NOTICES OF MOTION DISTRIBUTED UNDER SEPARATE COVER

NOTICES OF MOTION

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ITEM-8: NOM 26/04/17 - COUNCIL WITHDRAWAL OF SUPPORT FOR THE SUPERCARS EVENT

COUNCILLORS: T DOYLE, M OSBORNE

PURPOSE

The following Notice of Motion was received on 13 April 2017 from the abovementioned Councillors:

MOTION

Council resolves to:

1 Reaffirm that its first concern is for the safety and well-being of all Newcastle residents;

2 Withdraw its in principle support for the staging of the Supercars race in the residential streets of Newcastle based on safety and health concerns; and

3 Urge Destination NSW and Supercars Australia to find a more appropriate venue for this race that does not disrupt or pose any significant health or safety risk to residents.

BACKGROUND

Noting that:

1 No rigorous business case or cost/benefit analysis, of the kind recommended by the 2010 NSW Auditor-General's Report into the Supercars event at Olympic Park, has been made to justify Council’s or Destination NSW’s expenditure on this event;

2 Two serious accidents have occurred at Australian car-racing events involving Supercars in recent weeks, one of which involved brake failure;

3 If such an accident were to occur in the residential streets of East Newcastle, the results could be catastrophic;

4 The health risks of the race occurring in a residential neighbourhood of narrow streets, where residents will be in very close proximity to loud, speeding cars, have not been adequately assessed;

5 Levels of anxiety among some Newcastle East residents regarding the potential impacts of this race have been exacerbated rather than calmed after the recent information sessions conducted by Supercars, Destination NSW and Council representatives.
At the time when Council agreed to support the Supercars event being held in the Newcastle Local Government Area, little was known about the implications of staging an event such as this in residential streets.

Furthermore, when the event was proposed, Councillors believed that significant economic benefits would come to the city with the arrival of spectators and national and international coverage “showcasing” Newcastle. However, no rigorous business plan or cost/benefit analysis has been prepared, nor have any plans to conduct such an analysis been offered by either Destination NSW or Supercars.

The then NSW Auditor-General, Peter Achterstraat found in his 2010 Performance Audit Report on the V8 Supercar races at Sydney Olympic Park that “Government received inadequate advice when assessing the proposal”, that “Post-event analysis indicates that costs are more than planned and that economic impacts are less than estimated largely because of fewer visitors from interstate”. He concluded “direct negotiation [by Events NSW] with the proponent was not well handled. The approach to assessing the proposal and negotiating an agreement did not follow established procedures for investing public funds”. He went on to say

“Initial advice by State Development to Cabinet in June 2008 was not based around a business case and did not allow Government to make a well informed decision.

Further advice provided to Cabinet in July and September 2008 was based on limited analysis and restricted consideration of options.

Events NSW [now Destination NSW], the major event experts, were not requested to provide advice to Government before the Cabinet’s in-principle support in June.”

The then Auditor-General went on to make the following recommendations:

- Events NSW [now Destination NSW] provide expert advice for assessing and negotiating major event proposals adopting guidelines for economic evaluations agreed with NSW Treasury by 1 March 2011

- Agencies agree a consistent method for determining the impacts of major events by 1 March 2011

- Where investments in major events are not co-ordinated through Events NSW, that assessment, negotiation and management of the event by the government agency follow relevant best practices. These relate to preparation of business cases, analysis of costs and economic impacts, use of expert assistance, negotiation strategies, supervision and post-event evaluation

- More consistent, complete and accurate costing of events by all agencies involved by 30 June 2011

- Agencies expand their reporting on major event performance by 30 June 2011
These recommendations simply represent a requirement that State bodies like Destination NSW are accountable to the people of NSW regarding how they spend our money. Newcastle City Council should be demanding the same level of rigorous financial accountability when it comes to spending ratepayers’ money to bring events like this to our city.

The Auditor General’s recommendations have not been put into practice for this event. Consequently, we have no credible mechanism to assess whether this event will bring economic benefit to the city. Furthermore, we will have no indication as to which sectors of the community will benefit and which sectors will lose out.

However, it is quite clear that a large and growing group of residents believe that their interests have been ignored. It is also clear that this group of residents believe that they, and a larger group within the community that has not been engaged with the process, will be placed at serious risk by this event.

Health, Safety and Risk Management Failure

The community has raised issue related to safety, serious mental and physical human health consequences and the dismissal of basic resident rights associated with this event.

