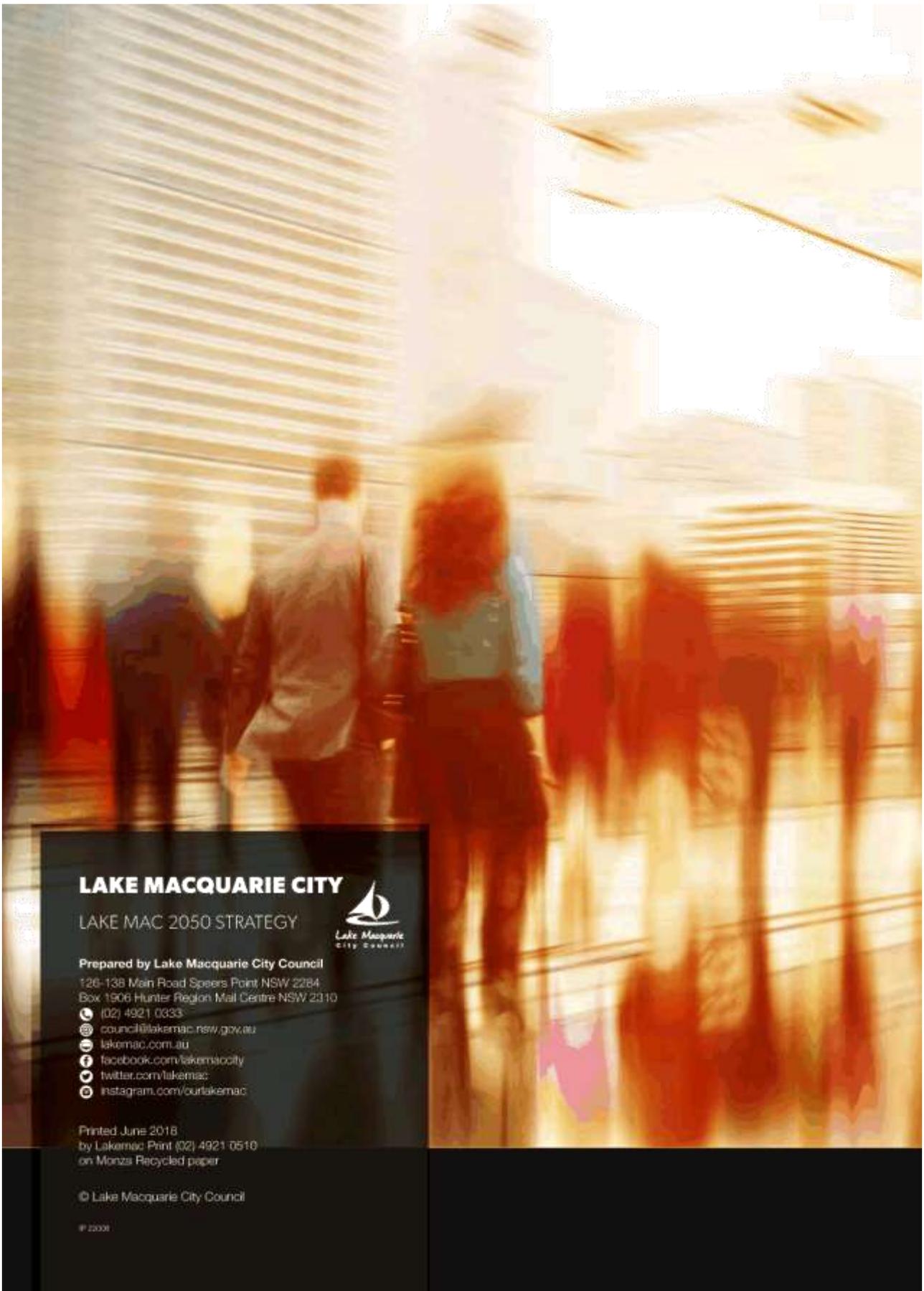
Improved data collection and analysis programs will monitor progress and changes in the City, identify new and emerging issues and monitor implementation of the Lake Mac 2050, such as tracking development proposals through to completion.

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## REPORTING

Reporting on Lake Mac 2050's progress will be in coordination with the Environmental Sustainability Action Plan and the Community Strategic Plan. This reporting will provide qualitative and quantitative reporting, with a focus on the performance indicators identified in Lake Mac 2050. In many cases, the quantitative indicators are indicative or a proxy measure of the achieved of a specific Lake Mac 2050 outcome and interpretative narrative is required.





**LAKE MACQUARIE CITY**

LAKE MAC 2050 STRATEGY



Prepared by Lake Macquarie City Council

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#2008

## Special Report of the Deputy Chief Executive Officer to Ordinary Council Meeting 23 July 2018

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### **18SP042            Investments June 2018**

Council Ref:        F2004/11956-17 - D08946533  
Report By:         Treasury Officer - Tanya Klein

#### **Précis:**

The following report provides information in relation to Council's funds held under investment.

#### **Recommendation:**

Council accepts the attached report identifying all money Council has invested under Section 625 of the Local Government Act 1993.

#### **Background:**

Clause 212 of the Local Government (General) Regulation 2005 requires the Responsible Accounting Officer of a council to provide a written report setting out details of all money that Council has invested under Section 625 of the Local Government Act 1993 (the Act). The report is to be presented to Council each month.

The following report sets out details of all money that Council had invested under Section 625 of the Act as at 30 June 2018.

#### Investment Update

During the month of June, Council's overall cash and investment portfolio of \$214,935,568.09 (carrying value as at 30 June 2018) generated a return of 2.74% pa on a yield basis. Returns have increased slightly when compared to May 2018 (2.68%), and the portfolio continued to outperform the bank bill index benchmark of 1.86% pa.

For the financial year, Council's portfolio provided a return of 2.74%, which is 88 basis points above the annualised benchmark return of 1.86%.

#### Account Activity

During the month of June, Council invested a total of \$16m: \$2m with Bank West at a rate of 2.55%, \$2m with Members Equity Bank at a rate of 2.65%, \$4m with Bank West at a rate of 2.45%, \$4m with Westpac Banking Corporation at a rate of 2.87% and \$4m with Westpac Banking Corporation at a rate of 2.84%. Also during the month of June, Council matured a total of \$31m: \$4m with Bendigo Bank, \$13m with Bank West and \$14m with National Australia Bank.

There have been no other significant movements in the investment portfolio during the period.

#### Certification – Responsible Accounting Officer

I hereby certify that the investments summarised in the following report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

Dwight Graham

## Special Report of the Deputy Chief Executive Officer to Ordinary Council Meeting 23 July 2018

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Responsible Accounting Officer

Council accepts the information regarding Council's investments made in accordance with Section 625 of the Local Government Act 1993

### **Consultation:**

Prudential Investment Services and the Chief Financial Officer.

### **Implications:**

#### ***Policy Implications:***

The investments are made in accordance with the Act, the Regulations, and Council's Investment Policy.

#### ***Environmental Implications:***

Council's investments are primarily restricted to Australian Authorised Deposit Taking Institutions (banks, building societies, credit unions) that are governed by the Australian Prudential Regulatory Authority. As far as is practicable these investments are considered to be environmentally and socially ethical.

#### ***Social Implications:***

#### ***Infrastructure Asset Implications:***

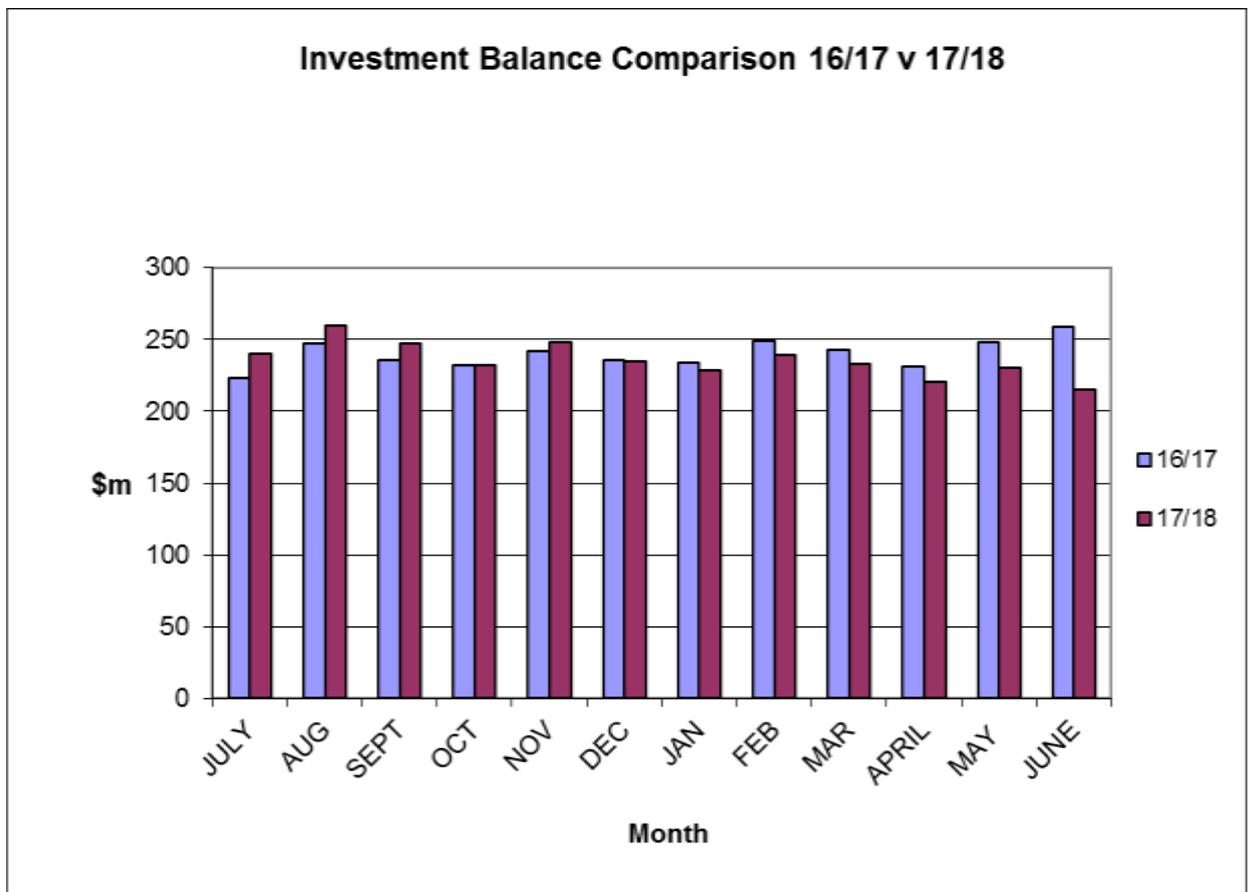
There are no implications to Infrastructure Assets.

#### ***Financial Implications:***

The financial impact of Council's current investment returns is factored into the current budget.

Below is a current profile of Council's diversified investment structure and an investment balance comparison for the Financial Years ended June 2017 and 2018.

**Special Report of the Deputy Chief Executive Officer to  
Ordinary Council Meeting 23 July 2018**



## Special Report of the Deputy Chief Executive Officer to Ordinary Council Meeting 23 July 2018

### Investment Summary 30-Jun-2018

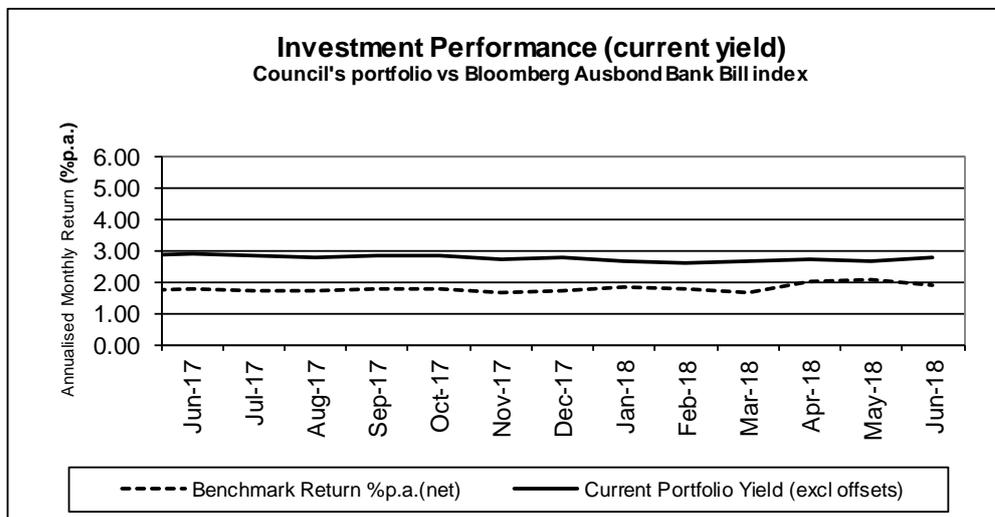
Asset Group	Current Value	Avg Yield % (coupon)
Current Accounts	23,054,374.33	1.7200
Floating Rate Notes	77,908,838.18	3.1313
Mortgage Backed Securities	1,380,124.17	2.9618
Term Deposits	110,242,697.26	2.7320
Floating Rate TD	3,018,120.00	3.0200
<b>Market Value</b>	<b>215,604,153.94</b>	<b>2.7737</b>

### Investment Performance Summary (current yield & after fees)

Note: the following performance data is after all fees and excludes Council's bank bill loan offsets which have been obtained for the benefit of Council's overall debt portfolio, not necessarily for their investment return.

#### Monthly Performance

Portfolio return annualised	2.74 %
Benchmark return annualised	1.86 %



Historical Summaries	Benchmark	Portfolio
Last 3 months	1.92	2.71
Last 6 months	1.86	2.67
Last 12 months	1.78	2.74
Financial YTD	1.78	2.74

## **Special Report of the Deputy Chief Executive Officer to Ordinary Council Meeting 23 July 2018**

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Council's investment performance continues to provide pleasing returns above the current benchmark with no investments currently held at risk of default.

Chief Financial Officer - Dwight Graham

### **Attachments:**

- |    |   |           |
|----|---|-----------|
| 1. | Lake Macquarie Investment Summary June 2018 | D08946460 |
| 2. | Explanation of Report Column Headings       | D02277522 |
| 3. | Investments - Standards & Poors Ratings     | D01543773 |

Current Accounts								
As at	Face Value	Current Yield	Borrower	Rating				Current Value
30-Jun-18	23,054,374.33	1.7200	Westpac Banking Corporation	A-1+				23,054,374.33
<b>Totals</b>	<b>23,054,374.33</b>	<b>1.7200</b>						<b>23,054,374.33</b>
Floating Rate Notes								
<p>Longer-term securities from financial institutions, issued for a fixed period of time but has a variable (floating) coupon on a monthly or quarterly basis. The coupon reflects current interest rates, which is determined as a margin over the BBSW rate set. FRN's appeal to investors who are reluctant to commit funds to fixed interest investments for longer periods in times of fluctuating interest rates. <b>These are recommended as medium to long term buy and hold securities.</b> Council receives the face value amounts upon maturity as well as the regular income stream from the interest (shown as 'current coupon')</p>								
Reset/Coupon	Face Value	Current Coupon	Borrower	Rating	Maturity	Purchase Price	Purchase Date	Current Value
19-Jul-18	3,000,000.00	2.8498	CBA Snr FRN (Oct18) BBSW+0.78%	A-1+	19-Oct-18	3,000,000.00	19-Oct-15	3,021,268.85
27-Aug-18	3,000,000.00	2.8750	WBC Snr FRN (Feb19) BBSW+0.94%	A-1+	25-Feb-19	3,000,000.00	14-Feb-14	3,018,913.15
2-Jul-18	2,000,000.00	3.6350	CUA Snr FRN (Apr19) BBSW+1.60%	A-2	1-Apr-19	2,000,000.00	1-Apr-16	2,027,706.85
23-Jul-18	2,000,000.00	3.1650	SUN Snr FRN (Apr19) BBSW+1.10%	A-1	23-Apr-19	2,005,360.00	23-Apr-14	2,020,646.30
30-Jul-18	2,000,000.00	3.1850	BoQ Snr FRN (Apr19) BBSW+1.15%	A-2	29-Apr-19	2,000,000.00	23-Oct-15	2,018,640.27
20-Aug-18	3,000,000.00	2.7842	NAB Snr FRN (May19) BBSW+0.85%	A-1+	20-May-19	3,000,000.00	16-May-14	3,019,852.37
7-Sep-18	1,500,000.00	3.6500	GBS Snr FRN (Jun19) BBSW+1.60%	A-2	7-Jun-19	1,500,000.00	7-Jun-16	1,501,673.84
11-Sep-18	750,000.00	3.1561	AMP Snr FRN (Jun19) BBSW+1.10%	A-1	11-Jun-19	750,000.00	11-Dec-15	754,362.05
17-Sep-18	3,000,000.00	2.9905	BEN Snr FRN (Sep19) BBSW+0.93%	BBB+	17-Sep-19	3,000,000.00	17-Sep-14	3,009,975.33
7-Aug-18	3,000,000.00	3.0650	BoQ Snr FRN (Nov19) BBSW+1.07%	BBB+	6-Nov-19	3,000,000.00	6-Nov-14	3,024,535.48
29-Aug-18	2,000,000.00	3.4400	GBS Snr FRN (Nov19) BBSW+1.50%	BBB	29-Nov-19	2,000,000.00	29-Nov-16	2,008,537.83
13-Aug-18	3,000,000.00	2.9650	BoQ Snr FRN (Feb20) BBSW+1.05%	BBB+	12-Feb-20	3,000,000.00	11-Feb-15	3,013,857.53
21-Aug-18	3,000,000.00	3.0342	BEN Snr FRN (Feb20) BBSW+1.10%	BBB+	21-Feb-20	3,000,000.00	21-Nov-16	3,022,884.84
24-Aug-18	2,000,000.00	3.3900	GBS Snr FRN (Feb20) BBSW+1.45%	BBB	24-Feb-20	2,000,000.00	24-Feb-17	2,006,545.69
20-Sep-18	3,000,000.00	3.3927	CUA Snr FRN (Mar20) BBSW+1.30%	BBB	20-Mar-20	3,000,000.00	20-Mar-17	3,015,277.37
6-Jul-18	3,000,000.00	3.2900	ME Bank Snr FRN (Apr20) BBSW+1.25%	BBB	6-Apr-20	3,000,000.00	6-Apr-17	3,029,885.34
9-Jul-18	2,000,000.00	3.3950	NPBS Snr FRN (Apr20) BBSW+1.35%	BBB	7-Apr-20	2,000,000.00	7-Apr-15	2,023,280.27
17-Jul-18	3,000,000.00	2.9802	CBA Snr FRN (Jul20) BBSW+0.90%	AA	17-Jul-20	3,000,000.00	17-Jul-15	3,035,530.88
20-Aug-18	3,000,000.00	3.0350	BEN Snr FRN (Aug20) BBSW+1.10%	BBB+	18-Aug-20	3,000,000.00	18-Aug-15	3,025,705.89
20-Jul-18	2,250,000.00	3.3150	SUN Snr FRN (Oct20) BBSW+1.25%	A+	20-Oct-20	2,250,000.00	20-Oct-15	2,291,938.15
20-Jul-18	750,000.00	3.3150	SUN Snr FRN (Oct20) BBSW+1.25%	A+	20-Oct-20	750,210.00	23-Oct-15	763,979.38
9-Aug-18	2,000,000.00	3.2050	ME Bank Snr FRN (Nov20) BBSW+1.25%	BBB	9-Nov-20	2,000,000.00	9-Nov-17	2,009,427.67
18-Jul-18	5,000,000.00	3.2200	CBA Snr FRN (Jan21) BBSW+1.15%	AA-	18-Jan-21	5,003,500.00	25-Jan-16	5,091,391.32
20-Jul-18	2,000,000.00	3.5250	BEN Snr FRN (Apr21) BBSW+1.46%	BBB+	20-Apr-21	2,000,000.00	20-Apr-16	2,038,966.85
20-Aug-18	2,000,000.00	3.4150	BoQ Snr FRN (May21) BBSW+1.48%	BBB+	18-May-21	2,000,000.00	18-May-16	2,032,973.42
12-Jul-18	2,000,000.00	3.2649	CBA Snr FRN (Jul21) BBSW+1.21%	AA-	12-Jul-21	2,000,000.00	12-Jul-16	2,041,472.09
28-Sep-18	2,000,000.00	3.1605	AMP Snr FRN (Mar22) BBSW+1.05%	A	30-Mar-22	2,000,000.00	30-Mar-17	1,997,526.36
16-Aug-18	1,500,000.00	2.8700	SUN Snr FRN (Aug22) BBSW+0.97%	A+	16-Aug-22	1,500,000.00	16-Aug-17	1,529,485.48
25-Jul-18	1,500,000.00	3.1050	BEN Snr FRN (Jan23) BBSW+1.05%	BBB+	25-Jan-23	1,500,000.00	25-Jan-18	1,496,976.78
9-Aug-18	9,000,000.00	2.8550	ANZ Snr FRN (May23) BBSW+0.90%	AA-	9-May-23	9,000,000.00	9-May-16	9,015,620.55
	<b>77,250,000.00</b>	<b>3.1313</b>				<b>77,259,070.00</b>		<b>77,908,838.18</b>
Mortgage Backed Securities								
<p>A specific type of securitised asset that are typically backed by a pool of residential mortgages. These securities are, structured or branched into different bond classes with varying security characteristics. The majority of MBS are 'pass-throughs' where the cash flows (principal and interest) received from the underlying mortgages that make up the pool are passed through to the holders of the MBS. MBS can be floating or fixed rate securities. <b>These are recommended as medium to long term buy and hold securities.</b> Council may receive instalments of its capital back during the life of the security as underlying mortgages are paid off as well as the regular income stream from</p>								
Reset/Coupon	Face Value	Current Coupon	Borrower	Rating	Maturity	Purchase Price	Purchase Date	Current Value
22-Feb-18	596,815.94	2.3842	Emerald Reverse Mortgage Series 2006-1 Class A	AAA	22-Aug-22	1,000,000.00	23-May-11	473,062.95
22-Feb-18	2,000,000.00	3.1342	Emerald Reverse Mortgage Series 2006-1 Class C	A	23-Aug-27	2,000,000.00	23-May-11	907,041.22
<b>Totals</b>	<b>2,596,815.94</b>	<b>2.9618</b>				<b>3,000,000.00</b>		<b>1,380,124.17</b>

Fixed Rate Term Deposits									
Face Value	Purchase Yield	Borrower	Rating	Maturity	Purchase Price	Purchase Date	Current Value		
4,000,000.00	2.5000	Bankwest	A-1+	4-Jul-18	4,000,000.00	28-Feb-18	4,033,696.63		
4,000,000.00	2.5000	Bankwest	A-1+	11-Jul-18	4,000,000.00	28-Feb-18	4,033,696.63		
6,000,000.00	2.7800	Westpac Group	A-1+	17-Jul-18	6,000,000.00	3-Apr-18	6,040,671.78		
6,000,000.00	2.6000	Bankwest	A-1+	25-Jul-18	6,000,000.00	17-Apr-18	6,032,054.79		
4,000,000.00	2.7500	Suncorp Bank	A-1	1-Aug-18	4,000,000.00	1-May-18	4,018,383.56		
4,000,000.00	2.4500	Bankwest	A-1+	1-Aug-18	4,000,000.00	4-Jun-18	4,007,249.32		
4,000,000.00	2.5200	National Australia Bank	A-1+	8-Aug-18	4,000,000.00	30-May-18	4,008,837.26		
4,000,000.00	2.7900	Westpac Group	A-1+	15-Aug-18	4,000,000.00	15-Aug-17	4,097,841.10		
2,000,000.00	2.5500	Bankwest	A-1+	22-Aug-18	2,000,000.00	4-Jun-18	2,003,772.60		
4,027,231.78	2.6500	Westpac Group	A-1+	23-Aug-18	4,027,231.78	16-May-18	4,040,681.63		
6,000,000.00	3.0500	Bendigo and Adelaide Bank	A-2	27-Aug-18	6,000,000.00	26-Aug-15	6,153,920.55		
5,000,000.00	2.6500	ME Bank	A-2	28-Aug-18	5,000,000.00	28-Aug-17	5,111,445.21		
5,000,000.00	2.6500	ME Bank	A-2	28-Aug-18	5,000,000.00	29-Aug-17	5,111,082.19		
2,000,000.00	2.6500	ME Bank	A-2	5-Sep-18	2,000,000.00	4-Jun-18	2,003,920.55		
4,000,000.00	2.8000	Westpac Group	A-1+	12-Sep-18	4,000,000.00	12-Sep-17	4,089,600.00		
2,000,000.00	3.1000	Westpac Group	A-1+	20-Sep-18	2,000,000.00	20-Sep-16	2,048,241.10		
2,000,000.00	2.8000	Bank of Queensland	A-2	21-Sep-18	2,000,000.00	2-Nov-17	2,034,334.25		
4,000,000.00	2.8000	Westpac Group	A-1+	28-Sep-18	4,000,000.00	28-Sep-17	4,084,690.41		
2,000,000.00	2.7700	Westpac Group	A-1+	4-Oct-18	2,000,000.00	4-Oct-17	2,040,980.82		
2,000,000.00	2.6000	AMP Bank	A-1	4-Oct-18	2,000,000.00	16-Mar-18	2,015,243.84		
4,000,000.00	2.8400	Westpac Group	A-1+	12-Oct-18	4,000,000.00	12-Jun-18	4,005,913.42		
2,000,000.00	3.0000	Westpac Group	A-1+	30-Oct-18	2,000,000.00	27-Oct-16	2,040,602.74		
2,000,000.00	2.6800	Westpac Group	A-1+	30-Oct-18	2,000,000.00	14-Mar-18	2,016,006.58		
4,000,000.00	2.8700	Westpac Group	A-1+	7-Nov-18	4,000,000.00	18-Jun-18	4,004,088.77		
2,000,000.00	2.6500	Credit Union Australia	A-2	12-Dec-18	2,000,000.00	15-Dec-17	2,028,750.68		
2,000,000.00	2.6500	AMP Bank	A-1	12-Dec-18	2,000,000.00	16-Mar-18	2,015,536.99		
4,000,000.00	2.7200	Credit Union Australia	A-2	12-Feb-19	4,000,000.00	12-Feb-18	4,041,433.42		
4,000,000.00	2.8500	Westpac Group	A-1+	14-Mar-19	4,000,000.00	14-Mar-18	4,034,043.84		
5,000,000.00	2.8900	Westpac Group	A-1+	16-Apr-19	5,000,000.00	12-Apr-17	5,031,671.23		
4,000,000.00	2.9000	Bendigo and Adelaide Bank	A-2	15-May-19	4,000,000.00	17-May-17	4,014,301.37		
<b>Totals</b>	<b>109,027,231.78</b>	<b>2.7320</b>			<b>109,027,231.78</b>		<b>110,242,697.26</b>		
Floating Rate Term Deposits									
<i>Discounted bond bought at a price lower than its face value. The bond makes no periodic interest payment, instead the interest is earned and compounded until maturity with the repayment of the face value. The purchase yield represents the return earned from the compounded interest paid at maturity plus the difference between the discounted price and the par (or face value). These are recommended as medium to long term buy and hold securities.</i>									
Reset/Coupon	Face Value	Current Coupon	Borrower	Rating	Maturity	Purchase Price	Purchase Date	Current Value	
19-Apr-18	3,000,000.00	3.0200	Westpac Group 3moBBSW+0.95%	AA-	19-Jan-23	3,000,000.00	19-Jan-18	3,018,120.00	
<b>Totals</b>	<b>3,000,000.00</b>	<b>3.0200</b>				<b>3,000,000.00</b>		<b>3,018,120.00</b>	
<b>Closing Balance As At</b>							<b>30-Jun-18</b>	<b>215,604,153.94</b>	

EXPLANATION OF REPORT COLUMN HEADINGS	
<b>Accrued Interest</b>	Interest which has been earned but not yet paid on a security. Interest payments are made on scheduled dates as per the securities' terms.
<b>ADI</b>	Authorised Deposit taking Institution. Institution such as a banks, credit unions and building societies which are regulated by the Australian Prudential Regulation Authority (APRA). Investors' deposits in ADIs have been singled out by the Australian Commonwealth Government to be covered by their deposit guarantee (Financial Claims Scheme) up to \$1m per institution until late 2011.
<b>Benchmark</b>	Council's portfolio performance is benchmarked against the UBS 90 day Bank Bill Index. This index is used extensively in the market as a benchmark for cash and short dated fixed interest portfolios and is reported daily in the Australian Financial Review
<b>Borrower</b>	The institution (i.e. ADI) or security where a deposit or investment has been made.
<b>Current Coupon</b>	For the purposes of this report, the current coupon is the interest rate currently being accrued on the individual securities.
<b>Capital Value</b>	The value of a security less its accrued interest.
<b>Current Value</b>	The marked-to-market value of the security at the time of reporting.
<b>Current Yield (performance)</b>	For the purposes of this report - the aggregate of the interest rate being paid on the individual securities. This performance excludes the movement in underlying capital value of the securities.
<b>Face Value</b>	The capital amount due to be received by Council upon maturity of the security.
<b>Mark-to-market (performance)</b>	The valuation of an investment which is based on a market price for the security. This value takes into account any changes to the underlying capital value of the security as well as any accrued interest which will be paid in the future.
<b>Maturity Date</b>	The date when the capital and any final interest payment is due to be paid back to Council. For Council's Mortgage Backed Securities, this is the weighted average life of the security.
<b>Purchase Price</b>	Amount of Council's initial capital outlay for the security.
<b>Purchase Yield</b>	For the purposes of this report, the purchase yield is the yield to maturity of the security at the time of purchase. It takes into account future interest/coupon payments, and for bank bills and corporate bonds it takes into account any difference between the purchase price and face value.
<b>Rating</b>	The credit rating for the security or institution as determined by Standard & Poor's Rating Agency or equivalent. Ratings are scaled from AAA (most secure) through AA,A, BBB, etc to D (default). The four major Australian banks are all rated AA.
<b>Reset/Coupon Date</b>	The date that the security is scheduled to pay its next interest instalment (also called a coupon on securities which make multiple interest payments during its life)
<b>Rollover</b>	The maturity date for bank bills and term deposits. Banks may automatically roll (or reinvest) a deposit if no contrary instructions are received.
<b>Weighted Average Life (WAL)</b>	The anticipated maturity date for asset backed and mortgage backed securities based upon the repayment profile of the underlying loans within the security. The final legal maturity of these securities may be much longer than their WAL dates. However, the WAL dates, which are determined via actuarial analysis, are historically proven to be more indicative of the date the investor can expect to receive its final capital and interest repayment.