Two recent accidents involving Supercars indicate that the race should not take place in residential streets where there are young children, elderly, pets, vulnerable people, and cars running 3 metres from people’s front doors.

The first accident occurred on Friday 24 March at the start of the Grand Prix event at Albert Park Melbourne when racing driver Nick Percat’s Commodore’s brakes failed while he was travelling at 255 km/hr. His car collided with driver Lee Holdsworth’s car in a Supercars Challenge at the start of the Grand Prix. Percat ended up in the wall, slowed only by the gravel trap, while the driver he collided with spun out dramatically. Fortunately, both were relatively unharmed. However, Percat told the Daily Telegraph reporter James Phelps “After the impact there was fuel coming into the car, I was breathing it in and couldn’t get any oxygen. I was struggling to breathe and was coughing and felt like I was going to be sick from the fumes.


The second accident was described by Newcastle Herald journalist Hayden Johnson as “one of the worst crashes in the history of Supercars racing”. The accident ended the Tyrepower Tasmania SuperSprint in a huge pile-up at Symmons Plains Raceway, near Launceston.


Given that these serious accidents have occurred at the immediate past two Supercar events, it is now clear that there is a completely unacceptable risk of
accident or mishap when this type of race is scheduled to take place in the narrow, confined streets of Newcastle East.

**Residents at Risk**

There are a number of residents in the area who are at risk because of their frail state of health, psychological state, chronic illness or condition or because they are very young or have very young children in their care. No one has yet identified who they are and what requirements they might have for access to medical or other services.

This is further exacerbated when psychological conditions are present such as anxiety, panic disorder or dementia.

Emergency situations like heart attack, stroke or severe accident within the race enclosure will present unacceptable risk of inadequate medical evacuation procedures even given the assurances offered.

Reported responses from representatives of Supercars and DNSW during the information sessions for residents are also a cause of concern to many residents of Newcastle east. A comprehensive complaint has been lodged with DNSW concerning the entire process. Concerns raised included:

1. Lack of notification and a faulty registration process
2. Ratio of representatives to residents (residents were outnumbered)
3. Insufficient Time allocation to properly deal with residents’ concerns
4. Lack of preparation by representatives
5. Failure to disclose key documents to the public, such as the Civil Works report; Noise/sound report, insurance policies and conditions
6. Residents have reported conflicting and unsuitable answers given during the information sessions. Some examples include:
   a. Question of night construction works varying answers given from “no night work” to works will happen 24/7; night work only done in areas inaudible to residences; night work to be determined; night work is necessary to complete the circuit in time.
   b. Inappropriate and misinformed responses given to residents:
      i. Resident voiced concern re debris flying over barriers and stated that she had seen footage of debris flying over fences, the response was “I can show you footage of planes falling out of the sky”. This is NOT the language of someone trying to assuage resident concerns
      ii. Asked about the noise levels, a representative stated “we will use this year’s race to test the noise”.

A resident expressed extreme anxiety about someone dying in the race. The response was “the only certainty in life is you die”, followed by laughter from the group. When the resident cried at this response, representatives “looked uncomfortable”.

While the Supercars event is not a function organised or controlled by Council, we have a major responsibility to represent the interests of our residents and take heed of their concerns. When an event like this has a major impact on the lives of residents Newcastle City Council has a significant role in protecting the residents' and the city's overall amenity. The risks associated with this event are such that Newcastle City Council can no longer support the event taking place in its heritage residential streets.

ATTACHMENTS

Nil
REPORT ON NOTICE OF MOTION - 26/04/17 - COUNCIL WITHDRAWAL OF SUPPORT FOR THE SUPERCARS EVENT

REPORT BY: PLANNING AND REGULATORY

CONTACT: ACTING DIRECTOR, PLANNING AND REGULATORY

DIRECTOR COMMENT

Event Benefits

The event is forecast to bring around 16,000 new visitors to Newcastle. Attendance over the three day weekend is estimated at 150,000 people. In addition, around 400 competitors, crews and staff will be in Newcastle for the event, and will see the involvement of up to 700 volunteers. The national and international television audience is estimated at 220 million people. Destination NSW (DNSW) has estimated the economic impact of the Newcastle event at $57M over five years.

For a similar event staged in Bathurst in 2012, total attendance was 207,205 people and the economic impact measured for the State was $55.4M, of which $25.3M was directly spent in the Bathurst LGA (WRI, 2012 Supercheap Auto Bathurst 100 Economic Impact Report 2012). The event contributes directly to the creation of jobs in the accommodation, food and beverage sectors.