## Explanation of Standard & Poor's Ratings

### Credit Ratings

Standard & Poor's (S&P) is a professional organisation that provides analytical services. An S&P rating is an opinion of the general creditworthiness of an obligor with respect to particular debt security or other financial obligation — based on relevant risk factors.

Credit ratings are based, in varying degrees, on the following considerations:

- (a) *Likelihood of payment.*
- (b) *Nature and provisions of the obligation.*
- (c) *Protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights.*

Importantly, the rating definitions are expressed in terms of a security's default risk – not market price volatility of the security.

### Short-Term Obligation Ratings are:

#### A-1

This is the highest short-term category used by S&P. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.

#### A-2

A short-term obligation rated A-2 is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rating categories. However, the obligor's capacity to meet its financial commitment on the obligation is satisfactory.

#### A-3

A short-term obligation rated A-3 exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

### Long-Term Ratings are:

#### AAA

An obligation/obligor rated AAA has the highest rating assigned by S&P. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.

#### AA

An obligation/obligor rated AA differs from the highest rated obligations only in a small degree. The obligor's capacity to meet its financial commitment on the obligations is very strong.

**A**

An obligation/obligor rated A is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations/obligor in higher rated categories. However, the obligor's capacity to meet its financial commitment on the obligation is still strong.

**BBB**

An obligation/obligor rated BBB exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity to the obligor to meet its financial commitment on the obligation.

**Plus (+) or Minus (-):** The ratings from "AA" to "CCC" may be modified by the addition of a plus or minus sign to show relative standing within the major rating categories.

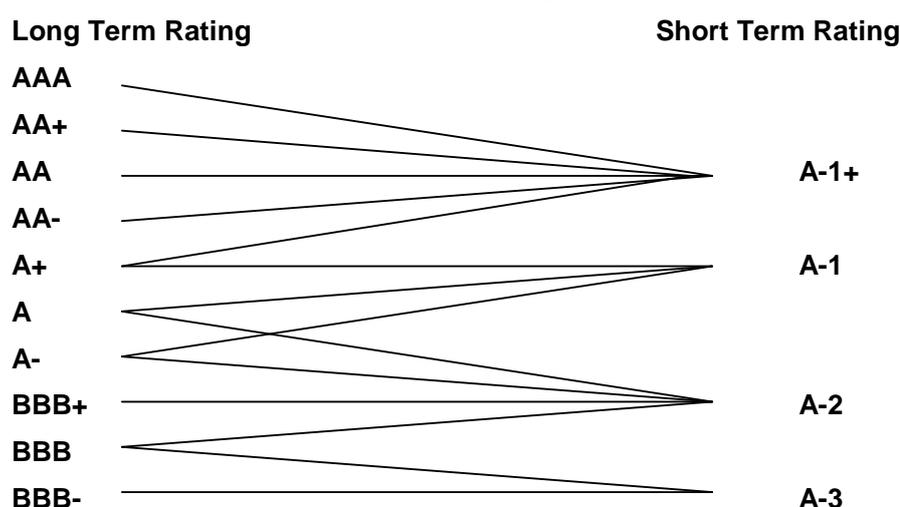
Categories from AAA to BBB- are called Investment Grade. Ratings continue through the BB, B, CCC, CC, C categories and finally D for Default. Ratings from BB+ downward are considered highly speculative.

**CreditWatch** highlights an emerging situation, which may materially affect the profile of a rated corporation and can be designed as positive, developing or negative. Following a full review the rating may either be affirmed or changed in the direction indicated.

A Rating **Outlook** assesses the potential direction of an issuer's long-term debt rating over the intermediate-to-long term. In determining a Rating Outlook, consideration is given to possible changes in the economic and/or fundamental business conditions. An outlook is not necessarily precursor of a ratings change or future CreditWatch action. A "Rating Outlook – Positive" indicates that rating may be raised. "Negative" means a rating may be lowered. "Stable" indicates that ratings are not likely to change. "Developing" means ratings may be raised or lowered.

**S&P Ratings Correlations**

The standard correlation of short-term ratings with long-term ratings is shown below.



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**Special Report of the Director of Organisational Services to  
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**18SP043            Requests for Donations & Financial Assistance under Section 356  
of the Local Government Act 1993**

Council Ref:        F2018/00118/01 - D08901065  
Report By:         Governance Officer - Amanda Hillman

**Précis:**

This report advises Council of 11 requests for donations/financial assistance under Section 356 of the Local Government Act 1993.

**Recommendation:**

Council resolves to provide the following donation/financial assistance:

- A:     Provide a donation of 21 additional 240 litre garbage collection services to residents to meet their medical needs, including provision of an additional 240 litre garbage bin where required.
- B:     Provide a donation of the upfront fee to change to a fortnightly 360 litre recycling service to 1 resident to meet their medical needs.
- C:     Note that funds of up to \$7653 for these donated services are available within Council's existing waste management budget.

**Background:**

The following requests have been received for donation/financial assistance:

- Request A – A resident of Edgeworth seeking an additional domestic waste service and upsized recycling service due to medical needs.
- Request B – A resident of Edgeworth seeking weekly service of three (3) bins due to volume and nature of waste generated by multiple occupants with medical needs.
- Request C – A resident of Booragul seeking an additional domestic waste service due to medical needs.
- Request D – Three (3) residents of Fennell Bay seeking two (2) additional domestic waste services due to medical needs.
- Request E – A resident of Blackalls Park seeking weekly service of two (2) bins due to volume and nature of waste generated by multiple occupants with medical needs.
- Request F – A resident of Woodrising seeking weekly service of two (2) bins due to volume and nature of waste generated by multiple occupants with medical needs.

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- Request G – A resident of Valentine seeking additional fortnightly domestic waste service due to medical needs.
- Request H – A resident of Bolton Point seeking additional fortnightly domestic waste service due to medical needs.
- Request I – A resident of Fishing Point seeking weekly domestic waste service due to medical needs..
- Request J – A resident of Barnsley seeking weekly service of two (2) bins due to volume and nature of waste generated by multiple occupants with medical needs.
- Request K – A resident of Belmont seeking weekly service of four (4) bins due to volume and nature of waste generated by multiple occupants with medical needs.

Council staff consider these residents have a genuine need for additional services due to ongoing medical conditions.

Council's *Funding Assistance Policy* states:

*'Council may grant, by way of donation, an amount equivalent to the charge for the following domestic waste services to an individual who has genuine need due to an ongoing medical condition that generates volumes of medical waste. Services for which eligible residents may apply are:*

- *One additional fortnightly 240L garbage collection service to an individual who has a genuine need due to an ongoing medical condition; or*
- *One weekly 240L garbage collection service; and/or*
- *The upfront fee for a fortnightly 360L recycling service.'*

### **Proposal:**

It is proposed that Council provides financial assistance in response to the request from the individuals identified in Parts A to K as outlined above, as they meet the eligibility criteria of the *Funding Assistance Policy*.

### **Consultation:**

Consultation has occurred with the Executive, Governance Coordinator, Sustainability Department and the Manager Organisational Performance.

### **Implications:**

#### ***Policy Implications:***

The recommendation is consistent with *Council's Funding Assistance Policy*.

#### ***Environmental Implications:***

There are no direct environmental implications associated with this report.

#### ***Social Implications:***

Council's financial assistance to groups, organisations, and individuals assists them to provide services with positive social impacts to the local community and to attract visitors to the City.

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***Infrastructure Asset Implications:***

There are no direct infrastructure asset implications associated with this report.

***Financial Implications:***

If Council endorses the recommendation, it will approve a total of \$7653 in financial assistance which are available within Council's existing waste management budget.

***Risk and Insurance Implications:***

There are no direct risk or insurance implications associated with this report.

**Options:**

The Budget Committee can:

1. Recommend approval of the donations outlined in the report;
2. Amend the amount recommended, keeping in mind funding available

**Conclusion:**

Requests A to K are in accordance with the requirements of the *Funding Assistance Policy* and therefore eligible for support from Council.

Interim Manager Organisational Performance - Alexis Hill

**Attachments:**

Nil

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### **18SP044 Sponsorship funding program**

Council Ref: F2018/00118/02 - D08926485

Report By: Promotions Coordinator - Communications - Jasmyne Munro

#### **Précis:**

This report presents recommendations prepared by Council's Sponsorship Committee for sponsorship funding to be allocated to activities and events, in accordance with Council's Funding Assistance Policy.

#### **Recommendation:**

- A. Council approves multi-year sponsorship funding of \$26,000 for 2018-2019, \$26,000 for 2019-2020 and \$20,000 for 2020-2021 to groups and organisations as outlined in Table 3 in this report.
- B. Council approves one-off sponsorship funding of \$36,500 for 2018-2019, to groups and organisations as outlined in Table 4 in this report.

#### **Background:**

The goal of the sponsorship program is to enhance opportunities for residents and visitors to participate in major community, cultural and sporting activities across the City.

The main objectives of the program are to:

- increase visitation to Lake Macquarie City
- increase economic development in the City, and
- raise the profile of Lake Macquarie City.

Events provide employment opportunities and generate economic benefits by attracting visitors, stimulating the growth of tourism and showcasing local businesses and services.

Council promotes its funding programs to businesses, government agencies and not-for-profit organisations through a variety of advertising platforms and applications will be accepted in two-rounds.

Council will consider multi-year sponsorship, of up to three years if the sponsorship proposals meet the appropriate criteria, outlined below in Table 1.

Any applications received that do not meet the selection criteria are assessed for suitability for Council's other funding programs, including the community event funding program and donations and financial assistance program.

Applications are scored and assessed according to the following criteria:

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**Table 1- selection criteria**

<b>Consideration</b>	<b>Weighting</b>
<p><b>Profile marketing and media opportunities:</b></p> <p>The extent to which the event or activity proposes to positively increase the profile of Lake Macquarie City, and the promotional strategies to be used, including branding, business partnering and value-add opportunities.</p>	30%
<p><b>Economic benefit:</b></p> <p>The degree to which the event or activity provides measurable economic benefit to Lake Macquarie City, including the capability of the event or activity to attract visitors to the City.</p>	25%
<p><b>Social capital:</b></p> <p>The degree to which the event or activity has the potential to have a positive social impact on the community, including cultural impact.</p>	15%
<p><b>Financial viability of the event:</b></p> <p>The degree to which the event or activity is financially viable and sustainable with or without Council sponsorship funding.</p>	15%
<p><b>Environmental sustainability:</b></p> <p>The degree to which the event or activity employs environmentally sustainable practices.</p>	10%
<p><b>Accessibility and inclusivity:</b></p> <p>The degree to which the event demonstrates accessibility for people of all ages, abilities and backgrounds, or provides free or low-cost activities</p>	5%
<b>Total</b>	<b>100%</b>

### **Proposal:**

#### **Existing multi-year sponsor partnerships**

Council approved one sponsorship application for a three-year partnership in 2016-2017. Third-year funding for the multi-year sponsor partnership is \$15,000 in 2018-2019.

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**Table 2- Existing multi-year sponsor partnerships**

<b>Number</b>	<b>Applicant</b>	<b>Event/Activity</b>	<b>Funding sought</b>	<b>Funding recommended</b>	<b>Funding requested/ provided in previous years</b>
1	Surfest (year three of three)	Lake Macquarie Festival of Surfing	\$10,000	\$10,000 in year one, \$12,000 in year two and \$15,000 in year three	Requested \$10,000  Provided \$10,000
<b>Total funding approved for 2018-2019</b>				<b>\$15,000</b>	

**1. Lake Macquarie Festival of Surfing (Surfest)**

Council has been the naming rights sponsor of the Lake Mac Festival of Surfing for the past four years and approved a three-year sponsorship in July 2016 for \$10,000 in 2016-2017, \$12,000 in 2017-2018 and \$15,000 in 2018-2019. This funding arrangement also includes Lake Macquarie City Council being a supporting sponsor of the broader Surfest event.

Surfest launched into Lake Macquarie in 2015. In 2016 and 2017, the event expanded to include the Lake Mac Boardriders Challenge, whilst still incorporating market stalls and engaging local business services. In 2018, the event evolved further to include a new event for stand up paddle boards, in addition to the existing stand up paddle board events in the event program.

The sponsor benefits from this event include brand exposure on radio, print and television advertisements as well as presence on Surfest's social media accounts, which has a reach of more than 400,000 users. There is national and international reach through Surfest's media channels and Lake Macquarie City Council also has the opportunity of engaging with the community at both the Lake Mac Festival of Surfing and broader Surfest events.

**New multi-year sponsor partnerships**

Council has received two applications for multi-year sponsor partnerships requesting a combined total of \$26,000 for 2018-2019, \$26,000 for 2019-2020 and \$20,000 for 2020-2021.

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**Table 3- New multi-year sponsor partnerships**

Number	Applicant	Event/Activity	Funding sought	Funding recommended	Funding requested/ provided in previous years
1	Hunter Academy of Sport	Academy Games	\$6000	\$6000 in year one, \$6000 in year two	Requested \$12,000  Provided \$6000
2	USM Events Pty Ltd	Port to Port MTB	\$20,000	\$20,000 in year one, \$20,000 in year two, \$20,000 in year three	Requested \$10,000  Provided \$10,000
<b>Total new funding recommended for 2018-2019</b>				<b>\$26,000</b>	
<b>Total new funding recommended for 2019-2020</b>				<b>\$26,000</b>	
<b>Total new funding recommended for 2020-2021</b>				<b>\$20,000</b>	

**1. Academy Games**

The Academy Games is a multi-sport games event for the talented youth of regional NSW. Eleven regional academies will participate for three days of games across eight different sports. The games will be held in four different council areas within the Hunter region, being Lake Macquarie, Newcastle, Port Stephens and Maitland. Lake Macquarie will host two events of the eight available.

Recognition to Council will be provided in the form of logo placement on television, print and social media advertising, as well as recognition in radio advertising.

It is estimated that more than 450 athletes, coaches and managers attending the games will participate in an event in Lake Macquarie. Participants will be provided with local tourist information to promote the City.

The Sponsorship Committee rated the application highly in the areas of profile marketing and financial viability and the application is recommended for a two-year multi-year partnership with funding at \$6000 each year until 2019-2020.

**2. Port to Port MTB**

Established in 2014, Port to Port MTB is an international, mountain bike event. Held from 23 to 26 May, the event attracts top Australian riders as well as a selection of international riders.

Featuring Holmesville and Killingsworth, Awaba MTB Park and Cooranbong Park will be the venues and course for Stages 2 and 3.

The sponsor benefits of logo acknowledgement on event promotional material, rider collateral, and signage during the event score highly. Prominent links to [www.visitlakemac.com.au](http://www.visitlakemac.com.au) will also be included on the event website and accommodation options will be promoted to riders and their families.

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The 2018 event attracted up to 830 riders across the four days, an increase from 750 riders in 2017, and the event has continued to grow in attendee numbers since 2014. Event survey data indicate that each participant brought an average of 1.5 supporters with them staying for approximately 5.2 nights.

The event has a sound business and marketing plan and as the application excelled in profile marketing and media opportunities, economic benefit and financial viability, the application is recommended for a three-year partnership with funding at \$20,000 each year until 2020-2021.

### One-off sponsorship

Council has received five applications for one-off sponsorship funding, requesting a total of \$93,050 for 2018-2019.

**Table 4- 2018-2019 one-off sponsorships**

Number	Applicant	Event/Activity	Funding sought	Funding recommended	Funding requested/ provided in previous years
1	Athletics NSW	Hunter Track Classic and Country Championships	\$20,000	\$10,000	Requested \$5000  Provided \$4500
2	Morisset Lake Macquarie Agricultural Association	Morisset Lake Macquarie Show	\$20,000	\$10,000	Requested \$20,000  Provided \$10,000
3	Screen Hunter	The Real Film Festival	\$13,050	\$6500	Requested \$5000  Provided \$4360
4	Royal Motor Yacht Club Toronto	Lakefest	\$20,000	\$0	Requested \$5000  Provided \$2500
5	Rathmines Catalina Memorial Park Association Inc	Rathmines Catalina Festival	\$20,000	\$10,000	Requested \$15,795  Provided \$8000
<b>Total funding recommended for 2018-2019</b>				<b>\$36,500</b>	

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### **1. Hunter Track Classic and Country Championships**

The Hunter Track Classic is a high performance event that has taken place at the Hunter Sports Centre since 2010 and attracts major athletes from across Australia. In 2019, for the first time, Athletics NSW will combine the Hunter Track Classic with the NSW Country Championships, to provide a major athletics event across the Australia Day public holiday weekend.

The three-day competition will see athletics clubs from all over NSW converge in an event that has historically seen up to 800 athletes and their families travel to the venue for a weekend of competition. 2019 is the ten-year anniversary of the Hunter Track Classic.

Athletics NSW will provide logo recognition on the event website, social media and signage at the event. There is also the option for Council to have naming rights of a specific race and branding opportunities on their live stream.

The application excelled in the criteria for profile marketing and media opportunities and accessibility and inclusivity. The application did not rate as highly in the area of financial viability and is recommended for funding at \$10,000.

### **2. Morisset Lake Macquarie Show**

The Morisset Lake Macquarie Show is a community family friendly event. The show provides promotional opportunities for local businesses to display their services, whilst also including agriculture based competitions for individuals.

Council has been offered naming rights sponsorship of the Show and Council's logo will appear on all promotional material such as printed material, social media, newspaper and television advertising. Council will also have a presence on the show's website and in the Show's radio advertising. Based on the previous year, the estimated attendance is approximately 16,000 people with an economic impact to the City of approximately \$1,300,000.

The application excelled in the criteria for profile marketing and media opportunities and economic development. The application did not rate as highly in other areas of the criteria and is recommended for funding at \$10,000.

### **3. The Real Film Festival**

The Real Film Festival is a three-day film industry and community event held between 26 October and 28 October 2018, aimed at showcasing and fostering the art of storytelling through film. Now in its seventh year, the festival has a following in the Hunter and with filmmakers nationally and internationally.

The festival includes screening, workshops for students and industry professionals, master classes, panel discussions and Q&A sessions, with events occurring in Newcastle, Port Stephens and Lake Macquarie. The event in Lake Macquarie will be an outdoor cinema held at Speers Point Park.

As a Principal sponsor of the outdoor cinema, Council will be promoted as a Presenting Partner. Logo representation will be included on flyers, posters, social media, signage and media advertising.

The application excelled in the criteria for profile marketing and media opportunities and social capital. The application did not rate as highly in other areas of the criteria and is recommended for funding at \$6500.

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### 4. Lakefest

To be held between 17 February and 3 March 2019, Lakefest will bring together a range to aquatic groups interested in raising funds for charity. Each group is responsible for hosting their own event during the 10-day festival.

Community involvement in the many events of Lakefest is essential to its success. The event attracts people of all ages, abilities and backgrounds, and attendance at all events is free.

The application scored well in the area of accessibility and inclusivity, however, did not score highly in all other areas of the selection criteria and is not recommended for Sponsorship Funding. Council Officers have recommended that organisers of this event apply for Community Event Funding.

### 5. Rathmines Catalina Festival

The Rathmines Catalina Festival is an annual, community-based, aviation-themed festival expected to attract around 10,000 attendees to the former RAAF base at Rathmines. Traditionally held in October of each year, this year event organisers have decided to hold the event on 20 May 2019.

As a sponsor, Council will be offered acknowledgement in advertisements, programs and promotions, Council's logo placed on the event website and social media pages, and signage at the festival.

The application excelled in the criteria for accessibility, inclusivity and social capital. However, aspects of the profile marketing and media opportunities criteria did not score as highly. Therefore, the application is recommended for funding at \$10,000.

#### **Consultation:**

Consultation occurred with Community Planning staff and Council's Sponsorship Committee in the preparation of this report.

#### **Implications:**

##### ***Policy Implications:***

The recommendation is consistent with the Funding Assistance Policy.

##### ***Environmental Implications:***

There are no environmental implications resulting from the approval of the sponsorships. Individual environmental implications for each event are addressed through Council's event application process.

##### ***Social Implications:***

The sponsorship funding will contribute to the economic development of the City through visitation and profile marketing of the City.

##### ***Infrastructure Asset Implications:***

There are no infrastructure asset implications associated with this recommendation.

##### ***Financial Implications:***

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Council has a budget of \$143,353 to allocate in 2018-2019, including multi-year and one-off sponsorships, with \$124,353 remaining for 2018-2019.

This report recommends allocating \$62,500 for 2018-2019, which leaves a balance of \$61,853 for the second round in February 2019.

This report further recommends Council commit to providing \$26,000 in sponsorship funding in 2019-2020 and \$20,000 in 2020-2021.

### ***Risk and Insurance Implications:***

All events and activities carry their own insurances and must provide evidence of such cover, and full risk assessments must also be provided as part of the application process for all events that occur on Council-owned land or in Council venues.

### **Options:**

1. The preferred option is to adopt the recommendations as outlined in this report.
2. Council may choose not to adopt the recommendations and to determine alternative levels of funding for the specific events, bearing in mind the available funds.

### **Conclusion:**

The sponsorship funding recommended supports Council's policy objectives of raising the City's profile, increasing economic activity and visitation in the City. The recommended sponsorship arrangements also represent good value for the funds Council invests in sponsoring events.

Director Organisational Services - Laura Kendall

### **Attachments:**

*Nil.*

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**18SP045          West Wallsend Swim Centre - Additional Pool Investigation**

Council Ref:        F2016/01177/05 - D08917000  
Report By:         Manager Leisure Services - Brad Sutton

**Précis:**

At Council's Ordinary meeting on 26 March 2018 (18NM004), Council resolved that:

- A. Notes recent comments and correspondence from the community in relation to the construction of an additional pool at the West Wallsend Swimming Centre
- B. Officers prepare a report for Council detailing options to be considered for the delivery of an additional pool
- C. That the project be considered for inclusion in the 2019/2020 budget
- D. That Councillors be kept informed of the progress of this proposal
- E. Councillors be informed on the progress of the proposal and have a report back to Council by July 2018

This report seeks to address this resolution.

**Recommendation:**

That Council:

- A. Endorses the revised Pool Priority Matrix (2018) to prioritise candidate swim centre major capital works
- B. Endorses the revised Pool Priority Matrix (2018) assessment of Speers Point and West Wallsend Swim Centres as the next highest swim centre candidate projects for concept design and feasibility assessment
- C. Notes the development options detailed by staff for West Wallsend Swim Centre

**Background:**

In 2009, Council adopted the Pool Service Delivery Model (PSDM). The intent of the study was to provide strategic infrastructure advice to secure long-term viability of the swim centres. The PSDM was undertaken in two stages. Stage one, involved community consultation, outlined key research findings, developed preliminary designs and recommended an optimum mix of swim centre facilities. Stage two, then developed site sketches, operating and financial scenarios and preliminary capital cost estimates.

In summary, the report recommended the following development priorities for the swim centres:

- Charlestown – short term
- Swansea – short to medium term

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Speers Point – short to medium term  
 Toronto – medium to long term  
 Morisset – medium to long term  
 West Wallsend – medium to long term

Council has recognised for some time, that the plant equipment at the swim centres would need to be replaced independently of whether the PSDM was implemented or not, as the PSDM focussed on capital upgrades and long term centre viability rather than asset replacement due to condition and functionality. In response, in 2013 Council staff produced the Pool Technology Review (PTR) that was based on an audit of all pool plant rooms and a review of the latest pool plant technology. This review also sought to address:

- critical components in Council’s network of ageing aquatic facilities
- amendments to NSW Health Guidelines in 2012

As a result, a separate program of works was developed to replace the plant and equipment based on the PTR. Where possible, existing replacement works programs were reprioritised accordingly and ancillary replacement works deemed necessary due to condition assessments were incorporated in these projects. West Wallsend renewal works completed in 2015 is an example of this approach.

Table 1 below shows a summary of works that have been completed since 2013.

**Table 1**

<b>Date completed</b>	<b>Project</b>	<b>Cost (internal, external, design, fees &amp; construction)</b>
Dec 2014	Speers Point - High Risk Pools separation & splash pool	\$458,000
Dec 2014	Morisset - High risk pool separation	\$372,000
Dec 2014	Swansea - high risk pool separation and splash pool	\$669,000
May 2015	West Wallsend renewal*	\$3,458,983
May 2016	Charlestown - High Risk Pool separation & splash pool	\$482,000
Sept 2017	Swansea - 50m pool façade renewal**	\$678,715
Dec 2017	Speers Point - 50m pool façade renewal**	\$906,532
Jun 2019	Toronto Swim Centre renewal*	\$6,497,788
	<b>Total</b>	<b>\$13,041,500</b>

\*this project was a major renewal that also included other items listed in the PSDM

\*\*these works were a reactive replacement outside the PTR and were prioritised to address failing infrastructure.

Note – Toronto Swim Centre renewal project is due to commence in July 2018 with an expected

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completion period of approximately 12 months.

In 2013, Council staff also established a working group of relevant internal stakeholders to progress the implementation of the PSDM recommendations. The working group analysed the recommendations from PSDM, the PTR and assessed each site individually to develop an up-to-date Pool Priority Matrix (PPM). The primary purpose of the PPM was to ensure the allocation of funds to develop detailed concept plans and associated feasibility assessments incorporated facility condition assessments to address the ageing network of swim centre facilities. Three broad categories were analysed, including:

1. Attendance / population catchment – existing and predicted
2. Condition – existing condition and functionality of the facility
3. Financial – current and predicted performance

In November 2013, Council endorsed a report that used the Pool Priority Matrix and awarded a selective tender report for the design of Charlestown and Swansea Swim Centres to Development Approval stage as the two highest priorities for redevelopment. It should be noted that in 2013 (and 2016/17) Charlestown received approximately double the visits of any other pool and that redevelopment of this pool would impact the greatest amount of users.

The concept plans were completed in 2015 with further work to be done towards sourcing external funds to support these two major aquatic centre proposals estimated at \$37.5m (Charlestown) and \$22.7m (Swansea).

The two next highest priorities listed in the 2013 Pool Priority Matrix were Speers Point and West Wallsend (Toronto moved to fifth and Morisset to sixth which updated the recommendations of the PSDM).

Until recently, the 2013 Pool Priority Matrix has been used in the prioritisation of major capital works at our swim centres with the presumption that population growth is largely consistent with the forecasts in 2013 and there has been little changes with regard to asset condition. This presumption is largely supported after the recent update of the Pool Priority Matrix (2018) with minor changes in the relative scores that have not impacted on the priorities as reviewed in 2013.

Table 2 below, shows a summary of the Pool Priority Matrix developed in 2013 updated with current pool performance 2018 data. Attachment 1 provides a summary of the definitions of each of the matrix criteria.

### **Table 2**

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Pool	1. Last 3 years annual average visits (normalised)	2. Projected residential population 2027 (normalised)#	3. Condition of existing asset (10 is poor, 1 is good)	4. Site conditions suitable for future development	5. Increase of visits from 2006 to proposed PSDM	6. Current visits compared with CERM (normalised)*	7. Current Ave Deficit / current Ave visits (deficit per visit) (normalised)	8. Proposed reduction of deficit based on PSDM (normalised)	9. Proposed deficit/prop visits based on PSDM (normalised)	Total 2018	Total 2013
Charlestown	10	10	9	9	10	10	10	9	10	87	87
Swansea	5	3	10	5	0	2	8	7	2	43	49
Speers Point**	3	6	7	6	2	0	6	7	5	42	37
West Wallsend###	5	3	3	8	2	0	5	10	4	39	35
Toronto	2	3	7.5	4	4	0	3	6	5	33	34
Morisset	3	2	5	6	0	0	6	0	1	25	20

\* A measure of current performance compared with industry benchmarks

\*\* Based on large water park which includes admission fees

# Swansea and Morisset catchments larger due to location of residential areas

### West Wallsend currently underperforming when compared to CERM data. Predicted income maybe not be achieved based on current relative performance

Consideration of this previously adopted approach is deemed necessary to confirm that Charlestown and Swansea remain first and second for the purpose of pursuing external grants.

Council staff have undertaken additional analysis specific to West Wallsend as per the Council resolution in March 2018. This analysis includes a range of options including the original proposal for the development of West Wallsend in the PSDM (2009), suggestions contained in recent community requests and a number of potential alternatives prepared by staff.

To support this review council staff have also prepared a summary of community requests for an additional pool at West Wallsend provided and a summary of the facility survey results for West Wallsend from 2018 provided as Attachment B.

Preparation of development options for West Wallsend including estimated costs, operational impact, advantages and disadvantages as well as a list of notable observations regarding the proposal to upgrade West Wallsend is provided as Attachment C. Following is a summary of the options detailed in Attachment C;

**Option 1 – PSDM model:** this option retained all the features presented in the 2009 Pool Service Delivery Model. This option includes the existing indoor facility adding an outdoor leisure water pool containing 2 x 25m lane space for swimming. This model would provide additional seasonal water space. Current industry data indicate that a Group 6 facility (indoor) may receive fewer visitations when compared to a Group 7 facility (indoor and outdoor) and that this option may not be as beneficial in term of attendance and operational cost recovery as other options presented. This option is estimated at \$4.8 million and would partially address some of the concerns raised in the submissions detailed in Attachment C with regard to swim lane availability.

**Option 2 – Current Centre extension:** This option contains a number of variations that incorporate extension of the current indoor pool facilities including an additional indoor program and hydrotherapy pool, gym facility and outdoor water play. The detailed design of this option would be constrained by the current site, however largely caters for concerns raised in the submissions (detailed in Attachment B) with the exception of an outdoor 50m pool. This option is estimated between \$8million and \$15.2million based on specific inclusions of the mix of additional facilities listed.

**Option 3 – New Site:** This option would see a new facility built in the West Wallsend catchment area seeking to address some of the physical site constraints. This option caters for all concerns raised in the submissions (detailed in Attachment B) including an outdoor 50m facility. This option is estimated between \$17.2million and \$41million based on specific inclusions of the mix of additional facilities listed.

## Special Report of the Director of Service Delivery to Ordinary Council Meeting 23 July 2018

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The staff analysis of the various options available for the future development of the West Wallsend Swim Centre provides a sound assessment foundation that can be utilised in future detailed concept design, feasibility analysis and community consultation.

### **Proposal:**

The proposal is three-fold:

Council staff:

- a) Endorse the updated Pool Priority Matrix score placing Speers Point and West Wallsend Swim Centres as the next two highest swim centre candidates for the preparation of detailed concept design and feasibility analysis (including community and stakeholder consultation).
- b) Note the options provided by staff regarding the future development of West Wallsend Swim Centre and endorse these options as the basis of future detailed concept plans, feasibility analysis and consultation for this facility.
- c) Endorse Speers Point and West Wallsend swim centre development as the next candidate projects to be considered for funds to prepare detailed concept plans, feasibility analysis and community consultation.

### **Consultation:**

Extensive consultation occurred during the preparation of the PSDM. This included three community workshops, Council Staff workshops, a household survey, individual stakeholder consultation, and a public invitation to comment. The strategic principles applied during the development and subsequent adoption of the PSDM is considered, in principle, relevant to the prioritisation of aquatic and swim centre development and are included in the updated Pool Priority Matrix (2018).

Community engagement is a standard component during the development of concept and detailed design documentation for high profile facilities such as a community swim centre. The timing of any further community consultation is considered more prudent during the design process. This will ensure all relevant alternative options and community aspirations have been captured in a timely manner and are considered and reflected in the final design analysis.

Recent community correspondence specific to the development of West Wallsend, and recent facility user surveys (Attachment B), were considered during the preparation of this report and the options presented in Attachment C.

Consultation with the Lifestyle & Wellbeing Portfolio Group was held following the preparation of this report. This included a brief presentation of the PSDM and Pool Priority Matrix principles that underpinned staff's current approach to Council managed aquatic facility development and renewal in Lake Macquarie.

Internal consultation was held with:

- Chief Financial Officer
- Manager Leisure Services
- Manager Asset Management
- Community Assets Section Manager
- Sports Facility Planner – Community Planning
- Team Leader West Wallsend and Speers Point Swim Centres

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### **Implications:**

#### ***Policy Implications:***

In June 2009, Council adopted the Pool Service Delivery Model to provide a strategic direction for the future development of Council of community swimming centres.

In May 2013, Council endorsed a report recommending Charlestown and Swansea Swim Centres as the two highest priority centres for re-development. This report included an update on the PSDM and introduced the Pool Priority Matrix (2013) to confirm the priority of the top two swim centres and an endorsement from Council to engage consultants to design and document the redevelopment of Charlestown and Swansea Swim Centres for Development Approval.

This report is consistent with the adopted resolutions of Council in 2009 and 2013 and provides an updated Pool Priority Matrix that reconfirms these priorities. The recommendations of this report would allow future budget process consideration to progress detailed concept design for the next two highest priority swim centres for redevelopment in Speers Point (3<sup>rd</sup>) and West Wallsend (4<sup>th</sup>).

Council staff have updated key baseline information such as industry benchmarks, asset condition, functionality and capacity data as well as key demographic and catchment growth details consistent with the analysis principles supporting the recommendations to endorse the PSDM 2009 and updated Pool Priority Matrix (2018).

#### ***Environmental Implications:***

There are no environmental implications for Council associated with these recommendations. The selection criteria for any future design consultancy will contain appropriate and relevant environmental sustainable design criteria.

#### ***Social Implications:***

The public swimming centres and their associated services and activities form an integral component of the fabric of the local community. They provide an opportunity for residents and visitors to participate in a range of affordable activities in a positive recreational environment. Additionally, the contribution the centres make towards the overall health and well-being of the community is significant. Ensuring appropriate objective analysis to support the timely renewal and redevelopment of the relevant centres is important to support the growing social fabric of Lake Macquarie.

#### ***Infrastructure Asset Implications:***

The updated analysis undertaken in the Pool Priority Matrix in both 2013 and 2018 integrates important asset condition and functionality assessment components. This component of the assessment is particularly important due to the aging portfolio of community swim centres owned by Council. This updated assessment criteria compliments the principles developed in the PSDM and seeks to balance the need for timely replacement of ageing facilities whilst assessing and accommodating future growth through a proactive program of design and feasibility analysis.

As a result of the preparation of this report a number of continuous improvement items have been identified and will be incorporated into routine asset revaluation and assessment processes.

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### ***Financial Implications:***

There are no financial implications associated with the recommendations of this report. The consideration of the Pool Priority Matrix in preparing future budgets will ensure the appropriate allocation of design funds and consideration of feasibility analysis for future development of Council owned swim centres.

It is recommended that an appropriately qualified quantity surveyor be engaged to provide cost estimates associated with future detailed concept design and subsequent feasibility analysis.

If the alternate option is adopted, funds required for concept design and feasibility analysis will be approximately \$200-250K. The estimates for capital development options range between \$4 million and \$41 million.

### ***Risk and Insurance Implications:***

There are no risks or insurance implications associated with the recommendations of this report.

### **Options:**

There are two viable options associated with the recommendation. These include:

- a) Adopt the recommendations as presented. The advantage of this option ensures a considered approach to future swim centre development in Lake Macquarie drawing upon updated assessment data
- b) Reject the report recommendations and endorse West Wallsend as the highest priority swim centre for redevelopment in Lake Macquarie. This option is not supported, as it does not consider the key core assessment data as detailed in this report. By pursuing the higher rated options for re-development there is a higher likelihood to positively impact the network swim centres' usage and performance as well as addressing major infrastructure renewal requirements associated with an aging network of facilities. If Council resolve to adopt this option, or another alternate recommendation regarding the prioritisation of the development of LMCC community swim centres, there may also be some unforeseen impact on future grant applications. Through alignment of a staged asset renewal program and new development works, there is a greater opportunity to partner with State and Federal grant opportunities.

### **Conclusion:**

Council staff have undertaken a comprehensive review of the Pool Priority Matrix (2013) and have updated core assessment data including:

1. Attendance / population catchment – existing and predicted
2. Condition – existing condition and functionality of the facility
3. Financial – current and predicted performance

This approach draws upon key principles of the Pool Service Delivery Model (2009) and Pool Priority Matrix (2018). The review included consultation with various stakeholder departments and will ensure the appropriate prioritisation of future swim centre development in Lake Macquarie.

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The acceptance of the recommendation will enable designs for the Speers Point and West Wallsend Swim Centre redevelopments to be considered as the next highest priorities for preparation of detailed concept plans and feasibility analysis and retain Charlestown and Swansea Swim Centre as the two highest priorities for redevelopment.

Manager Leisure Services - Brad Sutton

### Attachments:

- |  |           |
|--|-----------|
| 1. West Wallsend Swim Centre - Additional Pool Investigation - Attachment A - Pool Priority Matrix Definitions                     | D08936333 |
| 2. West Wallsend Swim Centre - Additional Pool Investigation Report - Attachment B - Customer Requests and Customer Survey Results | D08936334 |
| 3. West Wallsend Swim Centre - Additional Pool Investigation Report - Development Options - Final                                  | D08936847 |

**Attachment A - Pool Priority Matrix Scores Definitions**

1. 3 year annual average visits (normalised) – provides visitation statistics for each Lake Mac Swim Centres. Using a 3 year average (2015/16 to 2017/18) improves reliability of data and accounts for effects weather fluctuations and other impacts on usage trends. This indicator accounts for the existing average number of visits impacted
2. Projected residential population 2027 (normalised) – provides projected catchment growth data for analysing and predicting potential facility performance based CERM performance statistics and centre needs.
3. Condition of existing asset (10 is poor, 1 is excellent) – score is based on facility condition and need for major replacement to reliably continue operation.
4. Site conditions suitable for future development – scores the ability to embellish the facility in line with PSDM and related options. It also considers impact of intensification of site use when considering development compliance requirements e.g. car par parking
5. Increase of visits from 2006 to proposed PSDM projections (CERM facility category changes) – considers options raised by PSDM and applies potential visitation increases based on CERM performance indicators applied to the relevant mix of proposed facilities.
6. Current visits compared with CERM PI (normalised)\* - Compares existing visitation to national averages provided through CERM PI study
7. Current Ave Deficit / current Ave visits (deficit per visit) (normalised) – Provides a score based on current subsidy per visit
8. Proposed reduction of deficit based on PSDM (normalised) – Uses proposed model upgrades from PSDM to provide forecast deficit reduction due to planned improvements to facility
9. Proposed deficit/prop visits based on PSDM (normalised) Uses current subsidy rates (ave deficit/ave visits) and forecast subsidy and applies projected visitation to score the relative impact on cost recovery at each centre

## Attachment B - Customer Request Summary and 2018 Facility User Survey Results

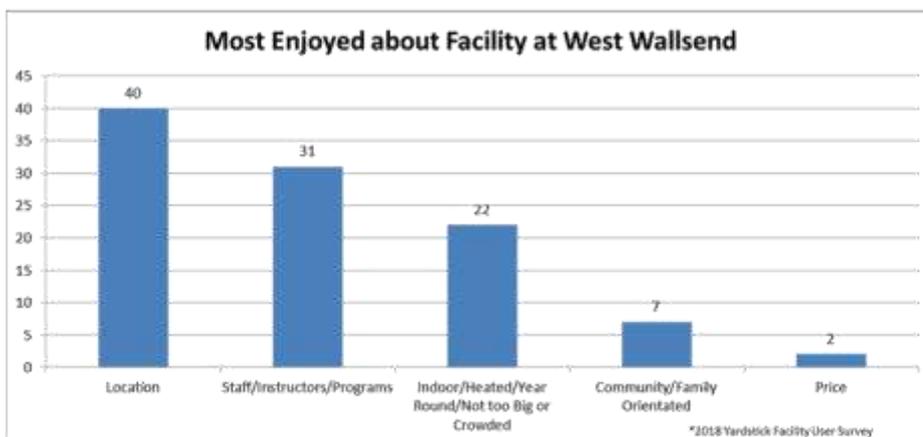
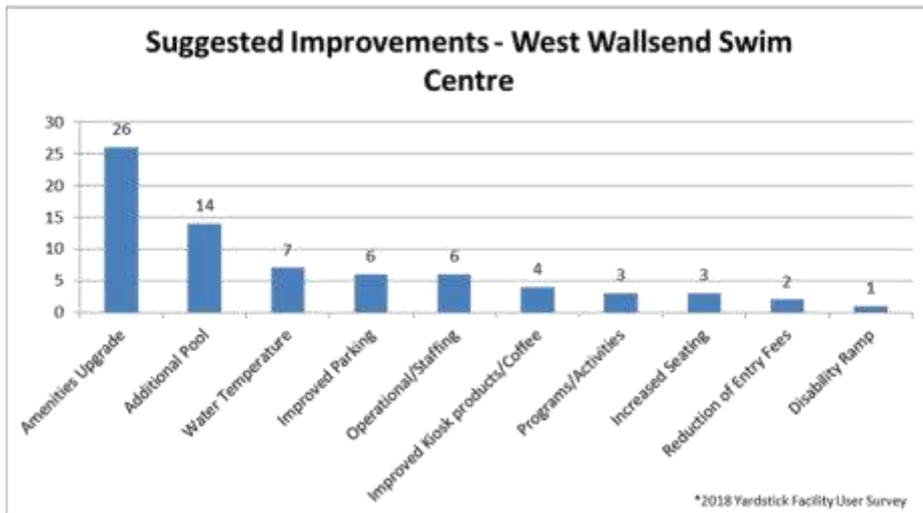
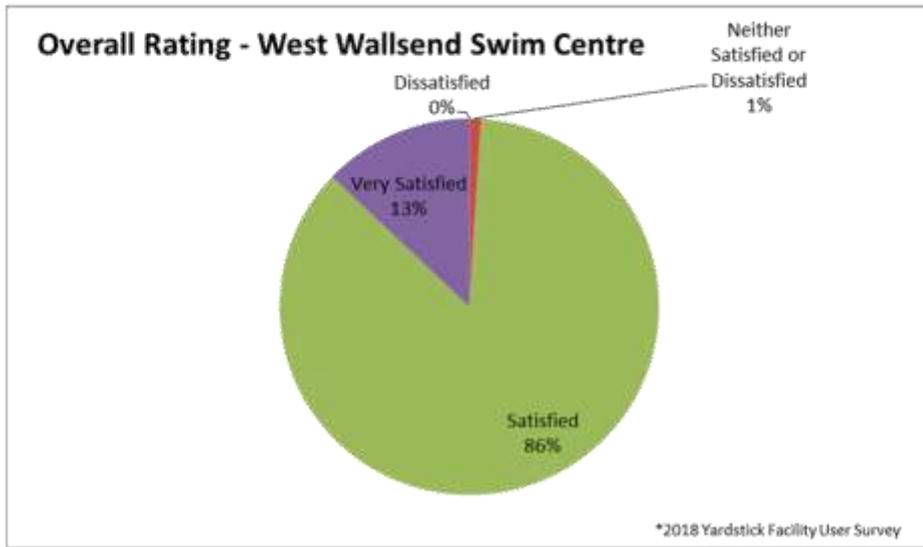
### Requests received via Councillors – March & April 2018

SIR Number	Date Received	Customer	Request	Response
1897290	5/03/2018	Mayor Kay Fraser (on behalf of resident)	<b>Request for Expansion of West Wallsend Pool</b> - complex is becoming inadequate to service the area - limited lane space available for casual swimmers due to programs - notes the surrounding population increases will put further strain on pool resources - one 25m pool is not big enough to fulfil the needs of many residents <i>*Duplicate request received directly from this resident</i>	Council staff will prepare a report for Council detailing options to be considered for the delivery of an additional pool as per GB item 18GB022. I will endeavour to provide further updates on the review and the subsequent report to all Councillors in the coming weeks.
1900704	16/03/2018	Cr Brian Adamthwaite	<b>West Wallsend Pool Usage</b> - request comparative figures for overall usage and Learn to Swim activities for 2015 and 2017 at West Wallsend	Figures for Attendance and Learn to Swim provided for 2015/16, 2016/17. Council staff have commenced a review of key elements of the Pool Service Delivery Model in order to prepare a report for Council detailing options to be considered for the delivery of an additional pool as per GB item 18GB022.
1901304	19/03/2018	Mayor Kay Fraser (on behalf of resident)	<b>Request for Additional Pool at West Wallsend Swim Centre</b> - need for an additional pool (50m) to supplement existing 25m due to growth in the area - unable to get lane space at times due to squads or programs	Council staff will prepare a report for Council detailing options to be considered for the delivery of an additional pool as per GB item 18GB022. I will endeavour to provide further updates on the review and the subsequent report to all Councillors in the coming weeks.
1902148	22/03/2018	Cr Barney Langford (on behalf of resident)	<b>Request for Additional Pool at West Wallsend Swim Centre</b> - need for an additional pool (50m) to supplement existing 25m due to growth in the area - unable to get lane space at times due to squads or programs	Council staff will prepare a report for Council detailing options to be considered for the delivery of an additional pool as per GB item 18GB022. I will endeavour to provide further updates on the review and the subsequent report to all Councillors in the coming weeks.
1902442	22/03/2018	Mayor Kay Fraser (on behalf of resident)	<b>Request to have an additional Pool at West Wallsend Swim Centre</b> - need for an additional pool to supplement existing 25m due to growth in the area - Swimming club and programs often take up the whole pool	Council staff will prepare a report for Council detailing options to be considered for the delivery of an additional pool as per GB item 18GB022. I will endeavour to provide further updates on the review and the subsequent report to all Councillors in the coming weeks.
1905514	5/04/2018	Mayor Kay Fraser (on behalf of resident)	<b>West Wallsend Pool</b> - no longer use the pool due to overcrowding and lack of supervision of young people - 50m pool and toddler pool would fix this problem along with active supervision - development in the area will only add to the problem	Council staff will prepare a report for Council detailing options to be considered for the delivery of an additional pool as per GB item 18GB022. I will endeavour to provide further updates on the review and the subsequent report to all Councillors in the coming weeks.

## Requests received directly from customers – March 2018

SR Number	Date Received	Request	Response
1897806	6/03/2018	<b>Request for upgrade to West Wallsend Pool</b> - complex is becoming inadequate to service the area - limited lane space available for casual swimmers due to programs - notes the surrounding population increases will put further strain on pool resources - one 25m pool is not big enough to fulfil the needs of many residents *Duplicate request received from Mayor on behalf of this resident	Response to resident advising that a review of the PSDM is underway with outcomes to be delivered to Council in July 2018
1897924	6/03/2018	<b>Request potential expansion of West Wallsend Swim Centre</b> - need to start planning for installation of a 50m Olympic sized pool to accommodate the flood of people waiting to use the facility - believe the increased development in the area will put uncontrolled pressure on the present facility - no lanes available for casual swimmers - currently travel 12kms to use facility as it is well run and operated	Response to resident advising that a review of the PSDM is underway with outcomes to be delivered to Council in July 2018
1897926	6/03/2018	<b>Request potential expansion of West Wallsend Swim Centre</b> - need a 50m pool to supplement the current 25m due to major growth areas in new suburbs - many times there are no lanes available for public to swim - programs make very limited availability to local patrons wishing to swim for health reasons	Response to resident advising that a review of the PSDM is underway with outcomes to be delivered to Council in July 2018
1899918	14/03/2018	<b>Request for additional pool at West Wallsend Swim Centre</b> - need a 50m pool to supplement the current 25m due to major growth areas in new suburbs - many times there are no lanes available for public to swim	Comments noted for consideration in review
1901026	19/03/2018	<b>Request for release of funding for extending West Wallsend Swim Centre</b> - excellent facility, compromised by lack of size - growth area without the luxury of a lake or ocean suffers a lack of swimming pools - would it be possible for Lake Macquarie Council to release funds in the next budget for extending the complex, preferably with a 50m pool	Report to be presented to Council in July following a review of the Pool Service Delivery Model

2018 Yardstick Facility User Survey Results



## Attachment C - West Wallsend Pool – Options for Improvement

Option 1 – PSDM model			
This option retains the existing indoor facility and aims to add outdoor leisure pool that includes 2x25m lane space for swimming and walking.			
Advantages	<ul style="list-style-type: none"> <li>• Small increase in additional lane space</li> <li>• Offers additional space (during summer)</li> <li>• Provides space for recreation and leisure</li> </ul>		
Disadvantages	<ul style="list-style-type: none"> <li>• Outdoor option limited to seasonality</li> <li>• Increased supervision requirements due to indoor/outdoor nature of facility</li> <li>• Does not fully address peak program attendance impact on lane availability year round</li> <li>• Does not provide additional warm water for hydrotherapy / lessons</li> <li>• Projected reduction in cost recovery moving from indoor to combination indoor / outdoor facility</li> <li>• Limits long term development alternatives</li> <li>• This model will not benefit programming as preference for learn to swim is indoor facilities. In the last 10 years, there has been an increase in specialist LTS facilities and these have all been purpose built indoor facilities. Moving programming outdoors will reduce the numbers and increased cancellations due to weather events (50% seasonal reduction in LTS at outdoor pools within the LGA) and is not in keeping with current minimum learn to swim customer expectations</li> </ul>		
Constraints	<ul style="list-style-type: none"> <li>• Site is irregularly shaped / limited due to neighbouring houses and creek</li> <li>• Design limitations on what can be placed on site due to existing infrastructure</li> </ul>		
Capital Cost	<ul style="list-style-type: none"> <li>• \$4,000,800</li> </ul>		
Operational Data	<u>2016/17</u> <ul style="list-style-type: none"> <li>• Visits 73,268</li> <li>• Existing catchment multiple 3.4</li> <li>• Income \$508,537</li> <li>• Expenditure \$1,065,414</li> <li>• Deficit \$556,877</li> <li>• Subsidy \$7.60 per entry</li> <li>• Cost recovery 48%</li> </ul>	<u>CERM Factor Group 6 Facility</u> <ul style="list-style-type: none"> <li>• Avg Visits 329,068</li> <li>• Catchment multiple 5.1</li> <li>• Avg income \$1,853,269</li> <li>• Avg Expenditure \$2,276,773</li> <li>• Avg Subsidy 1.64 per entry</li> <li>• Cost Recovery 62%</li> </ul>	<u>Forecast Data for Option 1 facility upgrade</u> <ul style="list-style-type: none"> <li>• Avg Visits 157,111</li> <li>• Income \$684,826</li> <li>• Expenditure \$1,087,025</li> <li>• Deficit \$202,198</li> <li>• Subsidy \$1.86 per entry</li> <li>• Cost recovery 61%</li> </ul>
Demonstrated need	<ul style="list-style-type: none"> <li>• Option 1 is to increase the size of the West Wallsend Swim Centre in the medium to long-term future.</li> <li>• CERM PI averages for capacity (visits per m<sup>2</sup>), combined with population and utilisation figures, demonstrate that there is currently spare capacity of the West Wallsend facility. CERM PI average 80 visits per m<sup>2</sup>, current average at West Wallsend is 52 visits per m<sup>2</sup>.</li> <li>• 15 year population estimates indicate that there will be a catchment population (5km) of 25,000-33,000 for West Wallsend. This figure will still be only 50% of the average catchment population for facilities of a similar nature according to CERM PI (66,000).</li> <li>• Current catchment multiple (visits per head of population) indicate that West Wallsend has the lowest catchment multiple when compared to CERM PI averages. Similar facilities have catchment multiples of 6.3 visits per head of population where West Wallsend currently has 3.4 visits per head of population.</li> <li>• ABS Participation statistics for the West Wallsend area indicate that there is a potentially lower participation rate in activity. Demography assessment suggests options for increased program and hydrotherapy should be considered higher priority than putting in additional lane space such as a 50 metre pool.</li> </ul>		

Option 2 – Current Centre Extension									
This option will look to remove current site limitations and increase useability of the facility. It will incorporate additional indoor pool facilities to be used for programming, leisure and hydrotherapy.									
	Option A 25 m indoor pool (existing) 15x15m indoor program pool			Option B 25m indoor pool (existing) 15x15m indoor program pool 800m <sup>2</sup> gym Outdoor water play area			Option C 25m indoor pool 15x15m indoor program pool Outdoor Leisure / water play area		
Advantages	<ul style="list-style-type: none"> <li>• Increase in available pool space</li> <li>• Potential for better climate control of water for different activities</li> <li>• Year round access to larger body of water</li> <li>• Potential increase in revenue through hydrotherapy options for downtime in LTS</li> <li>• Retains clubrooms</li> <li>• 225m<sup>2</sup> increase in available area for programs/hydrotherapy</li> </ul>			<ul style="list-style-type: none"> <li>• Increase in available pool space</li> <li>• Potential for better climate control of water for different activities</li> <li>• Year round access to larger body of water</li> <li>• Potential increase in revenue through hydrotherapy options for downtime in LTS</li> <li>• Retains clubrooms</li> <li>• 225m<sup>2</sup> increase in available area for programs/hydrotherapy</li> <li>• Addition of gym will potentially increase revenue through increased visitations</li> <li>• Potential for increase of revenue through increased secondary spend</li> </ul>			<ul style="list-style-type: none"> <li>• Increase in available pool space</li> <li>• Potential for better climate control of water for different activities</li> <li>• Year round access to larger body of water</li> <li>• Potential increase in revenue through hydrotherapy options for downtime in LTS</li> <li>• Retains clubrooms</li> <li>• 225m<sup>2</sup> increase in available area for programs/ hydro</li> <li>• Outdoor leisure area increases availability of space for recreation/play</li> <li>• Outdoor leisure area may reduce demand on public lane swimming space</li> <li>• Potential for increase of revenue through increased secondary spend</li> </ul>		
Disadvantages	<ul style="list-style-type: none"> <li>• Moves building closer to residents</li> <li>• Increased expenditure through need for additional staff and utilities</li> </ul>			<ul style="list-style-type: none"> <li>• Moves building closer to residents</li> <li>• Increased expenditure through need for additional staff, utilities and equipment</li> <li>• May require additional entry points / remodified access</li> </ul>			<ul style="list-style-type: none"> <li>• Moves building closer to residents</li> <li>• Increased expenditure through need for additional staff and utilities</li> <li>• May require additional entry points/remodified access</li> <li>• Increased supervision may be needed due to indoor/outdoor nature of facility</li> <li>• Improvements may be affected by seasonality with outdoor nature of water play area</li> </ul>		
Constraints	<ul style="list-style-type: none"> <li>• Site is irregularly shaped / limited due to neighbouring houses and creek</li> <li>• Limitations on what can be placed on site due to existing infrastructure</li> </ul>			<ul style="list-style-type: none"> <li>• Site is irregularly shaped / limited due to neighbouring houses and creek</li> <li>• Limitations on what can be placed on site due to existing infrastructure</li> <li>• Need to consider impact on residents and proximity to neighbours</li> </ul>			<ul style="list-style-type: none"> <li>• Site is irregularly shaped / limited due to neighbouring houses and creek</li> <li>• Limitations on what can be placed on site due to existing infrastructure</li> <li>• Need to consider impact on residents and proximity to neighbours</li> </ul>		
Capital Cost	• \$8,053,800			• \$15,276,300			• 10,648,800		
Operational Cost	2016/17 <ul style="list-style-type: none"> <li>• Visits 73,268</li> <li>• Existing catchment multiple 3.4</li> <li>• Income \$508,537</li> <li>• Expenditure \$1,065,414</li> <li>• Deficit \$556,877</li> <li>• Subsidy \$7 60</li> <li>• Cost recovery 48%</li> </ul>	CERM PI Factor Group 7 Facility <ul style="list-style-type: none"> <li>• Avg Visits 342,675</li> <li>• Catchment Multiple 6.3</li> <li>• Avg income \$2,343,292</li> <li>• Avg Expenditure \$2,800,144</li> <li>• Avg Subsidy \$0.63</li> <li>• Cost Recovery 88%</li> </ul>	Forecast Data option 2a extension <ul style="list-style-type: none"> <li>• Visits 138,287</li> <li>• Income \$945,638</li> <li>• Expenditure \$1,130,002</li> <li>• Deficit \$184,363</li> <li>• Subsidy \$1.38</li> <li>• Cost recovery 84%</li> </ul>	2016/17 <ul style="list-style-type: none"> <li>• Visits 73,268</li> <li>• Existing catchment multiple 3.4</li> <li>• Income \$508,537</li> <li>• Expenditure \$1,065,414</li> <li>• Deficit \$556,877</li> <li>• Subsidy \$7 60</li> <li>• Cost recovery 48%</li> </ul>	CERM PI Factor Group 7 Facility <ul style="list-style-type: none"> <li>• Avg Visits 342,675</li> <li>• Catchment Multiple 6.3</li> <li>• Avg income \$2,343,292</li> <li>• Avg Expenditure \$2,800,144</li> <li>• Avg Subsidy \$0.63</li> <li>• Cost Recovery 88%</li> </ul>	Forecast Data option 2b extension <ul style="list-style-type: none"> <li>• Visits 230,478</li> <li>• Income \$1,576,064</li> <li>• Expenditure \$1,883,336</li> <li>• Deficit \$307,272</li> <li>• Subsidy \$2.29</li> <li>• Cost recovery 84%</li> </ul>	2016/17 <ul style="list-style-type: none"> <li>• Visits 73,268</li> <li>• Existing catchment multiple 3.4</li> <li>• Income \$508,537</li> <li>• Expenditure \$1,065,414</li> <li>• Deficit \$556,877</li> <li>• Subsidy \$7 60</li> <li>• Cost recovery 48%</li> </ul>	CERM PI Factor Group 8 Facility <ul style="list-style-type: none"> <li>• Avg Visits 342,675</li> <li>• Catchment Multiple 5.1</li> <li>• Avg income \$2,343,292</li> <li>• Avg Expenditure \$2,800,144</li> <li>• Avg Subsidy \$0.63</li> <li>• Cost Recovery 88%</li> </ul>	Forecast Data option 2c extension <ul style="list-style-type: none"> <li>• Visits 156,725</li> <li>• Income \$752,102</li> <li>• Expenditure \$1,280,668</li> <li>• Deficit \$171,868</li> <li>• Subsidy \$1.58</li> <li>• Cost Recovery 81%</li> </ul>

<p>Demonstrated need</p>	<ul style="list-style-type: none"> <li>Option 2a provided to increase the size of the West Wallsend pool in the medium to long-term future.</li> <li>CERM PI averages for capacity (visits per m<sup>2</sup>) combined with population and utilisation figures demonstrate that there is currently spare capacity of the West Wallsend facility. CERM PI average 88 visits per m<sup>2</sup>, current average at West Wallsend 52 visits per m<sup>2</sup>.</li> <li>15 year population estimates indicate that there will be a catchment population (5km) of 25,000-33,000 for West Wallsend. This figure will still be only 50% of the average catchment population for facilities of a similar nature according to CERM PI.</li> <li>Current catchment multiple (visits per head of population) indicate that West Wallsend has the lowest catchment multiple when compared to CERM PI averages. Similar facilities have catchment multiples of 6.3 visits per head of population where West Wallsend currently has 3.4 visits per head of population.</li> <li>This option increases the available space for programming and hydrotherapy or warm water but does not increase leisure water. Current usage statistics point to a decrease in general entry and an increase in programming within the centre.</li> <li>This option potentially reduces cost recovery as additional staff may be required for supervision of facilities but additional revenue may not be present due to lower attendance in general entry</li> <li>ABS Participation statistics for the West Wallsend area indicate that there is a potentially lower participation rate. Demographic statistics from West Wallsend suggest options for increased program and hydrotherapy should be considered in models for improvement.</li> </ul>	<ul style="list-style-type: none"> <li>Option 2b provided to increase the size of the West Wallsend pool in the medium to long-term future.</li> <li>CERM PI averages for capacity (visits per m<sup>2</sup>) combined with population and utilisation figures demonstrate that there is currently spare capacity of the West Wallsend facility. CERM PI average 88 visits per m<sup>2</sup>, current average at West Wallsend 52 visits per m<sup>2</sup>.</li> <li>15 year population estimates indicate that there will be a catchment population (5km) of 25,000-33,000 for West Wallsend. This figure will still be only 50% of the average catchment population for facilities of a similar nature according to CERM PI.</li> <li>Current catchment multiple (visits per head of population) indicate that West Wallsend has the lowest catchment multiple when compared to CERM PI averages. Similar facilities have catchment multiples of 6.3 visits per head of population where West Wallsend currently has 3.4 visits per head of population.</li> <li>This option increases the available space for programming and hydrotherapy or warm water but does not increase leisure water. Centres with increased leisure water have shown increased patronage in the years following the introduction of play/leisure equipment.</li> <li>Current usage statistics point to a decrease in general entry and an increase in programming within the centre, reflecting the need for additional pool space at peak times of the day.</li> <li>Increase in revenue through addition of gym facilities may occur with this option. Cost recovery would still need addressing through investigation of how to draw wider audience to use pool space outside peak times</li> <li>Combining gym and aquatic space forms the best provision of activities within the catchment area. There are limited facilities currently available within the catchment for gymnasium facilities</li> <li>ABS Participation statistics for the West Wallsend area indicate that there is a potentially lower participation rate. Demographic statistics from West Wallsend suggest options for increased program and hydrotherapy should be considered in models for improvement.</li> <li>The development of new water elements are focused on being able to support multiple activities in addition to swimming</li> </ul>	<ul style="list-style-type: none"> <li>Option 2c provided to increase the size of the West Wallsend pool in the medium to long-term future.</li> <li>CERM PI averages for capacity (visits per m<sup>2</sup>) combined with population and utilisation figures demonstrate that there is currently spare capacity of the West Wallsend facility. CERM PI average 88 visits per m<sup>2</sup>, current average at West Wallsend 52 visits per m<sup>2</sup>.</li> <li>15 year population estimates indicate that there will be a catchment population (5km) of 25,000-33,000 for West Wallsend. This figure will still be only 50% of the average catchment population for facilities of a similar nature according to CERM PI.</li> <li>Current catchment multiple (visits per head of population) indicate that West Wallsend has the lowest catchment multiple when compared to CERM PI averages. Similar facilities have catchment multiples of 6.3 visits per head of population where West Wallsend currently has 3.4 visits per head of population.</li> <li>This option increases the available space for programming and hydrotherapy or warm water but does not increase leisure water. Centres with increased leisure water have shown increased patronage in the years following the introduction of play/leisure equipment.</li> <li>Current usage statistics point to a decrease in general entry and an increase in programming within the centre, reflecting the need for additional pool space at peak times of the day.</li> <li>Increase in revenue through addition of gym facilities may occur with this option. Cost recovery would still need addressing through investigation of how to draw wider audience to use pool space outside peak times</li> <li>Combining gym and aquatic space forms the best provision of activities within the catchment area. There are limited facilities currently available within the catchment for gymnasium facilities</li> <li>ABS Participation statistics for the West Wallsend area indicate that there is a potentially lower participation rate. Demographic statistics from West Wallsend suggest options for increased program and hydrotherapy should be considered in models for improvement.</li> <li>The development of new water elements are focused on being able to support multiple activities in addition to swimming</li> </ul>
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Option 3 – New Site			
This option would see a new facility built in the West Wallsend catchment area. There are a number of potential sites identified that may be viable, but would require further investigation and consultation with relevant stakeholders.			
	Option A	Option B	Option C
	25m indoor pool 15x15m program pool Indoor leisure/splash pad 1500m <sup>2</sup> gym and program rooms 50m outdoor pool with shade shelters and BBQ	25m indoor pool 15x15 indoor program pool Indoor leisure/splash pad 1500m <sup>2</sup> gym and program rooms	25m indoor pool 50m outdoor pool shade shelters and BBQ
Advantages	<ul style="list-style-type: none"> <li>New site, provides option for more effective planning and addresses limitations at current location</li> <li>Would provide new infrastructure and capability for latest innovations in sustainability and technology</li> <li>Greater scope for inclusions than what could occur at current site</li> <li>Potential integrations with other sport and recreation facilities could create a precinct for like activities</li> <li>Potential to include additional facilities such as gymnasium, multi-purpose courts not currently present in the area.</li> <li>Increased usage due to multi use capabilities</li> <li>Construction could be phased to meet medium to long term development</li> <li>Potential to use program rooms for physio/massage/programmed classes to provide additional income</li> <li>Potential increase in secondary spend</li> <li>If linked to a 'sports activity precinct' there is increased visibility in the centre</li> <li>Increase in revenue through increased school carnivals/ activities</li> <li>Provides more open space for family leisure</li> <li>The development of new water elements are focused on being able to support multiple activities in addition to swimming</li> </ul>	<ul style="list-style-type: none"> <li>New site, provides option for more effective planning and addresses limitations at current location</li> <li>Would provide new infrastructure and capability for latest innovations in sustainability and technology</li> <li>Greater scope for inclusions than what could occur at current site</li> <li>Potential integrations with other sport and recreation facilities could create a precinct for like activities</li> <li>Potential to include additional facilities such as gymnasium, multi-purpose courts not currently present in the area.</li> <li>Increased usage due to multi use capabilities and year round facility</li> <li>Maximises attendances through focus on program delivery and increased gym space</li> <li>Improves supervision by keeping all activities indoors</li> <li>Potential to use program rooms for physio/massage/programmed classes to provide additional income</li> <li>Potential increase in secondary spend if cafe/kiosk facilities included</li> <li>If linked to a 'sports activity precinct' there is increased visibility in the centre</li> <li>The development of new water elements are focused on being able to support multiple activities in addition to swimming</li> <li>Facility category has a higher catchment multiple without 50m pool (6.3 compared to 5.1)</li> </ul>	<ul style="list-style-type: none"> <li>New site, provides option for more effective planning and addresses limitations at current location</li> <li>Would provide new infrastructure and capability for latest innovations in sustainability and technology</li> <li>Updates facility and provides more useable pool space</li> <li>Provides indoor and outdoor pool</li> <li>Provides more open space for family leisure</li> </ul>
Disadvantages	<ul style="list-style-type: none"> <li>May be a loss of facilities for use during construction period</li> <li>Cost of redevelopment may be prohibitive</li> <li>Potential of over capitalisation and under use of facility based on population and participation trend</li> <li>Higher utilities cost to maintain facility</li> <li>50m outdoor pool is limited by seasonality</li> <li>50m pool has limited benefit to cost recovery, limited use for programs, population would not sustain larger body of water</li> <li>Potentially larger site required to fit 50m pool</li> <li>Increased supervision required due to indoor / outdoor nature of facility</li> <li>Potential increase in cost to acquire or develop site (not costed in estimate)</li> </ul>	<ul style="list-style-type: none"> <li>May be a loss of facilities for use during construction period</li> <li>Cost of redevelopment may be prohibitive</li> <li>Potential increase in cost to acquire or develop site (not costed in estimate)</li> </ul>	<ul style="list-style-type: none"> <li>May be a loss of facilities for use during construction period</li> <li>Cost of redevelopment may be prohibitive</li> <li>Additional 50m pool in LGA may reduce patronage at already under patronised facilities</li> <li>Potential of over capitalisation and under use of facility based on population and participation trend Higher utilities cost to maintain facility</li> <li>50m outdoor pool is limited by seasonality</li> <li>50m pool has limited benefit to cost recovery, limited use for programs, population would not sustain larger body of water</li> <li>Increased supervision required due to indoor/outdoor nature of facility</li> <li>Potential increase in cost to acquire or develop site (not costed in estimate)</li> </ul>
Capital Cost	\$41,018,400	\$33,535,500	\$17,219,400

Operational Cost	2016/17	CERM PI Factor Group 6 Facility	Forecast Data option 3A Greenfield	2016/17	CERM PI Factor Group 7 Facility	Forecast Data option 3b Greenfield	2016/17	CERM PI Factor Group 6 Facility	Forecast Data option 3c Greenfield
	<ul style="list-style-type: none"> <li>• Visits 73,268</li> <li>• Existing catchment multiple 3.4</li> <li>• Income \$508,537</li> <li>• Expenditure \$1,065,414</li> <li>• Deficit \$556,877</li> <li>• Subsidy \$7.60</li> <li>• Cost recovery 48%</li> </ul>	<ul style="list-style-type: none"> <li>• Avg Visits 329,068</li> <li>• Catchment Multiple 5.1</li> <li>• Avg income \$1,853,269</li> <li>• Avg Expenditure \$2,276,773</li> <li>• Avg Subsidy 1.64</li> <li>• Cost Recovery 82%</li> </ul>	<ul style="list-style-type: none"> <li>• Visits 314,221</li> <li>• Income \$1,769,653</li> <li>• Expenditure \$2,174,049</li> <li>• Deficit \$404,396</li> <li>• Subsidy \$3.73</li> <li>• Cost recovery 81%</li> </ul>	<ul style="list-style-type: none"> <li>• Visits 73,268</li> <li>• Existing catchment multiple 3.4</li> <li>• Income \$508,537</li> <li>• Expenditure \$1,065,414</li> <li>• Deficit \$556,877</li> <li>• Subsidy \$7.60</li> <li>• Cost recovery 48%</li> </ul>	<ul style="list-style-type: none"> <li>• Avg Visits 342,675</li> <li>• Catchment Multiple 6.3</li> <li>• Avg income \$2,343,292</li> <li>• Avg Expenditure \$2,800,144</li> <li>• Avg Subsidy \$0.63</li> <li>• Cost Recovery 88%</li> </ul>	<ul style="list-style-type: none"> <li>• Visits 322,669</li> <li>• Income \$1,548,446</li> <li>• Expenditure \$1,902,293</li> <li>• Deficit \$430,181</li> <li>• Subsidy \$3.21</li> <li>• Cost recovery 84%</li> </ul>	<ul style="list-style-type: none"> <li>• Visits 73,268</li> <li>• Existing catchment multiple 3.4</li> <li>• Income \$508,537</li> <li>• Expenditure \$1,065,414</li> <li>• Deficit \$556,877</li> <li>• Subsidy \$7.60</li> <li>• Cost recovery 48%</li> </ul>	<ul style="list-style-type: none"> <li>• Avg Visits 329,068</li> <li>• Catchment Multiple 5.1</li> <li>• Avg income \$1,853,269</li> <li>• Avg Expenditure \$2,276,773</li> <li>• Avg Subsidy 1.64</li> <li>• Cost Recovery 82%</li> </ul>	<ul style="list-style-type: none"> <li>• Visits 176,985</li> <li>• Income \$996,757</li> <li>• Expenditure \$1,224,553</li> <li>• Deficit \$227,776</li> <li>• Subsidy \$2.10</li> <li>• Cost recovery 81%</li> </ul>
Demonstrated need	<ul style="list-style-type: none"> <li>• CERM PI averages for capacity (visits per m<sup>2</sup>) combined with population and utilisation figures demonstrate that there is currently spare capacity of the West Wallsend facility. CERM PI average 88 visits per m<sup>2</sup>, current average at West Wallsend 52 visits per m<sup>2</sup>.</li> <li>• 15 year population estimates indicate that there will be a catchment population (5km) of 25,000-33,000 for West Wallsend. This figure will still be only 50% of the average catchment population for facilities of a similar nature according to CERM PI.</li> <li>• Current catchment multiple (visits per head of population) indicate that West Wallsend has the lowest catchment multiple when compared to CERM PI averages. Similar facilities have catchment multiples of 6.3 visits per head of population where West Wallsend currently has 3.4.</li> <li>• The new site option provides a model that adequately caters for long-term growth and development with removal of the constraints from the existing site.</li> <li>• Facilities of this size on average have populations around 65,000 within a 5km radius. Current population catchment for West Wallsend is 20,000 (5km)</li> <li>• Further consultation would be required to demonstrate need for 50m outdoor pool. Within the secondary catchment, (driving times less than 30 minutes), there are currently four facilities that offer 50m pools, both indoor and outdoor.</li> </ul>								

#### Observations on Information for West Wallsend

**ABS statistics:** The catchment population reflects higher than average population within the 0-14 year age categories with slightly lower or equal statistics when compared to other age categories reflected within NSW. Within the 0-14 year age bracket swimming was rated as the highest participation activity, commonly through LTS and swimming programs. In other demographics related to participation West Wallsend ranks lower than the state average in physical activity participation indicators.

**Accessibility of other facilities:** Within a 25 minute driving time there are five other facilities accessible (Estimated average time from google maps). Three of these facilities offer indoor year round access to aquatic facilities and two have gymnasium access of differing sizes. A sixth site is within a 30 minute drive and has access to indoor and outdoor facilities and leisure areas. All catchment figures however, are based on 5km which is an industry average.

**Accessibility to public transport:** West Wallsend (1), Speers Point (3) and Swansea (2) are accessed by the fewest bus routes within a 10-minute walk compared to Charlestown, which is accessed, by 15 bus routes within a similar distance walk.

**Attendance:** General entry attendances have declined in the 10 years from 2006/2007. In 2006/7, West Wallsend recorded 33,432 attendances for general entry compared to 29,665 in 2016/17. With the increase in population, this figure could be expected to rise rather than decline.

**Attendance Split:** In 2006, general entry attendances were the highest category with 51% of attendance and programs were at 32%. In 2018, programs have a higher percentage attracting 45% of attendance recorded at the centre with general entry at 33%. Attendances for program spectators have been separated from this figure, as they are not attending the centre to occupy aquatic space. This point reinforces the need to consider programs as a high priority over general swimming when reflecting on upgrade options to the centre. Increases in programs may also impact on general entry during peak periods.

**Capacity:** Capacity at swim centres is hard to determine with different factors such as population density, patron expectations and age demographics all needing consideration. CERM PI uses visits per m<sup>2</sup> to provide an average of visitations, according to facility type. For West Wallsend, and the options outlined, the averages expected of similar centres are for Group 6 (indoor/outdoor facility) 80 visits and for Group 7 (fully indoor facility) 88 visits per m<sup>2</sup>. The ten-year average visit per m<sup>2</sup> for West Wallsend is 51 visits per m<sup>2</sup>, which is underperforming when, likened to similar facility averages and suggests there is remaining capacity.

**Catchment Multiple:** Average used in CERM PI "Operational Benchmarks for Australian Public Aquatic Centres", the "catchment multiple" refers to the "catchment population" divided by the number of visits per year. Averages from CERM PI for each group are as follows Group 5 (outdoor) 1.1, Group 6 (indoor/outdoor) 5.1 and Group 7 (indoor) 6.3. Our centres currently have Catchment Multiple averages as follows, West Wallsend 3.0 (Group 7), Charlestown 1.6 (Group 5), Swansea 4.7 (Group 5) and Speers Point 0.9 (Group 5). On current facility category ratings Charlestown and Swansea are above average while Speers point and West Wallsend are performing below CERM PI averages.

**Catchment Population:** Average used in CERM PI "Operational Benchmarks for Australian Public Aquatic Centres", the "catchment population" is a defined area within a 5km radius of surveyed sites. Catchment populations are averaged according to facility type, Group 5 - 46,667, Group 6 - 65,200 and Group 7 - 66,200 people. For the options outlined, West Wallsend falls into either Group 6 (indoor/outdoor) or Group 7 (indoor).

**CERM PI:** Based at the University of South Australia Business School, CERM PI is a leader in customer service quality research, and operational management indicators in the sport and leisure, tourism and hospitality, and event industries. Information presented uses averages from CERM PI "Operational Benchmarks for Australian Public Aquatic Centres Bulletins" 2008 - 2017 to provide nationwide averages for similar facility types.

**Cost Recovery:** A measure of a facility's ability to generate high level of utilisation and associated income to off-set expenditure. This is often considered a key measure of 'success' of an aquatic facility.

**Forecast Data:** The forecast data outlined in the options for improvement for West Wallsend takes averages from the CERM PI 2017 bulletin and applies them to the Catchment Population of West Wallsend using 2016 census data. These forecasts are indicative only of averages and should be viewed with caution, as they will not present a true reflection of attendance or monetary return. Further consultation and analysis is required on any of the options in order to inform detailed concepts for which more robust feasibility analysis can be applied.

**Income Split:** Historically at West Wallsend, programs have generated the majority of the income (2007 68% - 2018 74%) compared to general entry (2007 26% - 2018 19%). As a result of this, any modification of the facility should be aimed at increasing accessibility to programs rather than reducing offerings. Investigation should be focused on keeping options indoors for year round use to maximise attendance and income.

**Population:** There has been growth in the local catchment for West Wallsend. In 2006/07 there was an estimated 16,980 people living within the 5km catchment of West Wallsend pool. Estimates from the 2016 census put this population estimate at 21,282, an increase of 4,302 people over 5 years. In comparison, Swansea has had an increase of 1,702, Speers Point 7,273 and Charlestown 28,440 people. 15 year estimates of the population are estimated between 25,000-33,000 people for West Wallsend.

**Subsidy:** West Wallsend has had the highest subsidy since 2006 (\$8.67) and in 2017 (\$7.60). Some of this can be addressed through rostering, which has been discussed by Leisure Services management; however, there is also the issue of spare capacity throughout the day. Subsidy figures in forecast data are indicative only and are not a true reflection of what may be expected from each site. Factors such as facility size, population demographics and facility usage (gym, Learn to Swim, Leisure) will all impact future subsidies.

**Utilisation:** Leisure services have been monitoring utilisation for three years. This utilisation indicates that there is still spare capacity at our swim centres, specifically West Wallsend. Utilisation is averaged out over time periods of morning, centre and afternoon and when averaged over these time frames for these periods our busiest times reflect a maximum average attendance of 118 people over an 6 hour period.

## Special Report of the Director of Service Delivery to Ordinary Council Meeting 23 July 2018

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### 18SP046 Community Event Funding - July Allocation

Council Ref: F2017/01436/06 - D08935777

Report By: Community & Recreation Development Coordinator - Andrew Bryant

#### Précis:

This report recommends the amount of funding to be allocated in the July round of the 2018/2019 Community Event Funding Program.

#### Recommendation:

- A. Council resolves to provide Community Event Funding to the following applicants/events:
- (i) \$955.00 - Orchestra Nova – Annual children’s concert
  - (ii) \$4529.30 - Lake Macquarie Music Society – Lake Macquarie Eisteddfod
  - (iii) \$448.00 - Lake Macquarie Music Society – Festival of the Choirs
  - (iv) \$3384.19 - Lake Macquarie Garden Club – Open Gardens and Art Trail
  - (v) \$2280.00 - Newcastle Restored Vehicle Club – Lake Mac Big Weekend supporting event
  - (vi) \$1630.00 - Huntington’s NSW & ACT – Walk 4 Hope
  - (vii) \$2900.00 - Hunter Academy of Sport - Sportsfest
  - (viii) \$4600.00 - Eastlake Youth Centre Inc. – Charlestown Skate Park Engagement Activities
  - (ix) \$2710.00 - The Lakes Outrigger Canoe Club Inc. – NSW Outrigger Canoe State Titles
  - (x) \$960.00 - Rotary Club of Warners Bay – Community Youth Forum ‘Be the Inspiration’
  - (xi) \$1100.00 - Art Lovers Movement – Annual Art Exhibition
- B. Council resolves to provide Lake Macquarie Games Funding to the following applicants/events:
- (i) \$2750.00 - NSW Rogaining Association – Lake Macquarie Rogaine
  - (ii) \$3004.00 - Novocastrian Masters Swimming Club – Masters Open Swim Meet
- C. Council resolves not to provide Community Event Funding to the following applicant/event:
- (i) Charlestown Golf Club Ltd – Green Gatherings Junior Golf Market

#### Background:

Council’s funding programs aim to provide support to encourage and assist individuals and groups in the community to make a positive and ongoing contribution to the

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community's wellbeing, cultural life, and environmental sustainability through the provision of community events.

Alongside the other funding programs under Council's Funding Assistance Policy, the Community Event Funding Program provides greater opportunities for funding and encourages event organisers to focus on longer-term event planning. It is envisaged that as a result the quality and patronage of events within Lake Macquarie will rise.

### Proposal:

Council has received 12 applications for Community Event Funding and two applications for Lake Macquarie Games Funding. A summary of the applications is as follows:

Number	Applicant	Event/Activity	Funding Sought	Funding Previously Provided	Funding Recommended
C1	Orchestra Nova	Annual Children's Concert	\$1555.00	New	\$705.00 cash \$250.00 Council services
C2	Lake Macquarie Music Society	Lake Macquarie Eisteddfod	\$4529.30	\$4311.60	\$4529.30 Council services
C3	Lake Macquarie Music Society	Festival of the Choirs	\$448.00	\$691.00	\$448.00 Council services
C4	Lake Macquarie Garden Club	Open Gardens and Art Trail	\$4109.19	\$2036.00 Council services	\$3384.19 cash
C5	Newcastle Restored Vehicle Club	Lake Mac Big Weekend supporting event	\$3804.00	New	\$1150.00 Council services \$1130.00 cash
C6	Huntington's NSW & ACT	Walk 4 Hope	\$5000.00	New	\$530.00 Council services \$1100.00 cash

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Number	Applicant	Event/Activity	Funding Sought	Funding Previously Provided	Funding Recommended
C7	Hunter Academy of Sport	Sportsfest	\$5000.00	\$835.00 Council services \$2633.00 cash	\$900.00 Council services \$2000.00 cash
C8	Eastlake Youth Centre Inc.	Charlestown Skate Park engagement activities	\$5000.00	New	\$4600.00 cash
C9	The Lakes Outrigger Canoe Club Inc.	NSW Outrigger Canoe 1/2 State Titles	\$5000.00	\$500.00	\$410.00 Council services \$2300.00 cash
C10	Rotary Club of Warners Bay	Rotary Community Youth Forum – Be the Inspiration	\$2060.00	New	\$460.00 Council services \$500.00 cash
C11	Art Lovers Movement	Annual Art Exhibition	\$2100.00	\$600.00	\$1100.00 cash
LMG1	NSW Rogaining Association	Lake Macquarie Rogaine	\$2750.00	\$273.00 Council services \$1200.00 cash	\$2750.00 cash
LMG2	Novocastrian Masters Swimming Club Inc.	Masters Open Swim Meet	\$3074.00	\$835.00 Council services \$2633.00 cash	\$1244.00 Council services \$1760.00 cash
C12	Charlestown Golf Club	Green Gatherings Junior Golf Market	\$4980.00	New	NIL

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### **C1. Orchestra Nova. – Annual Children’s Concert - 16 September 2018 – Lake Mac Centre for Performing Arts, Warners Bay**

Orchestra Nova conducts an annual children’s concert as part of its yearly musical program. This year the concert will be music from ‘Peter and the Wolf’. Music for the concert is specifically chosen to be fun and accessible for children and their families. Audience participation is encouraged and children will have the opportunity to learn about classical orchestral music and musical instruments.

The recommendation is for Council to provide the cost of hiring the Lake Mac Centre for Performing Arts (\$250.00), as well as a cash component of \$705.00 to cover the rent for the rehearsal venue (church hall) and for the printing of fliers.

### **C2. Lake Macquarie Music Society – Lake Macquarie Eisteddfod - 25 August - 6 October 2018 – Lake Mac Centre for Performing Arts, Warners Bay**

Lake Macquarie Music Society has been running the annual Eisteddfod for speech, drama, schools ensembles, pianists, singers, instrumentalists and choral groups for over 20 years. Held over thirteen days, the Eisteddfod provides a range of opportunities for local performing artists.

The recommended funding includes venue hire costs of \$3,250.00 (Lake Mac Centre for Performing Arts), and \$1,279.30 printing costs.

### **C3. Lake Macquarie Music Society – Festival of the Choirs - 5 August 2018 – Lake Mac Centre for Performing Arts, Warners Bay**

The Festival of the Choirs is an annual celebration of choral tradition in the Hunter region. Six choirs from Port Stephens, Newcastle and Lake Macquarie will participate in providing community enrichment through music making. This concert assists to fund the Lake Macquarie Philharmonic Orchestra.

The recommended funding includes venue hire costs (\$250.00) for the Lake Mac Centre for Performing Arts, and \$198.00 printing costs.

### **C4. Lake Macquarie Garden Club – Open Gardens and Art Trail – 27 & 28 October 2018 – Various Gardens around Lake Macquarie**

The Lake Macquarie Garden Club will open 10 gardens to the public on the last weekend in October to celebrate the season of Spring. It is an opportunity to show the wider community the beauty of gardens along with music and artwork, and at the same time raise money for medical research undertaken by Hunter Medical Research Institute.

The recommended funding of \$3384.19 is to cover printing costs from Lake Mac Print including brochures, posters, tickets and signs.

### **C5. Newcastle Restored Vehicle Club – Lake Mac Big Weekend supporting event – 13 October 2018 – Speers Point Park, Speers Point**

The Newcastle Restored Vehicle Club will host a new event in support of the Lake Mac Big Weekend in Speers Point Park to assist with activating an additional site around the lake. It will provide an opportunity for the public to view the Supa Boats from Speers Point Park, as well as view vintage and classic motor vehicles.

The recommended funding (\$1150.00) will cover the cost of Lake Macquarie City Council Lifeguards to provide first aid as well as some event equipment. The cash component (\$1130.00) will cover the cost of music, promotion banners and safety barriers.

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### **C6. Huntington's NSW & ACT – Walk 4 Hope – 15 September 2018 – Speers Point Park, Speers Point**

In its fifth year in Lake Macquarie, this event is designed to raise awareness and funds for Huntington's disease. The event is a 4km walk from Speers Point Park to parts of the Lake. It includes children's games, music, food and other activities open to everyone.

The recommended funding (\$530.00) will cover waste services and traffic cones, and the cash component (\$1100.00) will assist with equipment hire costs.

### **C7. Hunter Academy of Sport – Sportsfest – 28 October 2018 – Speers Point Park, Speers Point**

Sportsfest is an all-ages family-friendly event hosted by the Hunter Academy of Sport. In 2017, over 20 sports were represented in partnership with State Sporting Bodies providing an exercise or clinic encouraging all to try a new sport or test their skills and abilities on sports they already love. The event also includes fitness classes, health and wellness booths, healthy food stalls and a walk/run around areas of Lake Macquarie.

The recommended funding will cover the cost of waste services and electricity (\$900), and \$2000.00 cash will assist with the hire of sporting equipment.

### **C8. Eastlake Youth Centre – Charlestown Skate Park engagement activities – 1 September – 31 December 2018 – Charlestown Skate Park and Oval, Charlestown**

Eastlake Youth Centre Inc plans to run 8 small-scale events utilising the new and existing facilities in the Charlestown recreation precinct – skate park and oval. The events will be developed in consultation with young people and engage them to develop respect and positive connection with the new Charlestown Skate Park.

There is a history of anti-social activity in and around Charlestown Oval and the Frederick Street area, and this project is aimed at curbing some of this negative behaviour through healthy activities.

The recommended funding (\$4600.00) will cover the cost of artist fees, instructor fees, printing and program materials. Eastlake Youth Centre will provide staff to engage the young people.

### **C9. The Lakes Outrigger Canoe Club – NSW OC 1/2 State titles – 17 - 28 October 2018 – Ungala Road & Blacksmiths Beach, Blacksmiths**

The Lakes Outrigger Canoe Club will host the NSW Outrigger Canoe 1/2 State Titles and regatta in Swansea Channel and off-shore. There will be long course, short course and ultra-short course racing events. VIP paddlers from Hawaii will attend and attract increased numbers of both competitors and spectators to the event. The event will showcase a competitive and cultural water sport racing event to the region and provide a unique spectator event of outrigger canoe racing.

The recommended funding (\$410.00) will cover printing costs and additional waste services, with the cash component (\$2300.00) assisting with the costs of safety equipment, support vehicles and infrastructure hire.

### **C10. Rotary Club of Warners Bay – Rotary Community Youth Forum – 18 August 2018 – Lake Mac Centre for Performing Arts, Warners Bay**

The Rotary Club held a community forum in February this year, with one of the recommendations to look at the needs and ideas of the youth in our community. This

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Youth Forum will involve young people, youth programs and services, schools and Council youth workers to give our young people a voice and enable them to help plan projects to meet their needs.

The recommended funding of \$460.00 will cover the venue hire (Lake Mac Centre for Performing Arts), with the cash contribution (\$500) assisting with the cost of equipment.

### **C11. Art Lovers Movement – Annual Art Exhibition – 12-14 October 2018 – Morisset PCYC**

The exhibition gives members the opportunity to exhibit and sell their artworks, often for the first time. The exhibition raises cultural awareness of fine art, and encourages new residents to join and enjoy the interaction with other likeminded people. Funds raised from the proceeds of the raffle will be donated to the Allira House women's refuge.

The recommended funding of \$1100.00 will cover the cost of the venue hire, display stands and electronic board hire.

### **LMG1. NSW Rogaining Association – Lake Macquarie Rogaine – 18 August 2018 – Olney State Forest Watagan Mountains**

The Lake Macquarie Rogaine is held annually in the Watagan Forest or the Sugarloaf Range. Approximately 300-400 competitors take part each year and it is run under the banner of the Lake Macquarie Games. The event caters for juniors (under 18) to super veterans (65+) and includes family and novice categories.

The recommended funding of \$2750.00 will cover the cost of printing competitors' maps, hire of portable toilets and hire of marquees.

### **LMG2. Novocastrian Masters Swimming Club Inc – Masters Open Swim Meet – 17 November 2018 – Charlestown Swim Centre, Charlestown**

The local masters swimming club (Novocastrian Masters Swimming Inc) holds an annual swim meet as part of the Masters Swimming NSW calendar. This event is an open event that combines with the Lake Macquarie Games program.

The recommended funding (\$1244.00) will cover Lake Macquarie Games medals and printing, with the cash component (\$1760.00) covering the cost of lane hire at Charlestown Swim Centre.

### **C12. Charlestown Golf Club Ltd – Green Gatherings Junior Golf Market – 18 November 2018 – Charlestown Golf Club**

Charlestown Golf Club plans to start a market called Green Gatherings to make the Club more welcoming to all, and raise funds for their Junior Golfer program that teaches young people the skills needed to play golf and become good at the game. The market will be a public event.

Funding is not recommended for this event as the applicant is commercial and is therefore ineligible for funding.

#### **Consultation:**

Council's Marketing team and Governance team have been consulted in relation to sponsorship and donation requests.

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All event organisers have been contacted in relation to the individual funding recommendations, and have indicated that their respective events will proceed with the recommended funding amounts.

### **Implications:**

#### ***Policy Implications:***

The recommendations are consistent with Council's Funding Assistance Policy. There are no additional policy implications.

#### ***Environmental Implications:***

There are no environmental implications resulting from the funding recommendations. Environmental implications from individual events are assessed through the event application process.

#### ***Social Implications:***

By funding a range of community, cultural and sporting events, Council contributes to the development of social capital and quality of life for residents and visitors to the City.

#### ***Infrastructure Asset Implications:***

There are no infrastructure asset implications associated with this report.

#### ***Financial Implications:***

The 2018/19 budget for the Community Event Funding Program (including Lake Macquarie Games) is \$130,000.

The Funding Assistance Policy states that all applications must be financially viable and a budget and financials provided. Council officers take into account this information when providing recommendations.

Budgets and remaining funds are as follows:

	<b>Community Event Funding (incl. Lake Macquarie Games)</b>
<b>2018/19 Budget</b>	<b>\$130,000.00</b>
<i>July 2018 (Recommended)</i>	<i>\$31,250.49</i>
<b>Remaining funds</b>	<b>\$98,749.51</b>

#### ***Risk and Insurance Implications:***

All events and activities carry their own insurances and must provide copies of such cover, and risk assessments as part of the event application process for events that occur on Council land or in Council venues.

### **Options:**

1. The recommended option is to adopt the community event funding as outlined in Proposal section of this report.

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2. Council may choose to determine alternative levels of funding for the specific events. This option is not recommended as it may be inconsistent with the intent of the Funding Assistance Policy.

### **Conclusion:**

Community, cultural and sporting events provide residents and visitors with activities and experiences to enrich their lives and increase the capacity of community organisations.

By funding the events as recommended in this report, Council demonstrates its commitment to community building as well as enhancing the cultural and sporting landscape of Lake Macquarie.

Acting Manager - Community Planning - Wes Hain

### **Attachments:**

*Nil.*

## Inspection Reports - Monday 23 July 2018

### **18SP047 Full Councillor Site Inspection - Bus Stop Location - 8 Ocean Street, Dudley**

Council Ref: F2005/02792 - D08923161  
Report By: Manager Asset Management - Helen Plummer

Location: 8 Ocean Street, Dudley  
Inspect Date: 21 June 2018  
InspectTime: 8:00am

#### **Councillors (Inspection Committee):**

Councillor Adam Shultz (Chair), Councillor Christine Buckley, Councillor Barney Langford, and Councillor Nick Jones.

#### **Apologies:**

Mayor Kay Fraser, Councillor John Gilbert, Councillor Luke Cubis, Councillor Wendy Harrison, Councillor Jason Pauling, Councillor David Belcher, Councillor Colin Grigg, Councillor Brian Adamthwaite, Councillor Kevin Baker.

#### **Others Present:**

- Helen Plummer, Manager Asset Management
- Ross Jones, Acting Infrastructure Assets Strategy Coordinator
- Local Residents
- Representatives from Keolis Downer

#### **Inspecting Committee's Report:**

The inspection was held to review issues associated with the location of a bus stop in front of house number 8, Ocean Street Dudley.

Introductions and background to the issues were provided by Councillor Shultz, including information regarding public access presented to Council on 28 May 2018.

Background provided by Helen Plummer:

- The responsibilities for providing bus stops are shared between the bus operator, Keolis Downer (preferred stop locations), the Traffic Facilities and Road Safety Committee (reviewing and approving regulatory items including signage and line marking), and Council (bus stop infrastructure such as seats and shelters).
- Information was provided on the outcomes of previous investigations into the location of the bus stop, which determined that there were no safety issues associated with the current location, and the proposed location would have impacts on parking and would affect visibility for traffic. The cost to relocate the bus stop infrastructure was not considered warranted by Council, as it would not result in an improved safety outcome.

Background provided by Keolis Downer:

- Information on the arrangements for bus timing points and layover areas.

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- Information was provided on the status of services that use the bus stop, predominantly being school buses. Only one service operates as a through route service at this location.
- Keolis Downer advised that no information had been provided to them directly regarding issues with services or bus lay over times. Should this information be provided, Keolis Downer will investigate and respond.
- Many bus stop locations conflict with driveways, and not all bus stops are able to be located away from driveways. Buses will only be blocking driveway access for a short period of time (less than one minute).

Comments provided by residents:

A number of concerns were raised regarding the current location, including:

- Buses laying over at the stop causing noise and impacting on the driveway of house number 8, conflicts with parked cars, the speed of buses and visibility for bus drivers entering the cul de sac.
- There has been a significant change in number of properties in the street. The increased movement of traffic and people should warrant the location of the bus stop being reviewed.

The residents preferred location for the bus stop is adjacent to Braye Park. It is considered that this location provides a safer location, as buses will have the opportunity to stop before entering the cul de sac. It was raised that bus stop users come from the west, and it would be more suitable to move the stop in this direction.

### **Recommendation:**

- A. Council write to Keolis Downer to request a review of bus timing points in the Dudley area.
- B. Council write to Keolis Downer to request relocation of the bus stop to Ocean Street fronting Braye Park.
- C. Council write to Roads and Maritime Services to request consideration of a speed zone review and implementation of a 40km/hr high pedestrian activity zone.
- D. Council note that if the bus stop is relocated, a shelter may not necessarily be installed at the new location. The provision of a shelter will be prioritised against other bus stop locations for inclusion in the forward works program.

Manager Asset Management - Helen Plummer

### **Attachments:**

*Nil.*

## **Matters Referred - Monday 23 July 2018**

<b>18SP048</b>	<b>Adoption of Planning Proposal and Planning Agreement - George Booth Drive, Edgeworth</b>
Council Ref:	RZ/9/2005 - D08930278
Report By:	Strategic Landuse Planner - Angel Troke, Development Contributions Coordinator - Deborah Scott
Previous Items:	18STRAT024 - Adoption of Planning Proposal and Planning Agreement - George Booth Drive, Edgeworth - City Strategy Committee - 12 Jun 2018 5:30pm

### **Précis:**

Council resolved on 5 September 2011(11STRAT025) to exhibit an amendment to the *Lake Macquarie Local Environmental Plan 2014 (LMLEP 2014)* to rezone 95 ha of land located south of the Cameron Park Centre at George Booth Drive, Edgeworth. The amendment seeks to rezone the site south of George Booth Drive from RU6 Transition to R2 Low Density Residential, R3 Medium Density Residential and E2 Environmental Conservation to facilitate housing and conservation on this site.

In addition, the Planning Proposal incorporates 4 ha of land to the north of George Booth Drive and seeks to rezone this land from R3 Medium Density Residential to B4 Mixed Use zone to support mixed use development. This land has been included to reflect Council's resolution of 23 March 2009 (09NOM001), which related to the development application for a retail complex in the Cameron Park / Pambulong Forest Centre.

The Planning Proposal (Attachment 1) was exhibited from 16 September to 4 November 2013. Council received eight public and three government agency submissions. There have been significant delays with this Planning Proposal while the applicant sought suitable biodiversity offsets. An offset package for biodiversity offsets has now been prepared and a Voluntary Planning Agreement (VPA) between Council and Hammersmith Management Pty Limited (the developer) has been prepared to enable the developer to fulfil biodiversity offset requirements. The VPA was exhibited from 7 April to 6 May 2018, with three submissions received.

This report recommends that Council proceed with the Planning Proposal and make the amendment to LMLEP 2014, subject to Council and the Developer entering into the VPA.

### **Recommendation:**

Council:

- A. Notes the issues raised during public exhibition and endorses the revised Planning Proposal for the amendment to Lake Macquarie Local Environmental Plan 2014, as contained in Attachment 1.
- B. Authorises the affixing of the Common Seal to the Voluntary Planning Agreement between Council and Hammersmith Management Pty Limited, as contained in Attachment 2.
- C. Requests the Minister for Planning to make the amendment to Lake Macquarie Local Environmental Plan 2014, pursuant to the provisions of the *Environmental Planning and Assessment Act 1979*, subject to the execution of the Voluntary

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Planning Agreement for biodiversity offsets.

- D. Notify those who made submissions, during the exhibition period, of Council's and the Minister's decision.

### Background:

Council resolved on 6 October 2006 (06ST018), to prepare a draft amendment to the [then] LMLEP 2004 for approximately 95 ha of 10 Investigation zoned land south of George Booth Drive, Edgeworth to accommodate urban development and conservation. The site is located directly south of the Cameron Park Centre and has been identified for urban development in relevant planning policies including Council's Lifestyle 2030 Strategy and the Department of Planning and Environment's Hunter Regional Plan and draft Greater Newcastle Metropolitan Plan.

A Local Environmental Study (LES) was prepared and consultation with relevant government agencies took place. The LES identified that significant vegetation exists on the site including the presence of the Lower Hunter Spotted Gum Ironbark Forest endangered ecological community (EEC) and threatened species.

The environmental impacts of the rezoning are further outlined in the Environmental Implications section of this report and in the Planning Proposal. The LES recommended a balanced development footprint for the site taking into account environmental, social, and economic issues. The LES recommended that approximately 49 ha of land be rezoned to allow urban development incorporating a mix of low and medium density residential development, with the remaining 46 ha being rezoned to environmental conservation to reflect its environmental significance.

On 23 March 2009, in considering a development application (DA/2207/2007) for a retail complex in the Cameron Park / Pambulong Forest Centre, Council also resolved to review the zones adjacent to the Cameron Park Centre. The purpose of the review was to determine if land zoned for medium density residential use should be rezoned to permit a range of commercial and minor retail uses, professional offices, home based businesses, and residential flat buildings, to support the Cameron Park Town Centre. It is now proposed that the land to the east of the Centre be rezoned to B4 Mixed Use in line with Council's resolution.

Council resolved on 5 September 2011 (11STRAT025) to exhibit the Planning Proposal to amend LMLEP 2004. The Planning Proposal (Attachment 1) was exhibited from 16 September to 4 November 2013. Submissions on the Planning Proposal are addressed in the Consultation section of this report.

There have been delays with the progress of the amendment to LMLEP to give effect to the Planning Proposal due to the need to facilitate an appropriate biodiversity package to offset the impacts of this development. A biodiversity offset package has now been prepared and these offsets are proposed to be secured through the VPA, which was exhibited from 7 April until 6 May 2018. The VPA implements a package that consists of:

- the establishment of a 116 ha biobank site at 1 First Street, West Wallsend (known as the O'Donnelltown site) to be managed in accordance with the provisions of the *Biodiversity Conservation Act 2016*.
- management, funding and future dedication of approximately 53 ha of land at Part 29 Government Road, Holmesville, 70 George Booth Drive, Edgeworth, Part 44 Portland Drive, Cameron Park and 6 Cameron Park Drive, Cameron Park. This is known as the offset land in the VPA.

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- a requirement for the Developer to source an additional 484 ecosystem credits for the EEC that is impacted to offset the biodiversity loss.

The VPA requires the Developer to improve or maintain the biodiversity values of the offset land for a period of 10 years from the date a construction certificate is granted for subdivision. Once that maintenance period is complete, the land will be dedicated to Council with adequate funding for Council to maintain the land in perpetuity.

### Proposal:

It is proposed that Council resolve to support the revised Planning Proposal and request the Minister for Planning to make the amendment to rezone the land as follows:

- 95 ha of land south of George Booth Drive from RU6 Transition, RU2 Rural Landscape and E3 Environmental Management to R2 Low Density Residential, R3 Medium Density Residential and 49 ha to E2 Environmental Conservation, and
- 3.8 ha of land north of George Booth Drive from R2 Low Density Residential and R3 Medium Density Residential to B4 Mixed Use zone to further support the Cameron Park Centre and accommodate a range of uses.

It is also proposed that Council enter into the VPA contained in Attachment 2 by affixing the Common Seal to ensure suitable offsets are provided for the rezoning.

### Consultation:

#### ***Planning Proposal***

The Planning Proposal was placed on exhibition from 16 September to 14 October 2013. During the exhibition, Council received requests from a community group via a Councillor to extend the exhibition timeframe. The exhibition was extended for a further 3 weeks until 4 November 2013 and a number of other community groups were notified at the request of a Councillor.

Council received eight submissions from the public on the proposal as well as three submissions from government agencies. Submissions were made by Sugarloaf and District Action Group, the Australian Labor Party – West Wallsend Branch and six private landowners. A summary of the issues identified with the rezoning are outlined below, along with a planning comment.

#### *Concern over impacts of flora and fauna*

A number of submissions raised issue with potential impacts on flora and fauna and some issues with the flora and fauna assessment. These matters are considered below.

- Potential impacts on *Tetratheca juncea*, Lower Hunter Spotted Gum Ironbark Forest (LHSGIF) EEC, *Eucalyptus fergusonii* and *Callistemon linearifolius*

#### *Planning comment*

The local population of *Tetratheca juncea* is likely to be impacted by the proposed development. Eleven plants are present and likely to be removed with some additional loss of potential habitat for this species. However, habitat for this species is already fragmented in this area. This is a small population and its role in stepping stone conservation is considered to be minimal given the distance between known populations and the urban development occurring between them. Loss of this population is not considered a significant impact.

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The proposed development will remove 22 ha of Lower Hunter Spotted Gum-Ironbark Forest EEC. Twenty-nine ha of this EEC will be retained on-site and zoned E2; however, this land has already been used to offset Hammersmith Management's West Wallsend development. The removal of 22 ha is considered high impact effectively halving the area of this EEC on this site. A more detailed survey of this vegetation community in Lake Macquarie City was conducted to ascertain the full extent of this EEC. This study found 836 ha of this vegetation community. Loss of the 22 hectares on this site makes it important to retain other patches of this vegetation community in the City. A biodiversity offset package has been prepared to offset this loss.

The proposed development will result in the loss of one stand of *Eucalyptus fergusonii* subsp *fergusonii*, the other stand on the site will be conserved.

The proposed development will result in the loss of one *Callistemon linearifolius*, the other plant on the site will be conserved. Additional habitat for this plant will be lost. Known records of this species indicate that plants occur sporadically and the loss of one plant will not cause further fragmentation.

- *Concerns were raised over unresolved biodiversity offsets and conservation land on this site was being used to offset other development at West Wallsend*

### *Planning comment*

A biodiversity offset package has been prepared and will be implemented through a VPA, as outlined in the Background section of this report. This package will offset the impacts of the development.

- *Concern that Aboriginal heritage assessment has not been adequately undertaken*

### *Planning comment*

An Aboriginal heritage assessment has been prepared for the site as part of the LES, with representatives from Awabakal Local Aboriginal Land Council (LALC) attending the site inspection.

Further consultation has occurred with the Awabakal LALC and Awabakal Traditional Owners Aboriginal Corporation throughout the rezoning process. The Awabakal Traditional Owners Aboriginal Corporation expressed some concern that there have been additional artefacts recorded in close proximity to the rezoning site. However, they were satisfied that no additional studies were required at rezoning stage, but would be required for future subdivision applications.

- *Proposed re-zoning of land off Cologne Close, Edgeworth*

Council received a submission from an adjoining landowner raising concerns that any development on the land adjoining Cologne Close, Edgeworth, proposed to be zoned R2 Low Density Residential would be out of character with the existing streetscape and potentially adversely affect property values. It was further suggested that the land could instead be dedicated to the adjoining proposed green corridor or alternatively used as a park or bike track for the youth of the area.

### *Planning Comment*

Lake Macquarie Development Control Plan (LMDCP) 2014 contains provisions to ensure development is in keeping with the character of an area. The proposed R2 Low Density Residential zone will facilitate this planning outcome and is consistent with adjoining residential zoned land.

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With regard to provisions for community facilities, the LES prepared for the Planning Proposal envisages open space comprising of existing remnant vegetation, park areas and a pedestrian and cycle network throughout the site. The Glendale Contributions Plan catchment (which the site falls within) does not specify facilities for the site; however, open space requirements will be negotiated with the proponent at the subdivision assessment stage, as required by LMDCP 2014.

- *Possible impact on watercourses and potential erosion*

Council received a submission from an adjoining landowner concerning possible impacts on watercourses following future development of the site.

### *Planning comment*

Development of the site has the potential to increase stormwater flow rates and impact on stormwater quality. Therefore, water sensitive urban design strategies will need to be further addressed and considered at subdivision stage, incorporating controls from LMDCP 2014.

- *Secondary site access and access to public transport*

Concerns were raised about a single proposed access to the site and provisions for emergency access and public transport. Consideration should be given to a secondary access off Northville Drive, Barnsley.

### *Planning comment*

Council's Development Assessment and Compliance Department advised there is an opportunity to provide secondary access to the site via Government Road, and that the Roads and Maritime Services-owned roundabout intersecting George Booth Drive and Government Road could cater for the additional traffic movement. The matter of secondary access to the site will be considered further at the subdivision assessment stage.

George Booth Drive is not currently serviced by a public bus route; however, the future Cameron Park Centre will be a significant trip generator requiring the provision of additional bus services. There are bus stops located on George Booth Drive further east of the site.

LMDCP 2014 requires 90 per cent of proposed residential lots be within a 400 metre walk to the preferred public transport route and includes provisions to ensure subdivisions achieve good urban structure outcomes through increased connectivity, legibility and permeability. Access to public transport will be considered further at the subdivision assessment stage.

- *Request to extend the proposed residential zone for 25 Government Road, Holmesville*

Council received a submission from the owners of 25 Government Road, Holmesville, stating they do not object to the Planning Proposal, however request the proposed R2 Low Density Residential zone boundary be extended 55 metres to cover the entirety of the existing dwelling structure and house yard.

### *Planning comment*

The proposed R2 zone boundary is based on the current extent of the RU6 Transition zone under LMLEP 2014. The extent of the boundary has been extended 25 metres to

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cover the rear of the dwelling, part of the yard and the adjoining property. This distance is considered suitable and largely excludes sections of the property that are vegetated, whilst having minimal environmental impacts.

- *Correspondence with Government Agencies*

Correspondence from government agencies dated to 2007 was suggested to be out-dated.

### *Planning comment*

The LES contains correspondence dating from 2007. Further consultation occurred in 2012 in accordance with the requirements of the Department of Planning and Environment's Gateway Determination. The outcomes of this consultation were contained within the exhibited version of the Planning Proposal. In addition, the Planning Proposal has been updated to reflect comments from government agencies received when it was exhibited and also includes updated responses following exhibition. Council has continued to consult with the Office of Environment and Heritage in relation to the biodiversity impacts of the proposal.

### Government Agency Consultation

Three responses were received from the Office of Environment and Heritage (OEH), Rural Fire Service (RFS) and [then] Mine Subsidence Board. The RFS and Mine Subsidence Board had no objections to the rezoning and raised considerations for the development assessment stage. These considerations include that applications would need to be prepared in accordance with *Planning for Bushfire Protection 2006* and the Mine Subsidence Board should be consulted at subdivision and individual development assessment stages.

- OEH Response – 23 September 2013

The submission from the OEH noted the Planning Proposal would impact on many high conservation values including EECs, threatened species, riparian habitat and Masked Owl habitat. The OEH recommended that the plan not be adopted prior to resolution of satisfactory offsets.

- OEH Response – 1 July 2016

The OEH reviewed the offset package and gave in-principle support for the use of a VPA to ensure the delivery of an 'improve or maintain' outcome. It advised further surveys are not required at the rezoning stage, but would be required at development assessment stage. The VPA will be the mechanism to ensure the provision of offset land for conservation in perpetuity prior to development impacts and provide a nexus between the development and offsets provided as it is a matter for consideration under the *EP&A Act 1979*.

However, the OEH noted that the proponent needs to be made aware of the risk to this approach, as assessment of significant impact may still be required under the *EP&A Act 1979* at development assessment stage.

### *Planning comment*

It is noted that further assessment and consideration of flora and fauna impacts may need to be considered at development assessment stage. The VPA is considered the best mechanism to address offsets at rezoning stage and this is in accordance with Council's Biodiversity Planning Policy and Guidelines for Rezoning Proposals. Council staff recently

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met with OEH to discuss the VPA that was exhibited and OEH advised Council that it is able to proceed with the rezoning and VPA.

Further information on consultation including consultation prior to exhibition of the planning proposal can be found in section 11 of the Planning Proposal (Attachment 1).

### Internal Consultation

Council departments including Sustainability, Community Planning, Development Assessment and Compliance, and Asset Management were consulted during the preparation of the rezoning application. Consultation has also occurred with Council's Biodiversity Offsets Working Group, which includes staff from Property and Business Development, Asset Management, and Sustainability. The main concerns raised were if land is going to be dedicated to Council, that sufficient funding be provided to maintain this land in perpetuity. The offset package includes funding arrangements for this land.

The VPA includes provision for bank guarantees totalling \$1.89 million as security for the management of the biodiversity land for the first 10 years. In addition, a bank guarantee in the amount of \$2.36 million will be provided to Council as security for in-perpetuity funding to manage this land, which has been based on estimated management costs using the methodology used by OEH for the Biobanking Scheme, and applied by Council as a funding model for natural areas.

### ***Voluntary Planning Agreement***

The VPA was exhibited from 7 April to 6 May 2018 and three submissions were received. These submissions were by the same people and groups who made submissions on the rezoning application. The submissions were by Sugarloaf and Districts Action Group Inc, Australian Labor Party (ALP) – West Wallsend Branch and a resident who is also the Secretary of the ALP – West Wallsend Branch. A summary of the submissions and a planning response is provided below.

Issues Raised:

- Insufficient and outdated information such as vegetation mapping and floristic data.

### *Planning comment*

Extensive flora and fauna investigations occurred in the LES in accordance with Council's Flora and Fauna Survey Guidelines. Council officers are satisfied that these studies are adequate to assess impacts of the site. Further assessment of flora and fauna impacts may be required at the development assessment stage.

- Residents are still waiting for offsets for West Wallsend Apple Tree Grove Estate to be handed over to the NSW Government

### *Planning comment*

This is a separate development application by the same Developer. The West Wallsend Apple Tree Grove Estate development consent conditions govern the provision of offsets for that development as a separate matter.

The West Wallsend development was approved by the Joint Regional Planning Panel and involved offsets outside Lake Macquarie City. The consent conditions for the West Wallsend Apple Tree Grove Estate contain provisions that offset land may be transferred to the State Government.

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The VPA for the current Edgeworth rezoning is a legally binding contract that provides clear mechanisms and enforcement provisions for the transfer of the offset land to Council. The offset land proposed in the VPA will be transferred to Council 10 years from the date of development consent or removal of any vegetation, whichever occurs first. The reason for delay in transferring the offset land to Council is the land will be managed by the Developer for 10 years through an approved management plan that Council will monitor. Council will accept this land once satisfied the land has been managed in accordance with the management plan.

- Concern over state of offset land for West Wallsend Apple Tree Grove Estate development application and that similar issues will occur with the rezoning offset land.

### *Planning comment*

The provisions of the VPA are comprehensive and require 10 years of management and monitoring of the offset land, and funding to allow Council to manage the land in perpetuity. The VPA provides for bank guarantees as security to ensure the maintenance of the land by the Developer for the first 10 years, and management of the land in Council's ownership in perpetuity.

- The O'Donnelltown land is not in the Developer's ownership and they should not be able to include this land in the VPA.

### *Planning comment*

The VPA requires the Developer to acquire the O'Donnelltown land.

- Some concerns over property descriptions and previous correspondence on the offset land that were viewed through Council's Application Tracking portal.

### *Planning comment*

The offsets for this site have been discussed for an extensive period and in that time property descriptions and the biodiversity arrangements have changed with the implementation of the *Biodiversity Conservation Act 2016*. There was some concern that the O'Donnelltown land could not be biobanked due to mining lease issues and it would need to be secured through a Native Conservation Trust Agreement. The land will now be managed through a stewardship agreement, which is a similar mechanism to biobanking, under the new *Biodiversity Conservation Act 2016*.

- Concerns over impact on threatened flora and fauna

### *Planning comment*

These concerns have been addressed in the Environmental Implications section of this report and in the Planning Proposal.

- Concern that the VPA may allow a dwelling entitlement on O'Donnelltown land

### *Planning comment*

The VPA does not propose a dwelling on the O'Donnelltown offset land. The O'Donnelltown site is quite isolated and is currently used for motorbike access resulting in clearing. Having a dwelling associated with the offset land could assist with the management of this land through having someone on site to deter access and to undertake management activities on the offset land. The VPA does not cover the entire

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parcel of land. The portion of the land not covered by the VPA may be suitable for a single dwelling to assist with the management of the offset land, however this would be subject to a separate development assessment process.

- Concern land at O'Donnelltown was cleared in the past with most of the land containing trees only 30-40 years old and that there are no habitat trees and the offsets are not 'like for like'.

### *Planning comment*

The land at O'Donnelltown has been the subject of flora and fauna assessment and confirmed to contain over 116 ha of vegetation providing habitat and contains the same EEC as that impacted by the proposed development.

- Concern that corridors are impacted and that the R3 zoned land has been placed in a corridor area and is creating isolated pockets of bushland.

### *Planning comment*

The medium density zoned land has been placed near George Booth Drive, closest to the Cameron Park Centre to allow resident access to services there. An extensive corridor in the south of the site has been conserved through a 260 metre corridor at its narrowest extending to over a 700 metre corridor at its widest point. The corridor that has been conserved adjoins other conservation zoned land, whereas the corridor the submission is referring to adjoins other residential zoned land and George Booth Drive, which restricts species movement.

- Concern that R3 land should be moved up the hill closer to traffic lights and closer to a bus stop.

### *Planning comment*

The medium density land is placed near proposed traffic lights to allow access to the Cameron Park Centre. This land and surrounding land in the north west of the City are receiving significant growth. Provision has been made for a bus stop near the Centre opposite the site on Portland Drive. As growth and development occurs in this area, a review of services will need to occur.

- Concerned Council lacks expertise to consider the biobank agreement.

### *Planning comment*

Council has skilled and qualified Environmental Planners and ecologists to consider the biobank agreement. The New South Wales Office of Environment and Heritage (OEH) has also been involved in considering the offset proposal and are satisfied with the offset proposal. The VPA requires a biobank agreement to be established on the O'Donnelltown site. This will be a stewardship agreement under the new *Biodiversity Conservation Act 2016* that is entered into with the newly established Biodiversity Conservation Trust. The Trust will assess the stewardship agreement, and has officers qualified to do so.

- One of the land parcels contained within the offset land has an incorrect property description. This has not allowed the public the opportunity to comment on the VPA.

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### *Planning comment*

The property description of one of the parcels of offset land has changed following the exhibition of the VPA. While the property description has changed, the land was shown in a map in the exhibited VPA.

### **Implications:**

#### ***Policy Implications:***

##### Lifestyle 2030 Strategy

Council's Lifestyle 2030 Strategy identifies this site along with land from Glendale/Cardiff to West Wallsend as a growth and expansion corridor. The LS2030 Strategy outlines that new centres, such as Cameron Park / Pambulong Forest, will provide a focus for new release urban areas by including mixed use and medium density development. The Planning Proposal is consistent with the LS2030 Strategy.

##### Lake Macquarie Local Environmental Plan 2014 (LMLEP 2014)

The Planning Proposal seeks to rezone the land to R3 Medium Density Residential, R2 Low Density Residential, B4 Mixed Use zone and E2 Environmental Conservation to facilitate housing south of George Booth Drive and mixed use development north of George Booth Drive.

##### Hunter Regional Plan (HRP) 2036

The HRP identifies the study area as part of a growth area adjoining the urban renewal corridor extending from Glendale. The proposed rezoning is consistent with the objectives and outcomes of the HRP as the subject land is identified as a proposed growth area, providing new urban development opportunities within the region. The Planning Proposal also strengthens the role of the main road urban renewal corridor, which extends from Cardiff to the site.

##### Draft Greater Newcastle Metropolitan Plan

The site is included as part of the Newcastle and Lake Macquarie Release Area in the Priority Housing Release Areas of the Draft Greater Newcastle Metropolitan Plan. This draft Plan recognises future housing growth will be through infill development and new housing areas in the Greenfield Newcastle – Lake Macquarie Western Growth Area of which the site is part of.

##### Council's Biodiversity Planning Policy and Guidelines for Rezoning Proposals (Policy and Guidelines)

The Policy and Guidelines seek to ensure that biodiversity issues are considered and resolved in the rezoning process.

Due to the presence of the Lower Hunter Spotted Gum Ironbark Forest EEC, the rezoning has inconsistencies with this Policy and Guidelines, which seek to result in no loss of EECs. However, based on planning considerations, this location is the ideal place for development as it is located closest to the Centre.

The Planning Proposal conserves approximately half the vegetation on the site. However, the land that is to be zoned E2 Environmental Conservation is proposed to be used as an offset for the West Wallsend 375 lot residential subdivision (DA/113/2011), and accordingly will not count as an offset for this rezoning application. Separate offsets have had to be sourced. The offset package has been developed, and Council's Sustainability

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Department has been involved in ensuring an offsets package has been developed in accordance with this Policy.

### State Environmental Planning Policies (SEPPs)

Relevant SEPPs have been considered in the preparation of the Planning Proposal (refer to Attachment 1).

### Environmental Planning and Assessment Act 1979

The preparation process and the contents of the VPA and rezoning have complied with legislative requirements.

### Ministerial Directions

The Planning Proposal is generally consistent with the relevant Ministerial Directions. However, the Planning Proposal is inconsistent with Direction 2.1 – Environmental Protection Zones due to the flora and fauna present on the site. This inconsistency is justified on the grounds that the site is identified for development in the HRP and meets the objectives of Council's LS2030 Strategy. The rezoning has also been supported by a local environmental study. A table showing the relevant directions and a comment is included in the Planning Proposal at Attachment 1.

### ***Environmental Implications:***

The LES and flora and fauna investigations for the site have identified that the site contains the Lower Hunter Spotted Gum Ironbark Forest EEC and this is a significant constraint to the development of the site. The Planning Proposal will result in 43 per cent of this EEC being removed and the remainder being conserved on land to be zoned E2 Environmental Conservation. The site also contains a small amount of the Swamp Sclerophyll Forest on Coastal Floodplains EEC, which will be conserved.

The site contains two threatened plant species (*Tetratheca juncea* and *Callistemon linearifolius*), as well as a nationally rare species (*Eucalyptus fergusonii* subsp. *fergusonii*). The proposed zoning plan will result in the loss of all 11 plants of *Tetratheca juncea*, and 22 ha of Lower Hunter Spotted Gum Ironbark Forest EEC. However, the Planning Proposal will result in the conservation of 29 ha of the Lower Hunter Spotted Gum Ironbark Forest (LHSGIF) EEC and 0.18 ha of the Swamp Sclerophyll Forest on Coastal Floodplains, as well as one population of *Callistemon linearifolius* and one stand of *Eucalyptus fergusonii* subsp. *fergusonii*.

Fauna assessments have found the presence of six threatened species on the site including the Masked Owl (*Tyto novaehollandiae*), Squirrel Glider (*Petaurus norfolcensis*), Little Bent-wing Bat (*Miniopterus australis*), Eastern Bent-wing Bat (*Miniopterus schreibersii oceanensis*), Large-eared Pied Bat (*Chalinolobus dwyeri*), and the Grey-headed Flying Fox (*Pteropus poliocephalus*).

A number of the habitat trees including those for the Masked Owl will be retained with an adequate buffer through a conservation zoning. The conservation area will protect the important habitat corridor along Cockle Creek and Squirrel Glider habitat.

A biodiversity offsets package has been prepared. This package will result in a 116 ha biobank site, over 53 ha of land being managed and dedicated to Council for conservation, plus the additional sourcing of ecosystem credits for the EEC.

### ***Social Implications:***

The proposed residential areas will support the Cameron Park / Pambulong Forest Centre. The Planning Proposal will increase the density of development within a walkable

## Matters Referred 23 July 2018

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catchment of the town centre. A combination of medium and low-density residential zones will facilitate housing diversity to cater for a range of needs and preferences. The proposed B4 Mixed Use zone will supplement the retail centre to the north by providing supportive services.

The site will offer ready access to community facilities including schools, open space and recreation opportunities, as well as being serviced by public transport.

### ***Infrastructure Asset Implications:***

The rezoning site is well located near existing infrastructure including roads, services and facilities. Relevant developer contributions will need to be paid when the site is developed. Council will ultimately be responsible for managing some of the offset land. This land adjoins Council-owned land. Having the offset land in Council ownership will assist with the management of illegal dumping on adjacent Council land through restricting access by providing fencing of the land to be dedicated to Council, which is currently allowing access to Council owned land.

### ***Financial Implications:***

There are no specific financial implications for Council apart from staff resources, which have been incurred in processing the rezoning in accordance with Council's rezoning process. The proponent has agreed to pay the appropriate rezoning fees and costs associated with the VPA.

### ***Risk and Insurance Implications:***

The preparation of a Planning Proposal to amend the LMLEP 2014 is a regular Council activity governed by the provisions of the *EP&A Act 1979* and the *Environmental Planning and Assessment Regulation 2000*. The level of risk associated with this activity is minimised by following the process outlined in the *EP&A Act 1979, Regulation*, and Council procedures.

The VPA includes provision for bank guarantees totalling \$1.89 million as security for the management of the biodiversity land for the first 10 years. In addition, a bank guarantee in the amount of \$2.36 million will be provided to Council as security for in perpetuity funding to manage this land, which has been based on estimated management costs using the methodology used by OEH for the Biobanking Scheme, and applied by Council as a funding model for natural areas.

### **Options:**

1. Council resolves to support the revised Planning Proposal, make the amendment to LMLEP 2014 and enter into the VPA. This is the recommended option, as it will allow housing in an area identified for growth in relevant planning policies and address biodiversity offsets.
2. Council resolves not to proceed with the Planning Proposal and advises the proponent accordingly. This option is not recommended as the Planning Proposal seeks to achieve residential and mixed-use development adjoining a proposed town centre and is consistent with relevant Council and State Government land use strategies.

### **Conclusion:**

It is recommended that Council endorse the revised Planning Proposal and VPA so the amendment to LMLEP 2014 can be made and offsets be secured. This will enable further development of the area surrounding Cameron Park.

**Matters Referred**  
**23 July 2018**

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Interim Manager Planning & Sustainability - Alice Howe

**Attachments:**

- |   |                            |           |
|---|----------------------------|-----------|
| 1. Revised Planning Proposal - George Booth Drive -<br>Edgeworth - Including Planning Agreement Information | Under<br>separate<br>cover | D08883535 |
| 2. Voluntary Planning Agreement   |                            | D08808591 |

## Voluntary Planning Agreement

Hammersmith Management Pty Limited  
*ACN 084 393 644*

Lake Macquarie City Council  
*ABN 81 065 027 868*

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## Agreement

### Date

### Parties

#### First party

<b>Name</b>	Hammersmith Management Pty Limited ( <b>Landowner</b> )
<b>ACN</b>	084 393 644
<b>Contact</b>	Mr Wes van der Gardner
<b>Telephone</b>	02 9270 6003

#### Second party

<b>Name</b>	Lake Macquarie City Council ( <b>Council</b> )
<b>ABN</b>	81 065 027 868
<b>Contact</b>	The Chief Executive Officer
<b>Telephone</b>	02 4921 0333

### Background

- A. On 17 August 2005, the Landowner made an application to Council for the Instrument Change for the purpose of making a Development Application to Council for Development Consent to carry out the Development on the Land.
- B. The Landowner has made an offer in connection with the Instrument Change to enter into this agreement to make contributions for public purposes associated with the Instrument Change and the Development.

### Operative part

#### 1 Definitions

In this agreement, unless the context indicates a contrary intention:

**Act** means the *Environmental Planning and Assessment Act 1979* (NSW);

**Approval** means any certificate, licence, consent, permit, approval or other requirement of any Authority having jurisdiction in connection with the activities contemplated by this agreement;

**Authority** means any government, semi-governmental, statutory, administrative, fiscal or judicial body, department, commission, authority, tribunal, public or other person;

**Bank Guarantee** means an irrevocable and unconditional undertaking that is not limited in time and does not expire by one of the following trading banks:

- (a) Australia and New Zealand Banking Group Limited;
- (b) Commonwealth Bank of Australia;

- (c) Macquarie Bank;
- (d) National Australia Bank Limited;
- (e) St George Bank Limited;
- (f) Westpac Banking Corporation; or
- (g) other financial institution approved by Council;

to pay an amount or amounts of money to Council on demand and containing terms and conditions reasonably acceptable to Council.

**BioBanking Assessment Methodology** means the methodology used by OEH to assess biodiversity values and calculate the number of credits that can be created from undertaking conservation management under the BioBanking Scheme;

**BioBanking Scheme** means the Biodiversity Banking and Offset Scheme authorised by the OEH, or any other similar scheme replacing it;

**Business Day** means a day on which banks are open for general banking business in Sydney, excluding Saturdays and Sundays;

**Claim** means any claim, loss, liability, damage, proceeding, order, judgment or expense arising out of the operation of this agreement;

**Construction Certificate** means a construction certificate as defined under section 6.4 of the Act;

**Development** means the proposed subdivision of the Land;

**Development Application** has the same meaning as in the Act;

**Development Consent** has the same meaning as in the Act;

**Final Report** means a written report containing the information in Annexure D and providing evidence confirming that the Offset Land has been maintained or improved during the Maintenance Period by the Landowner in accordance with the Management Plan;

**First CC** means the first Construction Certificate for any Subdivision Work forming part of the Development;

**Governing Body** means OEH, Biodiversity Conservation Trust or the Commonwealth Department of the Environment and Energy (or its successors or assigns);

**GST** has the same meaning as in the GST Law;

**GST Law** has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition of or administration of the GST;

**Instrument Change** means an amendment to the LEP in response to the Landowner's rezoning application to Council numbered RZ/9/2005, including the rezoning of the Land or a substantial part of the Land in accordance with the plans at Annexure F;

**Land** means Lot 1 DP 1180029 identified as "development site" as shown on the plan at Annexure A;

**Law** means:

- (a) any law applicable including legislation, ordinances, regulations, by-laws and other subordinate legislation;
- (b) any Approval, including any condition or requirement under it; and
- (c) any fees and charges payable in connection with the things referred to in paragraphs (a) and (b);

**Law Society of New South Wales** means the Law Society of New South Wales or its successors or assigns.

**LEP** means *Lake Macquarie Local Environmental Plan 2014*;

**Maintain** means carrying out works and management actions for the purposes of improving or maintaining the biodiversity values of the Offset Land in accordance with the Management Plan;

**Maintained** and **Maintenance** have corresponding meanings;

**Maintenance Period** is the period of time that commences on the grant of any Development Consent for the Development or the removal of any vegetation on the Land, whichever occurs first and ends 10 years from that time or at another date as agreed between the parties in writing, or otherwise determined in accordance with this agreement;

**Management Plan** means the plan setting out management actions for the conservation of the Offset Land during the Maintenance Period prepared under clause 6.3 containing the information anticipated by Part A of Annexure E;

**Monetary Contribution** means the monetary contribution payable by the Landowner under clause 6.5 of this agreement;

**O'Donnelltown Land** means Lot 2 DP 1050996 as shown on the plan at Annexure B;

**OEH** means the NSW Office of Environment and Heritage or its successors or assigns;

**Offset Land** means part of Lot 9 DP 4647, part of Lot 1 DP 1180029 (west of Government Road), whole of Lot 2 DP 1156170 and part of Lot 6000 DP 1238670 to be dedicated to Council in accordance with this agreement, identified as "offset" in Annexure A, and, for the avoidance of doubt, does not include the O'Donnelltown Land shown in Annexure B, the part of Lot 1 DP 1180029 identified as "development site" or the part of Lot 9 DP 4647 identified as "dwelling, APZ, easement" on the plans at Annexure A;

**Permitted Encumbrances** means:

- (a) easements benefitting statutory authorities or for the purpose of utility services,
- (b) encumbrances, agreements or arrangements authorised by an Approval,
- (c) environmental management requirements or other instruments registered for the purposes of the protection of biodiversity or conservation of the land,
- (d) any other encumbrance, agreement or arrangement Council (acting reasonably) agrees in writing is a Permitted Encumbrance; or
- (e) any encumbrance, agreement or arrangement that does not prevent the future use of the relevant land for the public purpose for which it is to be dedicated

under this agreement, unless the encumbrance is a charge arising as a result of unpaid taxes or rates;

**Register** means the Torrens title register maintained under the *Real Property Act 1900* (NSW);

**Regulation** means the *Environmental Planning and Assessment Regulation 2000*;

**Report** means a written report containing information as per Annexure D;

**Revised Management Plan** means the plan setting out management actions for the conservation of the Offset Land in perpetuity prepared under clause 6.4 containing information anticipated by Part B of Annexure E;

**Subdivision Work** has the same meaning as in the Act;

**Suitably Qualified Person** means a person with suitable qualifications and not less than five years' experience having regard to the nature of the action required under this agreement and appointed in accordance with clause 6.8; and

**Total Fund Deposit Worksheet** means the methodology used by OEH to determine the amount of money needed to fund management actions of an offset site in perpetuity, known as the Total Fund Deposit, under the BioBanking Scheme, or any other similar term and/or methodology replacing it.

## 2 Interpretation

In this agreement, unless the context indicates a contrary intention:

- (a) **(documents)** a reference to this agreement or another document includes any document which varies, supplements, replaces, assigns or novates this agreement or that other document;
- (b) **(references)** a reference to a party, clause, paragraph, schedule or annexure is a reference to a party, clause, paragraph, schedule or annexure to or of this agreement;
- (c) **(headings)** clause headings and the table of contents are inserted for convenience only and do not affect interpretation of this agreement;
- (d) **(person)** a reference to a person includes a natural person, corporation, statutory corporation, partnership, the Crown and any other organisation or legal entity and their personal representatives, successors, substitutes (including persons taking by novation) and permitted assigns;
- (e) **(party)** a reference to a party to a document includes that party's personal representatives, executors, administrators, successors, substitutes (including persons taking by novation) and permitted assigns;
- (f) **(president, CEO or managing director)** the president, CEO or managing director of a body or Authority means any person acting in that capacity;
- (g) **(requirements)** a requirement to do any thing includes a requirement to cause that thing to be done, and a requirement not to do any thing includes a requirement to prevent that thing being done;
- (h) **(including)** including and includes are not words of limitation, and a list of examples is not limited to those items or to items of a similar kind;

- (i) **(corresponding meanings)** a word that is derived from a defined word has a corresponding meaning;
- (j) **(singular)** the singular includes the plural and vice-versa;
- (k) **(gender)** words importing one gender include all other genders;
- (l) **(parts)** a reference to one or more things includes each part and all parts of that thing or group of things but nothing in this clause implies that part performance of an obligation constitutes performance of that obligation;
- (m) **(rules of construction)** neither this agreement nor any part of it is to be construed against a party on the basis that the party or its lawyers were responsible for its drafting;
- (n) **(legislation)** a reference to any legislation or provision of legislation includes all amendments, consolidations or replacements and all regulations or instruments issued under it;
- (o) **(time and date)** a reference to a time or date in connection with the performance of an obligation by a party is a reference to the time and date in , Australia, even if the obligation is to be performed elsewhere;
- (p) **(joint and several)** an agreement, representation, covenant, right or obligation:
  - (i) in favour of two or more persons is for the benefit of them jointly and severally; and
  - (ii) on the part of two or more persons binds them jointly and severally;
- (q) **(writing)** a reference to a notice, consent, request, approval or other communication under this agreement or an agreement between the parties means a written notice, request, consent, approval or agreement;
- (r) **(replacement bodies)** a reference to a body (including an institute, association or Authority) which ceases to exist or whose powers or functions are transferred to another body is a reference to the body which replaces it or which substantially succeeds to its power or functions;
- (s) **(Australian currency)** a reference to dollars or \$ is to Australian currency;
- (t) **(month)** a reference to a month is a reference to a calendar month; and
- (u) **(year)** a reference to a year is a reference to twelve consecutive calendar months.

### 3 Planning Agreement under the Act

- (a) The parties agree that this agreement is a planning agreement within the meaning of section 7.4 of the Act.
- (b) Schedule 1 of this agreement summarises the requirements for planning agreements under s 7.4 of the Act and the way this agreement addresses those requirements.

### 4 Application of this agreement

This agreement applies to:

- (a) the Instrument Change,

- (b) the Development,
- (c) the Land,
- (d) the Offset Land, and
- (e) the O'Donnelltown Land.

## 5 Operation of this agreement

- (a) This agreement commences on and from the date it is executed.
- (b) If:
  - (i) the Instrument Change has not occurred within two (2) years after the date of this agreement; or
  - (ii) the Instrument Change has occurred and is declared by a Court to be invalid,either party may terminate this agreement by notice in writing to the other.
- (c) On and from the date of termination of this agreement in accordance with clause 5(b), this agreement will cease to have effect and the Council will immediately return to the Landowner any Bank Guarantee, title documentation or other security it holds under this agreement.

## 6 Contributions to be made under this agreement

### 6.1 *BioBanking O'Donnelltown Land*

- (a) The Landowner must acquire the title to the O'Donnelltown Land prior to the earlier of:
  - (i) 9 months after the date of this agreement; and
  - (ii) prior to any Development Application for the Development being lodged; and
  - (iii) commencement of any clearing of vegetation on the Land.
- (b) The Landowner must register an agreement under the BioBanking Scheme against the title to the O'Donnelltown Land in accordance with relevant legislation.
- (c) The agreement required by clause 6.1(b) must be executed and registered as anticipated by clause 6.1(b) prior to the earlier of:
  - (i) the grant of any Development Consent for the Development;
  - (ii) commencement of any clearing of vegetation on the Land; and
  - (iii) the date that is three (3) years after the date of this agreement, or such later date as may be agreed in writing between the parties.
- (d) The Landowner must give Council not less than 21 days written notice of its intention to clear any vegetation from the Land, where such clearing does not require a Development Consent.
- (e) Prior to the issue of the First CC, the Landowner agrees to retire the following ecosystem credits, or equivalent credits, which will be acquired as a consequence of that agreement:

- (i) 768 HU806 credits equivalent to the Lower Hunter Spotted Gum Ironbark Forest endangered ecological community.
  - (ii) 81 HU807 credits equivalent to the Lower Hunter Spotted Gum Ironbark Forest endangered ecological community.
  - (iii) 335 HU852 credits equivalent to the Smooth-barked Apple – Red Bloodwood – Scribbly Gum grass-shrub woodland.
- (f) The obligations under this clause 6.1 will be taken to have been completed when the Landowner provides to Council written evidence that the Landowner has been registered as the owner of the O'Donnelltown Land and a copy of the executed agreement referred to in clause 6.1(b), evidence that it has been registered against the title to the O'Donnelltown Land and evidence that the credits referred to in clause 6.1(e) have been retired.
- (g) Nothing in this agreement restricts or prevents the Landowner from obtaining, retiring or transferring any biodiversity credits arising from the registration of an agreement under the Biobanking Scheme against the title to the O'Donnelltown Land that are additional to those specified in clause 6.1(e) .

#### 6.2 *Dedication of Offset Land*

- (a) The Landowner must obtain all Approvals required to subdivide the Offset Land so it can be transferred to Council.
- (b) The Landowner must subdivide the Offset Land into a separate title lot or lots at the time of registration of the first plan of subdivision of the Land and must throughout the Maintenance Period keep the Offset Land free of all mortgages, charges and other encumbrances.
- (c) Within 20 Business Days after creation of a separate title lot or lots for the Offset Land ("Offset Lot") as anticipated by clause 6.2(b) the Landowner must deposit with the Council the original Certificates of Title for the Offset Lot, an original executed real property transfers of the Offset Lot in favour of the Council in registrable form and a discharge of any mortgage then affecting the Offset Lot in registrable form.
- (d) Council agrees that the dimensions of the lot(s) created for the Offset Land may vary from those specified in Annexure A, provided that the area of the Offset Land is not reduced by more than 3% in total and provided further that any reduction may not include any of the area within the corridor area contained in Lot 9 DP 4647 identified as "offset" in Annexure A.
- (e) The Landowner must dedicate or cause to be transferred to Council, at no cost to Council, the Offset Land freed and discharged from all estates, interests, trusts, restrictions, dedications, reservations, easements, rights, charges, rates and contracts in, over or in connection with the land, including but not limited to, municipal rates and charges, water rates and land tax, except for any Permitted Encumbrances.
- (f) The Offset Land must be dedicated or transferred to Council no later than 6 months from the end of the Maintenance Period, or as otherwise agreed between the parties. The Offset Land can only be dedicated or transferred to Council once the Developer has fulfilled all actions required under clauses 6.4 and 6.5, or Council has waived, in writing, the obligation to fulfil those actions.

- (g) The dedication or transfer of the Offset Land will be taken to have been effected when a Certificate of Title is issued by NSW Land and Property Information for the Offset Land identifying Council as the registered proprietor of that land and the Certificates of Title is held by Council.

### 6.3 *Management Plan*

- (a) The Landowner will, at no cost to Council, cause a Management Plan for the Offset Land to be prepared by a Suitably Qualified Person.
- (b) The Management Plan must set out the works and management actions required to be undertaken on the Offset Land to maintain or improve the biodiversity values of the Offset Land over the Maintenance Period and contain as a minimum the actions specified in Annexure E.
- (c) A draft copy of the Management Plan, which is no more than six (6) months old, must be provided to Council.
- (d) Council will, acting reasonably, advise the Landowner of any suggested changes to the draft Management Plan:
  - (i) within 20 Business Days after receiving the draft Management Plan; or
  - (ii) if another Governing Body is required under any Law to review, comment or approve the draft Management Plan, within 20 Business Days after receiving advice from that Governing Body.
- (e) Provided Council's suggested changes to the draft Management Plan are reasonable the Landowner must accept Council's suggested changes.
- (f) Comments from another Governing Body must be incorporated into the draft Management Plan.
- (g) The Landowner must provide a final version of the Management Plan to Council within 20 Business Days of receiving Council's suggested changes under clause 6.3(d).
- (h) The Landowner must provide a final version of the Management Plan to Council prior to the grant of a Development Consent for the Development or removal of any vegetation, whichever occurs first.

### 6.4 *Maintenance of Offset Land and Revised Management Plan*

- (a) The Offset Land, must be Maintained by the Landowner, at no cost to Council, in accordance with the Management Plan for the Maintenance Period.
- (b) The Landowner must obtain all Approvals necessary to carry out the Maintenance required under this clause.
- (c) At the end of July in each year during the Maintenance Period, the Landowner must provide to Council a Report relating to the immediately preceding year prepared by a Suitably Qualified Person.
- (d) Prior to the end of the Maintenance Period, the Landowner, at no cost to Council, must engage a Suitably Qualified Person to carry out an inspection of the Offset Land and prepare:
  - (i) a Final Report; and

- (ii) a draft Revised Management Plan setting out the works and management actions required to be undertaken on the Offset Land to maintain or improve the biodiversity values of that Land in perpetuity and contains as a minimum the actions specified in Annexure E.
- (e) The Final Report and the draft Revised Management Plan, which must be no more than six (6) months old, must be provided to Council no later than three (3) months prior to the end of the Maintenance Period.
- (f) Council will, acting reasonably, advise the Landowner of any suggested changes to the draft Revised Management Plan:
  - (i) within 20 Business Days after receiving the draft Revised Management Plan; or
  - (ii) if another Governing Body is required under any Law to review, comment or approve the draft Revised Management Plan, within 20 Business Days after receiving advice from that Governing Body.
- (g) Provided Council's suggested changes to the draft Revised Management Plan are reasonable, the Landowner must accept Council's suggested changes.
- (h) Comments from another Governing Body must be incorporated into the draft Revised Management Plan.
- (i) The Landowner must provide a final version of the Revised Management Plan to Council within 20 Business Day of receiving Council's suggested changes under clause 6.4(f).
- (j) The requirement to Maintain the Offset Land under clause 6.4(a) will be taken to have been satisfied when the Maintenance Period has ended and the Landowner has submitted to Council:
  - (i) a Final Report prepared under clause 6.4(d)(i) confirming that all works and actions required under the Management Plan have been completed; and
  - (ii) the final version of the Revised Management Plan under clause 6.4(i).
- (k) The Landowner and Council may agree in writing to extend the Maintenance Period, for a period of no more than 24 months, in the event that the Final Report as required under clause 6.4(d)(i) is not provided to Council or the Revised Management Plan is not finalised between the parties in accordance with clause 6.4(i), prior to the end of the Maintenance Period.

#### 6.5 Monetary Contribution

- (a) The Landowner will pay a monetary contribution to Council calculated in accordance with the BioBanking Assessment Methodology Total Fund Deposit Worksheet, by reference to the estimated cost of managing and maintaining the Offset Land in perpetuity as provided in the Revised Management Plan. The minimum list of management activities to be included as inputs into the BioBanking Assessment Methodology Total Deposit Fund Worksheet for management in perpetuity is contained in Table B of Appendix E.
- (b) The Landowner must engage a Suitably Qualified Person to calculate the Monetary Contribution and provide to Council a report from that person on the

amount to be paid, together with the final version of the Revised Management Plan as required by clause 6.4(i).

- (c) If either party objects to the amount of the Monetary Contribution determined under this clause 6.5, then that party may seek to have a dispute resolved by referring the matter directly to expert determination under clause 10.7 of this agreement, and is not required to comply with clause 10.3 to 10.6 of this agreement.
- (d) The Monetary Contribution must be paid to Council prior to Council executing any transfer forms or instrument having the effect of dedicating the Offset Land to Council.
- (e) The Monetary Contribution must be paid by way of bank cheque in favour of Council or by electronic funds transfer to an account specified by Council within 20 Business Days after provision of the amount for the Monetary Contribution under clause 6.5(b) or after determination of the Monetary Contribution under clause 10.7.
- (f) The Monetary Contribution will be taken to have been made when the Landowner delivers the bank cheque to Council, or if paid by electronic funds transfer, Council receives the amount in its specified account.
- (g) Council agrees that it will execute any transfer forms dedicating the Offset Land to Council within 5 Business Days of receiving the Monetary Contribution.

#### 6.6 *Additional Credits*

- (a) The Landowner acknowledges and agrees that the retirement of credits in connection with the O'Donnelltown Land and the Maintenance and dedication of the Offset Land will not be sufficient to offset the environmental impacts of the Development.
- (b) The Landowner agrees to source or acquire 484 ecosystem credits which are equivalent to the Lower Hunter Spotted Gum Ironbark endangered ecological community, through the BioBanking Scheme to make up the shortfall.
- (c) Should the development area be reduced to increase the offset lands and/or conserve a larger area of Lower Hunter Spotted Gum Ironbark Forest which is contiguous with other patches of native vegetation to be retained, then the number of ecosystem credits sourced or acquired in accordance with this clause 6.6 may be adjusted with Council agreement and in accordance with the BioBanking Assessment Methodology. To avoid doubt this provision does not apply to the Offset Lands and O'Donnelltown Land.
- (d) The Landowner must obtain and retire the credits referred to in clause 6.6(b) prior to the issue of the First CC or removal of any vegetation on the Land, whichever occurs first.

#### 6.7 *Public Purposes*

- (a) The parties agree and acknowledge that the contributions made in accordance with this clause 6 serve the public purpose of conserving and enhancing the natural environment.
- (b) Council acknowledges and agrees that the environmental conservation measures proposed under this agreement, being the proposal to retire credits after entering

into an agreement under the BioBanking Scheme for the O'Donnelltown Land, maintenance and dedication of the Offset Land, and the retirement of the additional credits in accordance with clause 6.6:

- (i) constitute, in the Council's opinion at the time of this agreement, an adequate offset for the proposed clearing required for the footprint of the Development identified in the rezoning application to Council numbered RZ/9/2005, and
- (ii) are intended to apply as biodiversity offsets in connection with the Development of the Land, and
- (iii) will be taken into consideration as biodiversity offsets when Council determines any Development Application applying to the Land.

#### 6.8 *Appointment of a Suitably Qualified Person*

- (a) Prior to contracting with any person to carry out actions required to be undertaken by a Suitably Qualified Person under this agreement:
  - (i) the Landowner will advise Council in writing of the name of the person to be retained and the person's relevant qualifications and experience;
  - (ii) within 20 Business Days of receiving that information, Council will notify the Landowner in writing whether it agrees, acting reasonably, to the appointment of that person; and
  - (iii) if Council does not agree to that person being retained, the Landowner will not enter into a contract with that person and will seek to engage the services of another Suitably Qualified Person following the procedure in clauses (i) to (iii) again.
- (b) For the avoidance of doubt, the Landowner will bear the costs of any Suitably Qualified Person appointed in accordance with this agreement, unless the person has been appointed to resolve a dispute in accordance with clause 10.

### 7 Application of s 7.11, s 7.12 and s 7.24 of the Act to the Development

- (a) This agreement does not exclude the application of section 7.11 of the Act to the Development.
- (b) This agreement does not exclude the application of section 7.12 of the Act to the Development.
- (c) This agreement does not exclude the application of section 7.24 of the Act to the Development.
- (d) The benefits under this agreement are not to be taken into consideration in determining a development contribution under section 7.11 of the Act.

### 8 Registration of this agreement

#### 8.1 *Landowner Interest*

The Landowner represents and warrants to Council that on the date of this agreement it is the registered proprietor of the Offset Land.

### 8.2 Registration of this agreement

- (a) The Landowner agrees to procure the registration of this agreement under the *Real Property Act 1900* (NSW) in the relevant folios of the Register for the Land, the Offset Land and O'Donnelltown Land in accordance with section 7.6 of the Act.
- (b) The Landowner, at its own expense, will promptly after the execution of this agreement, take all practical steps, and otherwise do anything that Council reasonably requires to procure:
  - (i) the consent of each person who:
    - (A) has an estate or interest in the Land, the Offset Land and O'Donnelltown Land registered under the *Real Property Act 1900* (NSW); or
    - (B) is seized or possessed of an estate or interest in the Land, the Offset Land and the O'Donnelltown Land,
  - (ii) the execution of any documents; and
  - (iii) the production of the relevant certificates of title,  
to enable the registration of this agreement in accordance with this clause 8.2.
- (c) The Landowner, at its own expense, will take all practical steps, and otherwise do anything that Council reasonably requires:
  - (i) to procure the lodgement of this agreement in registrable form with the Registrar-General against the title to the Land and the Offset Land within three (3) months from the date of this agreement;
  - (ii) to procure the lodgement of this agreement in registrable form with the Registrar-General against the title to the O'Donnelltown Land within nine (9) months from the date of this agreement; and
  - (iii) to procure the registration of this agreement by the Registrar-General in the relevant folios of the Register for the Land, the Offset Land and the O'Donnelltown Land as soon as reasonably practicable after this agreement is lodged for registration.

### 8.3 Removal from Register

- (a) At the same time as a subdivision certificate is provided by Council in respect of a stage creating final residential lots within the Development ("Residential Lots") Council will execute and provide to the Landowner documents reasonably required to remove notation of this agreement from the titles to Residential Lots within the relevant stage of the Development.
- (b) Council will provide a release and discharge of this agreement so that it may be removed from the folios of the Register for the O'Donnelltown Land (or any part of it) when so requested to do so after the all the obligations of this agreement have been fulfilled or completion of the Development being the creation of the final residential allotment whichever is the latter.
- (c) Council will provide a release and discharge of this agreement so that it may be removed from the folios of the Register for the Offset Land (or any part of it)

immediately prior to, or at the same time as, the transfer or dedication of the Offset Land to Council.

- (d) After termination of this agreement in accordance with clause 5(b), the Council agrees to do all things reasonably necessary to enable the extinguishment or cancellation of this agreement from the title to the Land.

## 9 Review of this agreement

### 9.1 General

- (a) This agreement may be reviewed or modified. Any review or modification of this agreement will be conducted in the circumstances and in the manner determined by the parties.
- (b) No modification or review of this agreement will be of any force or effect unless it is in writing and signed by the parties to this agreement.
- (c) A party is not in breach of this agreement if it does not agree to an amendment to this agreement requested by a party in, or as a consequence of, a review.

### 9.2 Changes to Legislation

- (a) In the event there are any legislative or other changes to the BioBanking Scheme that would prevent the Landowner from relying on this agreement for the purposes of providing offsets in connection with the Development, the parties agree that to undertake a review of this agreement.
- (b) The parties agree that the purpose of any review undertaken in accordance with clause 9.2(a) is to ensure that:
  - (i) the biodiversity on the O'Donnelltown Land and the Offset Land will be protected in perpetuity through whatever mechanism is required under the legislative scheme; and
  - (ii) this agreement is converted to an appropriate arrangement under that scheme, so the arrangement will be taken to constitute offsets made in connection with the Development.

## 10 Dispute Resolution

### 10.1 Meaning of Dispute

- (a) For the purposes of this clause 10 and clause 11, "Dispute" means a dispute between the parties in respect of:
  - (i) whether the Landowner has complied with the Management Plan;
  - (ii) calculation of the Monetary Contributions; or
  - (iii) calculations using the BioBanking Assessment Methodology; or
  - (iv) whether a party has acted reasonably in making a determination, and for the avoidance of doubt, does not include a dispute between the parties about a proposal to review or vary this agreement in any way.
- (b) Nothing in clause 10.1(a) restricts or prevents the parties from mediating or having an expert determine any dispute that is not governed by this clause 10.

### 10.2 Reference to Dispute

If a Dispute arises between the parties in relation to this agreement, the parties must not commence any court proceedings relating to the dispute unless the parties have complied with this clause, except where a party seeks urgent interlocutory relief.

### 10.3 Notice of Dispute

The party wishing to commence the dispute resolution process must give written notice (**Notice of Dispute**) to the other party of:

- (a) the nature of the Dispute,
- (b) the alleged basis of the Dispute, and
- (c) the position which the party issuing the Notice of Dispute believes is correct.

### 10.4 Representatives of Parties to Meet

- (a) The representatives of the parties must promptly (and in any event within 20 Business Days of the Notice of Dispute) meet in good faith to attempt to resolve the notified Dispute.
- (b) The parties may, without limitation:
  - (i) resolve the dispute during the course of that meeting,
  - (ii) agree that further material or expert determination in accordance with clause 10.7 about a particular issue or consideration is needed to effectively resolve the dispute (in which event the parties will, in good faith, agree to a timetable for resolution); or
  - (iii) agree that the parties are unlikely to resolve the dispute and, in good faith, agree to a form of alternative dispute resolution (including expert determination, arbitration or mediation) which is appropriate for the resolution of the relevant dispute.

### 10.5 Further Notice if Not Settled

If the Dispute is not resolved within 20 Business Days after the nominated representatives have met, either party may give to the other a written notice calling for determination of the dispute (**Determination Notice**) by mediation under clause 10.6 or by expert determination under clause 10.7.

### 10.6 Mediation

If a party gives a Determination Notice calling for the dispute to be mediated:

- (a) The parties must agree to the terms of reference of the mediation within 10 Business Days of the receipt of the Determination Notice (the terms shall include a requirement that the mediation rules of the Institute of Arbitrators and Mediators Australia (NSW Chapter) apply);
- (b) The mediator will be agreed between the parties, or failing agreement within 10 Business Days of receipt of the Determination Notice, either Party may request the President of the Institute of Arbitrators and Mediators Australia (NSW Chapter) to appoint a mediator;

- (c) The mediator appointed pursuant to this clause 10.6 must:
  - (i) have reasonable qualifications and practical experience in the area of the dispute; and
  - (ii) have no interest or duty which conflicts or may conflict with his or her function as a mediator, he or she being required to fully disclose any such interest or duty before his or her appointment;
- (d) The mediator shall be required to undertake to keep confidential all matters coming to his or her knowledge by reason of his or her appointment and performance of his or her duties;
- (e) The parties must within 15 Business Days of receipt of the Determination Notice notify each other of their representatives who will be involved in the mediation;
- (f) The parties agree to be bound by a mediation settlement and may only initiate judicial proceedings in respect of a dispute which is the subject of a mediation settlement for the purpose of enforcing that mediation settlement; and
- (g) In relation to costs and expenses:
  - (i) each party will bear its own professional and expert costs incurred in connection with the mediation; and
  - (ii) the costs of the mediator will be shared equally by the parties unless the mediator determines that a party has engaged in vexatious or unconscionable behaviour in which case the mediator may require the full costs of the mediation to be borne by that party.

#### 10.7 Expert determination

If the Dispute is not resolved under clause 10.4 or clause 10.6, or the parties otherwise agree that the Dispute may be resolved by expert determination, the parties may refer the Dispute to an expert, in which event:

- (a) The Dispute must be determined by an independent expert in the relevant field:
  - (i) agreed upon and appointed jointly by the parties; and
  - (ii) in the event that no agreement is reached or no appointment is made within 10 Business Days of the agreement to refer the Dispute to an expert, appointed on application of a party by the then President of the Law Society of New South Wales;
- (b) The expert must be appointed in writing and the terms of the appointment must not be inconsistent with this clause;
- (c) The determination of the Dispute by such an expert will be made as an expert and not as an arbitrator and will be in writing and contain the reasons for the determination;
- (d) The expert will determine the rules for the conduct of the process but must conduct the process in accordance with the rules of natural justice;
- (e) Each party will bear its own costs in connection with the process and the determination by the expert and will share equally the expert's fees and costs; and

- (f) Any determination made by an expert pursuant to this clause is final and binding upon the parties except unless:
  - (i) within 20 Business Days of receiving the determination, a party gives written notice to the other party that it does not agree with the determination and intends to commence litigation; or
  - (ii) the determination is in respect of, or relates to, termination or purported termination of this agreement by a party, in which event the expert is deemed to be giving a non-binding appraisal.

#### 10.8 Litigation

If the Dispute is not *finally* resolved in accordance with this clause 10, then either party is at liberty to litigate the Dispute.

#### 10.9 No suspension of contractual obligations

Subject to any interlocutory order obtained under clause 10.1, the referral to or undertaking of a Dispute resolution process under this clause 10 does not suspend the parties' obligations under this agreement.

### 11 Enforcement

#### 11.1 Default

- (a) In the event a party considers another party has failed to perform and fulfil an obligation under this agreement, it may give notice in writing to the other party (**Default Notice**) giving all particulars of the matters in respect of which it considers default has occurred and by such notice require the default to be remedied within a reasonable time not being less than 30 days.
- (b) In determining a reasonable time, regard must be had to both the nature of the default and the work or other action required to remedy it and whether or not the continuation of the default constitutes a public nuisance or raises other circumstances of urgency or emergency.
- (c) If a party disputes the Default Notice it may if the Default Notice relates to a Dispute refer the dispute to dispute resolution under clause 10 of this agreement.

#### 11.2 Bank Guarantee

- (a) Prior to the earlier of the issue of the First CC or removal of any vegetation for the purposes of carrying out the Development, whichever occurs first, the Landowner must provide to Council:
  - (i) two Bank Guarantees each in an amount of \$630,897.37 (referred to as "**MP Guarantee 1**" and "**MP Guarantee 2**" respectively) totalling \$1,261,794.74 which total being an amount to be equivalent to the costs of carrying out the actions identified in the Management Plan (**Guarantee Amount**), as determined by a Suitably Qualified Person; and
  - (ii) a Bank Guarantee in an amount of \$2,358,376.49, being the Council's reasonable estimate of the Monetary Contribution ("**MC Guarantee**").
- (b) Except as expressly permitted by this agreement, Council is not to call on a Bank Guarantee provided under this clause 11.2 unless Council considers that the Landowner has failed to comply with its obligations under this agreement in a

timely manner and the Landowner has failed to rectify the non-compliance after having been given a Default Notice.

- (c) At any time following the provision of a Bank Guarantee, the Landowner may provide Council with one or more replacement Bank Guarantees totalling the relevant Bank Guarantee Amount. On receipt of such replacement Bank Guarantee, Council must release and return to the Landowner, as directed, the relevant Bank Guarantees which it holds that have been replaced.
- (d) Subject to this clause, Council may apply any Bank Guarantee in satisfaction of:
  - (i) any obligation to Maintain the Offset Land under this agreement (in which case the Council may carry out the relevant Maintenance and recover the costs by calling on one or both of the Bank Guarantees);
  - (ii) any obligation to pay the Monetary Contribution under this agreement; and
  - (iii) any liability, loss, cost, charge, or expense directly incurred by Council because of the failure by the Landowner to comply with this agreement, including any costs incurred by Council in acquiring the relevant land in accordance with clause 11.3.
- (e) If Council calls on a Bank Guarantee in accordance with this agreement, Council may, by notice in writing to the Landowner, require the Landowner to provide a further Bank Guarantee that, when added to any unused portion of the existing Bank Guarantee, does not exceed the Guarantee Amount.
- (f) The Bank Guarantees or parts thereof if any balance remains, will be returned to the Landowner within 20 Business Days after each of the following dates:
  - (i) MP Guarantee 1, the date 5 years after the date of issue of the First CC, provided that the Landowner has provided evidence to the Council, through the provision of Reports, that it has completed obligations and achieved standards required under the Management Plan as at that date;
  - (ii) MP Guarantee 2, the later of the date of payment of the Monetary Contribution to Council and the date of registration of the transfer of the Offset Land to Council, provided that the Landowner has provided evidence to the Council, through the provision of Reports and a Final Report, that it has completed obligations and achieved standards required under the Management Plan; and
  - (iii) the MC Guarantee, the date of payment of the Monetary Contribution.
- (g) Nothing in this clause 11.2 prevents or restricts Council from taking any enforcement action in relation to:
  - (i) any obligation of the Landowner under this agreement; or
  - (ii) any associated liability, loss, cost, charge or expense directly or indirectly incurred by Council because of a failure by the Landowner to comply with this agreement,

that is not satisfied by calling on a Bank Guarantee.

### 11.3 Compulsory Acquisition

- (a) If the Landowner does not transfer or dedicate the Offset Land to Council as required by this agreement, Council may compulsorily acquire the relevant land,

in which case the Landowner consents to Council compulsorily acquiring that land for compensation in the amount of \$1.00 without having to follow the pre-acquisition procedures in the *Land Acquisition (Just Terms Compensation) Act 1991* and may recover any costs, including legal costs, incurred by Council in doing so as a debt due from the Landowner.

- (b) The Landowner must pay Council, promptly on demand, an amount equivalent to all costs, including legal costs, incurred by Council acquiring the whole or any part of the relevant land under clause 11.3(a), together with any Monetary Contribution calculated in accordance with clause 6.5.
- (c) Clause 11.3(a) constitutes an agreement for the purposes of section 30 of the *Land Acquisition (Just Terms Compensation) Act 1991*.
- (d) Except as otherwise agreed between the Landowner and Council, the Landowner must ensure the Offset Land is freed and discharged from all estates, interests, trusts, restrictions, dedications, reservations, rights, charges, rates, strata levies and contracts, except as may be permitted by this agreement on the date that Council will acquire the land in accordance with clause 11.3(a).

#### 11.4 General Enforcement

- (a) Without limiting any other remedies available to the parties, this agreement may be enforced by a party in any Court of competent jurisdiction.
- (b) Notwithstanding any other provision of this agreement:
  - (i) Subject to clause 10, a party from bringing proceedings in the Land and Environment Court to enforce any aspect of this agreement or any matter to which this agreement relates; and
  - (ii) Council may exercise any function under the Act or any other Act or law relating to the enforcement of any aspect of this agreement or any matter to which this agreement relates.

## 12 Assignment and Dealings

### 12.1 Assignment

- (a) A party must not assign or deal with any right under this agreement without the prior written consent of the other parties.
- (b) Any change of ownership or control (as defined in section 50AA of the *Commonwealth Corporations Act 2001*) of a party (excluding Council) shall be deemed to be an assignment of this agreement for the purposes of this clause.
- (c) Any purported dealing in breach of this clause is of no effect.

### 12.2 Transfer of Land

The Landowner may not transfer, assign or dispose of the whole or any part of its right, title or interest in the Offset Land (present or future) or the O'Donnelltown Land to another person (**Transferee**) unless before it sells, transfers or disposes of that right, title or interest:

- (a) the Landowner satisfies Council that this agreement, or in the case of the O'Donnelltown Land an agreement under the BioBanking Scheme, is registered against the title to the Offset Land or the O'Donnelltown Land as the case requires;

- (b) the Landowner satisfies Council that the proposed Transferee is financially capable of complying with the Landowner obligations under this agreement and the Management Plan;
- (c) the Landowner satisfies Council that the rights of Council will not be diminished or fettered in any way;
- (d) the Transferee delivers to Council a novation deed signed by the Transferee in a form and of such substance as is acceptable to Council containing provisions under which the Transferee agrees to comply with all the outstanding obligations of the Landowner under this agreement and the Management Plan;
- (e) the Transferee provides to Council any Bank Guarantee required under this agreement, in which case any Bank Guarantee provided by the Landowner must be released to the Landowner;
- (f) any default under any provisions of this agreement by the Landowner has been remedied or waived by Council, on such conditions as Council may determine; and
- (g) the Landowner and the Transferee pay Council's reasonable costs in relation to the assignment.

### 13 Approvals and consents

Except as otherwise set out in this agreement, and subject to any statutory obligations, a party may give or withhold an approval or consent to be given under this agreement in that party's absolute discretion and subject to any conditions determined by the party. A party is not obligated to give its reasons for giving or withholding consent or for giving consent subject to conditions.

### 14 No fetter

#### 14.1 Discretion

This agreement is not intended to operate to fetter, in any manner, the exercise of any statutory power or discretion of Council, including, but not limited to, any statutory power or discretion of Council relating to the Instrument Change or a Development Application or any other application for Development Consent (all referred to in this agreement as a "**Discretion**").

#### 14.2 No fetter

No provision of this agreement is intended to constitute any fetter on the exercise of any Discretion. If, contrary to the operation of this clause, any provision of this agreement is held by a court of competent jurisdiction to constitute a fetter on any Discretion, the parties agree:

- (a) they will take all practical steps, including the execution of any further documents, to ensure the objective of this clause is substantially satisfied,
- (b) in the event that (a) cannot be achieved without giving rise to a fetter on the exercise of a Discretion, the relevant provision is to be severed and the remainder of this agreement has full force and effect, and
- (c) to endeavour to satisfy the common objectives of the parties in relation to the provision of this agreement which is to be held to be a fetter to the extent that is possible having regard to the relevant court judgment.

## 15 Contamination

### 15.1 Definitions

In this clause 15, the following definitions apply:

**Competent and Qualified Contamination Land Consultant** means a consultant that is certified with one of the following certification schemes:

- (a) the Site Contamination Practitioners Australia (SCPA) scheme;
- (b) the Environment Institute of Australia and New Zealand's (EIANZ) Contaminated Land Assessment Specialist Certified Environmental Practitioner (CLA Specialist CEnvP) scheme; and
- (c) the Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification.

**Contamination** has the same meaning as contamination in Section 5 of the Contaminated Land Management Act 1997, being the presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.

**Detailed Site Investigation Report** means a report as anticipated by sub-clause 15(a)(i)(B).

**Site Auditor** means a suitably qualified site auditor duly accredited under the Contaminated Land Management Act 1997.

**Site Audit Report** means a Site Audit Report prepared by the Site Auditor under the Contaminated Land Management Act 1997.

**Site Audit Statement** means a Section B Site Audit Statement issued by the Site Auditor pursuant to the Contaminated Land Management Act 1997 which states that the property can be made suitable for the proposed use and associated Site Audit Report.

### 15.2 Contamination and Remediation

Prior to dedication or transfer of the Offset Land to Council:

- (a) the Landowner is required to comply with the State Environmental Planning Policy 55 – Remediation of Land (SEPP55), the Managing Land Contamination Planning Guidelines SEPP55 – Remediation of Land, the Contaminated Land Management Act 1997, and all other relevant legislation and standards; and consultants are required to comply with the Guidelines for Consultants Reporting on Contaminated Sites (NSW Office of Environment and Heritage). This will include, but is not limited to, the following prescriptions:
  - (i) Landowner, at no cost to Council, commission a:
    - (A) Stage 1 – Preliminary Investigation Report ("PI") of the proposed dedication area. The PI must be prepared by a Competent and Qualified Contaminated Land Consultant. The PI must be submitted to Council for review by appropriate staff. Council's staff may submit the PI report for a third-party desktop review by a Competent and Qualified Contaminated Land Consultant. The desktop review costs will be at nil cost to Council and all costs reimbursed by the

Landowner to Council, provided that Council first notifies the Developer of the estimated costs of the review.

1. If, after the review of the report, Council, acting reasonably, deems that the Offset Land is not suspected of being contaminated no further contamination assessments are required, or
2. If, after review of the report, Council reasonably suspects that the Offset Land is contaminated, the Landowner will be instructed to progress the assessment of contamination on the Offset Land to Stage 2.

(B) Stage 2 – Detailed Site Investigation Report (“DSI”) of the proposed dedication area. The DSI must be prepared by a Competent and Qualified Contaminated Land Consultant, including a full (EPA) suite chemical analysis, and the assessment of all contaminants against appropriate Investigation Criteria in the National Environment Protection (Assessment of Site Contamination) Measure (NEPM – Contamination). The DSI must be submitted to Council for review by appropriate staff. Council’s staff may submit the DSI report for third-party desktop review by a Competent and Qualified Contaminated Land Consultant. The document review costs will be at nil cost to Council and all costs reimbursed by the Landowner to Council, provided that Council first notifies the Developer of the estimated costs of the review.

1. If, after review of the report, Council considers, acting reasonably, that the Offset Land is suitable for its intended use as environmental offset land, no further contamination assessments are required, or
2. If, after review of the report, Council considers, acting reasonably, that the Offset Land is contaminated and unsuitable for its intended use as environmental offset land, the Landowner will be required to progress the assessment and management of contamination to Stage 3.

(C) Stage 3 – Remedial Action Plan (“RAP”) for the proposed area, including a Site Audit Report and Site Audit Statement. The RAP must be prepared by a Competent and Qualified Contaminated Land Consultant, and the Site Audit Report and Site Audit Statement must be undertaken by a contaminated site auditor, accredited by the NSW Site Auditor Scheme (administered by the NSW EPA under Part 4 of the Contaminated Land Management Act 1997). Unless written approval is provided by Council, the RAP must only consider the removal of contaminated material, and reinstatement of the site, to below the appropriate Investigation Criteria in the NEPM – Contamination. The RAP, the Site Audit Report and Site Audit Statement must be submitted to Council for review.

1. If, after review of the report, Council considers, acting reasonably, that the RAP does not propose adequate remediation measures for the Offset Land, the Landowner will

be required to seek another RAP in accordance with Council's requirements, or

2. If, after review of the report, Council considers, acting reasonably, that the RAP is appropriate for the Offset Land, the Landowner will undertake remediation, strictly in accordance with the RAP.
- (D) Stage 4 – Validation Report for the proposed area, including a Site Audit Report and Site Audit Statement. The Validation Report must be prepared by a Competent and Qualified Contaminated Land Consultant, and the Site Audit Report and Site Audit Statement must be undertaken by a contaminated site auditor, accredited by the NSW Site Auditor Scheme (administered by the NSW EPA under Part 4 of the Contaminated Land Management Act 1997). The Validation Report, Site Audit Report and Site Audit Statement must be submitted to Council for review.
1. If, after review of the report, Council considers, acting reasonably, that contamination has not been managed in accordance with the RAP, the Landowner will be required to undertake additional remediation works and seek another Validation Report.
  2. If, after review of the report, Council considers, acting reasonably, that the Validation Report is appropriate for the site, no further contamination assessments are required.
- (b) Despite anything else in this clause 15 if the Environment Protection Authority (**EPA**) declares any part of the Offset Land to be significantly contaminated land under the *Contaminated Land Management Act 1997*, the actions required to remediate the land will be governed by that Act and any directions or orders issued by the EPA.
- (c) For the avoidance of doubt, this clause 15 applies only to the Offset Land that will be dedicated to Council under this agreement.

## 16 Notices

### 16.1 Notices

Any notice given under or in connection with this agreement (**Notice**):

- (a) must be in writing and signed by a person duly authorised by the sender;

- (b) must be addressed as follows and delivered to the intended recipient by hand, by prepaid post or by email at the address below, or at the address last notified by the intended recipient to the sender after the date of this agreement:
- (i) to Hammersmith Management Pty Ltd: Address: 365 New South Head Road, Double Bay NSW 2028  
Email: wes@rochegroup.com.au  
Attention: Mr Wes van der Gardner, General Manager - Development
  - (ii) to Lake Macquarie City Council: Address: 126 – 138 Main Road, Speers Point NSW 2284  
Email: council@lakemac.nsw.gov.au  
Attention: The Chief Executive Officer
- (c) is taken to be given or made:
- (i) in the case of hand delivery, when delivered; and
  - (ii) in the case of delivery by post, five Business Days after the date of posting (if posted to an address in the same country) or seven Business Days after the date of posting (if posted to an address in another country); and
- (d) if under clause (c) a Notice would be taken to be given or made on a day that is not a Business Day in the place to which the Notice is sent, or later than 4.00 pm (local time), it is taken to have been given or made at the start of business on the next Business Day in that place.

**16.2 Notices sent by email:**

- (a) A party may serve a Notice by email if the Notice:
- (i) includes a signature block specifying:
    - (A) the name of the person sending the Notice; and
    - (B) the sender's position within the relevant party;
  - (ii) states in the body of the message or the subject field that it is sent as a Notice under this agreement;
  - (iii) contains an express statement that the person sending the Notice has the authority to serve a Notice under this agreement; and
  - (iv) is sent to the email address specified in clause 16.1(b) or the email address last notified by the intended recipient to the sender:
- (b) The recipient of a Notice served under this clause 16.2 must:
- (i) promptly acknowledge receipt of the Notice; and
  - (ii) keep an electronic copy of the Notice.
- (c) Failure to comply with clause 16.2 does not invalidate service of a Notice under this clause.

### 16.3 *Receipt of Notices sent by email*

- (a) A Notice sent under clause 16.2 is taken to be given or made:
  - (i) when the sender receives an email acknowledgement from the recipient's information system showing the Notice has been delivered to the email address stated above;
  - (ii) when the Notice enters an information system controlled by the recipient; or
  - (iii) when the Notice is first opened or read by the recipient,whichever occurs first.
- (b) If under clause 16.3 a Notice would be taken to be given or made on a day that is not a Business Day in the place to which the Notice is sent, or later than 4.00 pm (local time), it will be taken to have been given or made at the start of business on the next Business Day in that place.

## 17 General

### 17.1 *Relationship between parties*

- (a) Nothing in this agreement:
  - (i) constitutes a partnership between the parties; or
  - (ii) except as expressly provided, makes a party an agent of another party for any purpose.
- (b) A party cannot in any way or for any purpose:
  - (i) bind another party; or
  - (ii) contract in the name of another party.
- (c) If a party must fulfil an obligation and that party is dependent on another party, then that other party must do each thing reasonably within its power to assist the other in the performance of that obligation.

### 17.2 *Time for doing acts*

- (a) If the time for doing any act or thing required to be done or a notice period specified in this agreement expires on a day other than a Business Day, the time for doing that act or thing or the expiration of that notice period is extended until the following Business Day.
- (b) If any act or thing required to be done is done after 5.00 pm on the specified day, it is taken to have been done on the following Business Day.

### 17.3 *Further assurances*

Each party must promptly execute all documents and do all other things reasonably necessary or desirable to give effect to the arrangements recorded in this agreement.

### 17.4 *Variation*

A provision of this agreement can only be varied by a later written document executed by or on behalf of all parties and in accordance with the provisions of the Act.

**17.5 No assignment**

The Landowner cannot assign or otherwise transfer its rights under this agreement without:

- (a) satisfying the provisions of clause 12.2 in relation to the Offset Land and the O'Donnelltown Land; and
- (b) rectifying any pre-existing defaults under this agreement.

**17.6 Counterparts**

This agreement may be executed in any number of counterparts. All counterparts taken together constitute one instrument.

**17.7 Legal expenses and stamp duty**

The Landowner must pay Council's reasonable legal costs and disbursements in connection with the negotiation, preparation, execution, registration and release and discharge of this agreement.

**17.8 Entire agreement**

The contents of this agreement constitute the entire agreement between the parties and supersede any prior negotiations, representations, understandings or arrangements made between the parties regarding the subject matter of this agreement, whether orally or in writing.

**17.9 Representations and warranties**

The parties represent and warrant that they have the power and authority to enter into this agreement and comply with their obligations under the agreement and that entry into this agreement will not result in the breach of any law.

**17.10 Severability**

If a clause or part of a clause of this agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this agreement, but the rest of this agreement is not affected.

**17.11 Invalidity**

- (a) A word or provision must be read down if:
  - (i) this agreement is void, voidable, or unenforceable if it is not read down;
  - (ii) this agreement will not be void, voidable or unenforceable if it is read down; and
  - (iii) the provision is capable of being read down.
- (b) A word or provision must be severed if:
  - (i) despite the operation of clause (a), the provision is void, voidable or unenforceable if it is not severed; and
  - (ii) this agreement will be void, voidable or unenforceable if it is not severed.
- (c) The remainder of this agreement has full effect even if clause 17.11(b) applies.

#### 17.12 Waiver

- (a) A right or remedy created by this agreement cannot be waived except in writing signed by the party entitled to that right. Delay by a party in exercising a right or remedy does not constitute a waiver of that right or remedy, nor does a waiver (either wholly or in part) by a party of a right operate as a subsequent waiver of the same right or of any other right of that party.
- (b) The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party. A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

#### 17.13 GST

- (a) Words and expressions which are not defined in this agreement but which have a defined meaning in GST Law have the same meaning as in the GST Law.
- (b) Unless otherwise expressly stated, all prices or other sums payable or consideration to be provided under this agreement are exclusive of GST.
- (c) If GST is payable on any supply made under this agreement, the recipient will pay to the supplier an amount equal to the GST payable on the supply.
- (d) The supplier must deliver a tax invoice or an adjustment note to the recipient before the supplier is entitled to payment under clause 17.13(c). The recipient can withhold payment of the amount until the supplier provides a tax invoice or adjustment note as appropriate.

#### 17.14 Governing law and jurisdiction

- (a) The laws applicable in New South Wales govern this agreement.
- (b) The parties submit to the non-exclusive jurisdiction of the courts of New South Wales and any courts competent to hear appeals from those courts.

## Schedule 1 Summary of requirements (section 7.4)

Subject and subsection of the Act	Planning Agreement
<p><b>Planning instrument and/or Development Application – Section 93F(1)</b></p> <p>The Landowners have:</p> <p>(a) Sought a change to an environmental planning instrument</p> <p>(b) Made, or propose to make a Development Application</p> <p>(c) Entered into an agreement with, or are otherwise associated with, a person to whom paragraph (a) or (b) applies</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p><b>Description of the land to which the planning Agreement applies – Section 7.4(3)(a)</b></p>	<p>See the definitions of Land and Offset Land in clause 1.</p>
<p><b>The scope, timing and manner of delivery of contribution required by the Planning Agreement – Section 7.4(3)(b)</b></p>	<p>See clause 6.</p>
<p><b>Applicability of section 7.11 of the Act – Section 7.4(3)(d)</b></p>	<p>Not excluded. See clause 7.</p>
<p><b>Applicability of section 7.12 of the Act – Section 7.4(3)(d)</b></p>	<p>Not excluded. See clause 7.</p>
<p><b>Applicability of section 7.24 of the Act – Section 7.4(3)(d)</b></p>	<p>Not excluded. See clause 7.</p>
<p><b>Mechanism for dispute resolution – Section 7.4(3)(f)</b></p>	<p>See clause 10.</p>
<p><b>Enforcement of the Planning Agreement – Section 7.4(3)(g)</b></p>	<p>See clause 11.</p>
<p><b>Registration of the Planning Agreement – Section 7.4(3)(g)</b></p>	<p>To be registered against the Land, the Offset Land and the O'Donnelltown Land, see clause 8.</p>
<p><b>Provisions for Enforcement by suitable means, such as provision of a bond or guarantee- Section 7.4(3)(g)</b></p>	<p>See clause 11.2</p>
<p><b>No obligation to grant consent or exercise functions – Section 7.4(9)</b></p>	<p>See clause 14 (no fetter).</p>

Executed as an agreement

Executed by Hammersmith )  
 Management Pty Limited ACN 084 393 )  
 644 in accordance with section 127 of the )  
 Corporations Act 2001 (Cth) by: )  
 )  
 )

.....  
Signature of Director

.....  
Signature of Director/Secretary

.....  
Print name of Director

.....  
Print name of Director/Secretary

THE COMMON SEAL OF COUNCIL OF )  
 THE CITY OF LAKE MACQUARIE WAS )  
 HEREUNTO AFFIXED PURSUANT TO )  
 RESOLUTION MADE BY COUNCIL ON: )  
 )  
 )  
 )  
 )

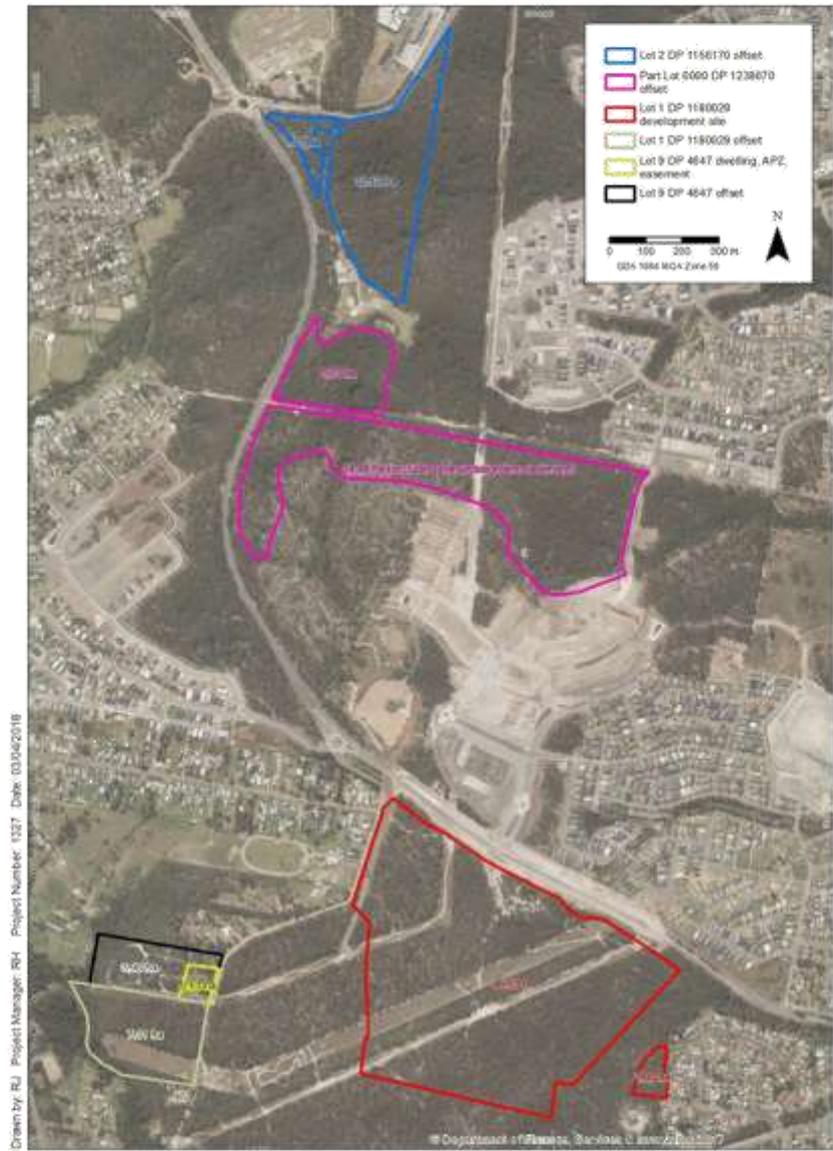
.....  
Signature of Chief Executive Officer

.....  
Signature of Mayor

.....  
Name

.....  
Name

Annexure A Plan showing location of Land and Offset Land



Drawn by: RJ, Project Manager: RB4, Project Number: 1327, Date: 03/04/2016



Path: T:\spatial\projects\1327\1327\_Lot10\Offset\_Lot1\_Report\_20170530\1327\_Figures\_Combined2.mxd

Imagery: 4c) LPI 2016-10-01

Annexure B Plan showing O'Donnelltown Land



Lot 2 DP 1050996, O'Donnelltown proposed offset site



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FIGURE 4

Imagery: (c) LPI 2014-09-15

Annexure C Explanatory note

### Explanatory Note

#### Exhibition of draft Voluntary Planning Agreement

**Lot 1 DP 1180029** *Environmental Planning & Assessment Regulation 2000 (clause 25E)*

#### Planning Agreement

The purpose of this Explanatory Note is to provide a plain English summary to support the notification of a draft voluntary Planning Agreement (**the Planning Agreement**) under Section 7.4 of the *Environmental Planning and Assessment Act 1979 (the Act)*.

The Planning Agreement will require the provision of biodiversity offset land in relation to a proposed change to provisions of the *Lake Macquarie Local Environmental Plan 2014 (LEP)* that affect land in Lot 1 DP 1180029.

This Explanatory Note has been prepared jointly between the parties as required by clause 25E of the *Environmental Planning and Assessment Regulation 2000 (the Regulations)*.

This Explanatory Note is not to be used to assist in construing the Planning Agreement.

#### Parties

Hammersmith Management Pty Ltd (**the Landowner**) made an offer to Lake Macquarie City Council (**the Council**) to enter into a voluntary Planning Agreement, in connection with a planning proposal relating to the subject land.

#### Description of subject land

The land to which the Planning Agreement applies is described as Lot 1 DP 1180029 (**the Land**).

#### Description of the Planning Proposal to which the Planning Agreement applies

An amendment to the Lake Macquarie Local Environmental Plan 2014 in response to the Landowner's rezoning application to Council numbered RZ/9/2005, including the rezoning of the Land in accordance with the plans shown in Annexure F of the Planning Agreement.

#### Summary of Objectives, Nature and Effect of the Planning Agreement

##### Offset Land

The Planning Agreement requires the Landowner to improve or maintain the biodiversity values of the Offset Land for a period of 10 years (or as otherwise agreed between the parties) from the date a construction certificate is granted for subdivision work on the Land.

Once that maintenance period is complete, the Landowner will dedicate the Offset Land to Council.

When the land is dedicated to Council, the Landowner will pay a monetary contribution to Council for the maintenance in perpetuity of the Offset Land from the date is dedicated.

The Landowner has also agreed to register a BioBanking agreement for land within Lot 2 DP 1050996 and to acquire and retire biodiversity credits in connection with the Development of the Land.

## Assessment of the Merits of the Planning Agreement

### How the Planning Agreement Promotes the Objects of the Act and the public interest

The draft Planning Agreement promotes the following objectives of the *Environmental Planning and Assessment Act 1979*:

- to encourage the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,
- to encourage the promotion and co-ordination of the orderly and economic use and development of land,
- to encourage the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and
- to encourage ecologically sustainable development.

The draft Planning Agreement contributes to the above objectives and promotes the public interest by requiring the improvement or maintenance of biodiversity values that will offset impacts caused by future development of the Land once it is rezoned. In accordance with the principles of intergenerational equity, this will contribute to ensuring that some land is conserved for future generations, while allowing development and growth in other appropriate locations.

### The Planning Purposes served by the Planning Agreement and whether the Planning Agreement provides for a reasonable means of achieving the planning purpose

All contributions will be made for the purposes of the conservation or enhancement of the natural environment.

The Planning Agreement is a reasonable means for achieving the planning purpose, as it provides for the maintenance of the Offset Land for a period of 10 years, the acquisition and retirement of additional biodiversity credits, and the payment of a monetary contribution to maintain the Offset Land in perpetuity.

### How the Planning Agreement promotes the objectives of the *Local Government Act 1993* and the elements of the Council's Charter (now "Guiding Principles for Councils")

The Planning Agreement is consistent with the following purpose of the *Local Government Act 1993*:

- to provide for a system of local government that is accountable to the community and that is sustainable, flexible and effective.

The Planning Agreement promotes the following guiding principles now in section 8A of the *Local Government Act 1993*:

- Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- Councils should consider the long term and cumulative effects of actions on future generations.

- Councils should consider the principles of ecologically sustainable development.

These Guiding Principles are met through the requirement to set aside land that is appropriate for conservation in perpetuity, so that other land can be properly developed in accordance with Council's strategic planning. The current and future needs of the community will be met through Council's involvement in this agreement, which will ensure that the natural environment is conserved for the enjoyment and benefit of future generations.

**Whether the Planning Agreement Conforms with the Council's Capital Works Program**

Council will need to consider the maintenance of the Offset Land when determining the annual Capital Works Program at the time the Offset Land is to be dedicated to Council, utilising the monetary contribution paid to Council for this purpose.

**Whether the Planning Agreement specifies that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued**

The following must be completed before the first construction certificate relating to any subdivision work on the Land is issued:

- (a) A Management Plan for the maintenance of the Offset Land for a period of 10 years.
- (b) The acquisition and retirement of additional biodiversity credits.
- (c) The provision of a bank guarantee to Council to secure the maintenance obligations and the proposed monetary contribution that will be payable at the end of the 10 year maintenance period.

## Annexure D Annual Reports

The annual report will include, but not be limited to, the following information:

### **A. Minimum requirements for the Annual Reports (during the maintenance period)**

The content of the Annual Report is to include but not be limited to:

- Progress on achieving the objectives of the management plan
- Document condition of areas before and after rehabilitation and over time
- Photo records of progress and growth
- Condition and use of any nest boxes
- Results of fauna monitoring
- Results of flora monitoring
- Works undertaken during the reporting period
- Weeding areas including extent and intensity of weed infestations, areas treated, type of treatment, monitoring over time
- Numbers and species of plantings and success
- Progress of any rehabilitation work including treatments, location, spatial extent area treated, and monitoring over time
- Any matters that affect the successful implementation of the management plan

### **B. Minimum requirements for the Final Annual Report (to be prepared at the conclusion of the maintenance period)**

The Final Annual Report is to include but not be limited to:

- Documents the final year implementation of the management plan
- Compile the results of all monitoring and works over the maintenance period for the matters included in each Annual Report
- Assess suitability for dedication to Council
  - Assess in detail the condition of the site at the end of the maintenance period and the degree to which the objectives of the management plan have been met.
  - Document any outstanding works i.e. works not completed or where progress has not been sufficient to meet objectives and reasons for this
  - Make recommendations for the management actions into the future (in perpetuity) for inclusion in the Revised Management Plan

## Annexure E Contents of Management Plan and Revised Management Plan

### George Booth and Cameron Park Drives, Cameron Park

#### A. Minimum management actions for the Biodiversity Offset Land to be included in the Management Plan for the Maintenance Period

MANAGEMENT ACTIONS COSTS for Maintenance Period	Start year	End year
<b>INFRASTRUCTURE COSTS</b>		
Internal fence removal	1	9.5
Rubbish removal (primary)	1	9.5
Installation of access/management gates & associated posts & cable fencing	1	9.5
Installation of boundary posts on RFS boarder	1	9.5
Construction of roads or tracks, including walking and bushfire trails	1	9.5
Perimeter Fencing	1	9.5
Interpretative signage (Minimum of 8)	1	9.5
<b>BUSH FIRE HAZARD REDUCTION AND ECOLOGICAL BURNING</b>		
Management of bush fire asset protection zones (APZ)	1	9.5
Planning ecological burns	1	9.5
Implementation of ecological burns	1	9.5
<b>BUSH REGENERATION AND WEED MANAGEMENT</b>		
Years 1-5 (XXX days in first 5 years)	1	5
Years 6-10 (XXX days in years 6-10)	1	10
Revegetation/supplementary planting trees/shrubs/ground cover	1	9.5
<b>OTHER RECURRING COSTS</b>		
FERAL AND PEST ANIMAL CONTROL	1	9.5
EROSION CONTROL	1	10
NEST BOX MAINTENANCE	1	10
<b>COMMUNITY ENGAGEMENT</b>		
Neighbour relations	1	10
Community consultation	1	10
<b>MONITORING</b>		

Monitoring surveys	1	10
Annual Report	1	10

**Notes:**

1. All infrastructure is to be designed and constructed in accordance with LMCC Guidelines.
2. Where no LMCC guidelines exist, other Guidelines may be used with Council agreement such as OEH or RFS guidelines for track construction.
3. The start year coincides with commencement of the maintenance period and end year is the year of the approval of the revised management plan in the event the period is extended
4. The start year coincides with end of the maintenance period and approval of the draft Revised Management Plan
5. Lake Macquarie Flora and Fauna Guidelines contain guidelines for the preparation of Vegetation Management Plans.

**B. Minimum management actions for the Biodiversity Offset Land for the Revised Management Plan (management in perpetuity after the Maintenance Period)**

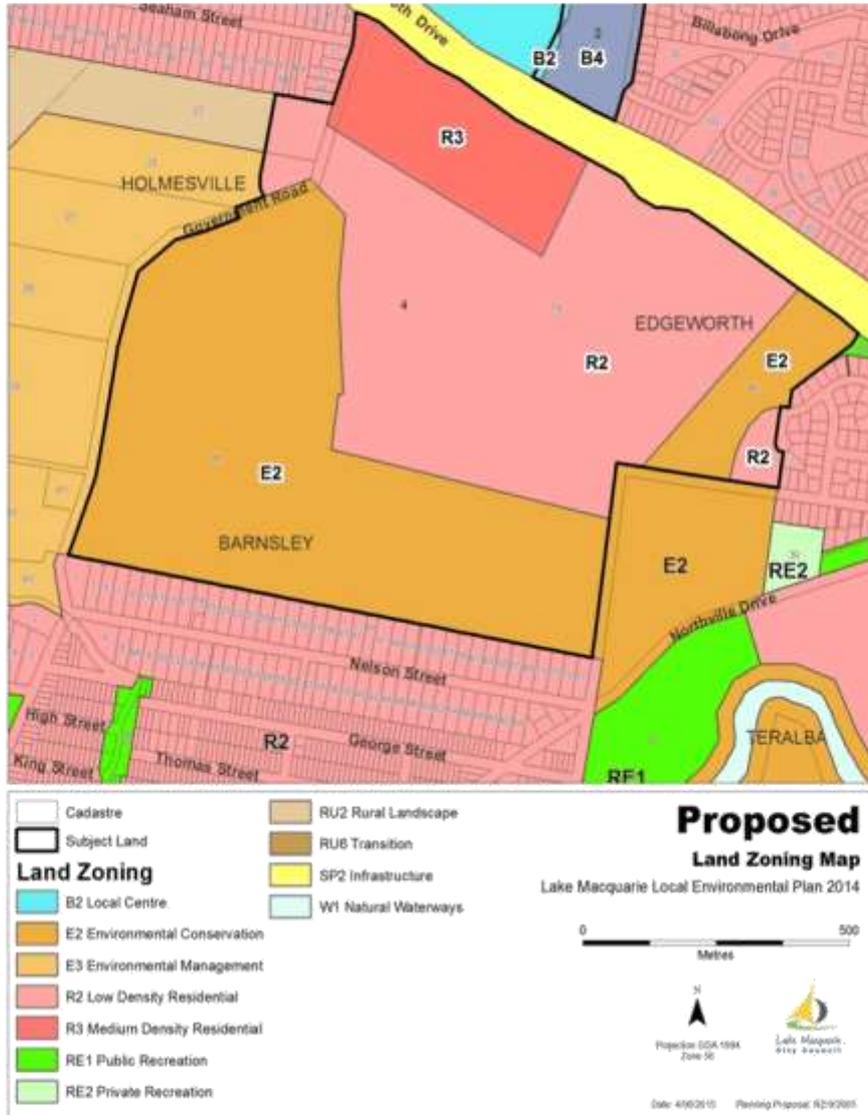
MANAGEMENT ACTIONS COSTS for Revised Management Plan and Ongoing Management in perpetuity	Start year	End year	Frequency in years (i.e. repeat action every XX years)
<b>INFRASTRUCTURE MAINTENANCE COSTS</b>			
Fence maintenance	17	perpetuity	17
Maintenance of gates	17	perpetuity	17
Maintenance of boundary posts	17	perpetuity	10
Interpretative signage	10	perpetuity	10
Rubbish removal (ongoing)	10	perpetuity	1
Track maintenance including bush fire trails	15	perpetuity	5
<b>BUSH FIRE HAZARD REDUCTION AND ECOLOGICAL BURNING</b>			
Management of bush fire asset protection zones (APZ)	11	perpetuity	6
Planning ecological burns	11	perpetuity	6
Implementation of ecological burns	11	perpetuity	6
<b>BUSH REGENERATION AND WEED MANAGEMENT</b>			
Years 11+ (XXX days in each subsequent 5 year period)	11	perpetuity	1
<b>OTHER RECURRING COSTS</b>			
Feral and pest animal control	11	perpetuity	5
Erosion control	11	perpetuity	3
Nest box maintenance	11	perpetuity	5
<b>COMMUNITY ENGAGEMENT</b>			
Neighbour relations	11	perpetuity	1
Community consultation	11	perpetuity	1
<b>ADMINISTRATION COSTS</b>			
Professional services, annual management planning and works program & on costs etc	11	perpetuity	1
Management planning, monitoring, review and revision (5 yearly)	15	perpetuity	5

Contingencies (0.05% of total of year 11 costs)		perpetuity	
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**Notes:**

1. All infrastructure is to be designed and constructed in accordance with LMCC Guidelines.
2. Where no LMCC guidelines exist other Guidelines may be used with Council agreement such as OEH or RFS guidelines for track construction.
3. Frequency of replacement of infrastructure that becomes assets of LMCC is determined in accordance with Council's Natural Areas Asset management Plan. Modification of the frequency of other actions may be justified in order to meet the targets and criteria in the management plan or other agency requirements.
4. The start year coincides with end of the maintenance period and approval of the draft Revised Management Plan
5. Lake Macquarie Flora and Fauna Guidelines contain guidelines for the preparation of Vegetation Management Plans.

Annexure F Plans showing rezoning proposal



## Matters Referred 23 July 2018

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### **18SP049            Local Government (General) Regulation 2005 - REG 240**

Council Ref:        F2018/00113 - D08964365

Report By:         Chief Executive Officer - Morven Cameron

#### **Précis:**

Part 10 Meetings of the Local Government (General) Regulation 2005, in particular to Regulation 240 Agenda and business papers for council meetings, paragraph (2) states;

*“The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is (or the implementation of the business) would be unlawful. The general manager must report (without giving details of the item of business) any such exclusion to the next meeting of the council.”*

#### **Recommendation:**

Council receive and note the advice of the Chief Executive Officer (General Manager) in accordance with Local Government (General) Regulation 2005 – REG 240, Part (2).

#### **Background:**

In accordance with Regulation 240, Part (2) of the Local Government (General) Regulation 2005 I advise that I received a Notice of Motion for the meeting of Council to be held on Monday 23 July 2018, which I did not include on the agenda.

#### **Proposal:**

Council receive and note the advice of the Chief Executive Officer (General Manager) in accordance with Local Government (General) Regulation 2005 – REG 240, Part (2).

#### **Consultation:**

Nil

#### **Implications:**

##### ***Policy Implications:***

Nil

##### ***Environmental Implications:***

Nil

##### ***Social Implications:***

Nil

##### ***Infrastructure Asset Implications:***

Nil

**Matters Referred**  
**23 July 2018**

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***Financial Implications:***

Nil

***Risk and Insurance Implications:***

Nil

**Options:**

Nil

**Conclusion:**

Nil

Chief Executive Officer - Morven Cameron

**Attachments:**

Nil