Figures for events held on the Gold Coast, Adelaide and Townsville between 2012 and 2016, show attendance between 152,000 and 286,000 spectators and the annual economic impacts between $32M and $40M.

The figure of $57M estimated by DNSW for the Newcastle event is consistent with the economic impacts derived from other similar events as outlined above.

The event has also brought forward civil works in the East End of Newcastle including 170 new parking spaces. Westpac Rescue Helicopter and Nobby and Newcastle Surf Clubs were recently named as charity partners for the event.

Safety

Supercars Australia (SA) complies with all international track safety standards. All SA street circuits are approved by the International governing body of motorsport, the Federation Internationale De L'Automobile (FIA), as well as the Confederation of Australian Motorsport (CAMS). The current track has been approved by both groups.

In almost three decades of staging Supercars street races in major cities, there has never been a serious injury to a member of the public or a situation in which an on-site medical situation could not be addressed. In Newcastle, world's best practice will be applied.

Planning and coordination for the event includes specialist committees with subject matter experts from NSW Police, NSW Ambulance, NSW Fire and Rescue Service, NSW Health, Safework NSW, the Department of Premier and Cabinet, Transport
Management Centre and Roads and Maritime Services. Emergency health situations are paramount in the planning process and contingencies are included in numerous Emergency Management Plans.

The recent accidents in Melbourne and Tasmania demonstrated these world-class safety standards. At no time were officials or the public at risk as the safety controls in place contained the incident within the bounds of the race track as they are designed to do. In addition, no drivers were seriously injured.

Street circuit events, including the world's largest staged in Monaco each year, have been held around the world for more than 60 years. Research indicates that there are hundreds of street circuits used for motorsport events around the world. In Australia, the Adelaide event has been operating for 23 years; the Gold Coast 27 years; Melbourne 22 years; and Townsville nine years. The competitor and public safety records of these events is excellent.

**Risk Management**

Supercars Australia, with event partners the New South Wales Government, Newcastle City Council, Confederation of Australian Motor Sport, NSW Emergency Services, engineers and contractors undertook a detailed and collaborative risk identification and management process.

SA's risk management process aligns with ISO 31000:2009 and is reviewed at all key stages of the project.

Risk management plans have been developed will be used as a guide for the duration of the civil works and the event. These plans will be developed in accordance with all standards set out in AS/NZS ISO 31000 Risk Management – Principles and Guidelines.

**Emergency Access and Medical facilities**

Emergency access for services (police, ambulance, fire brigade and emergency utility services) will be maintained throughout the event, as is the case in all street circuits within Australia. An international standard on-site medical centre is mandatory at all Supercars events for competitors, patrons and the public with trauma specialists, triage facilities, doctors, paramedics and nurses permanently on site. NSW Ambulance and the St John Ambulance will provide further medical services within and around the precinct.

**Services**

Services to residents will be maintained during the three-day event period. These services include Meals on Wheels, RDNS (Royal District Nursing Service) HomeCare and locum doctors, who will have full access to the precinct to make their calls.

Supercars Australia will also work individually with vulnerable or elderly members of the community to manage any concerns they have in relation to access to services or entry into and out of the event precinct.

Similarly, Supercars Australia will work with the Department of Housing to ensure that the health and welfare of social housing tenants is not adversely impacted by the event.
Community engagement

Council is working closely with SA and DNSW to undertake a community engagement program. This has included a series of information sessions for east end residents and businesses. Supercars has engaged a full-time Community Liaison Officer and plans an appointment-based information centre. This will provide a location for community members to view a display, obtain information and ask questions.

A local Newcastle 500 Coordination Office has also been established by Destination NSW to ensure implementation of all aspects of the Motor Racing (Sydney and Newcastle) Act 2008 ahead of the inaugural event in November 2017.

The office is working closely with Newcastle City Council, Supercars Australia and community groups and residents to ensure the community is kept informed of the civil works program and that community issues are identified and resolved where possible.

Council has established a Major Events Residents Working Group (MERWG) made up of 12 representatives of east end residents and businesses. The goal of the MERWG is to enable residents’ concerns to be raised and approached in a solution-focused manner. Newcastle City Council is managing the MERWG and where relevant representatives of SA and other agencies will attend.

As part of the commitment to community engagement Supercars Australia, in conjunction with the Newcastle community, will establish a Community Engagement Committee. The Committee’s role will be to consult and engage with the wider community including businesses and traders. It will highlight opportunities for local businesses and associations, both in the event precinct and the broader Newcastle area. It will also provide a forum in which the event organisers can share key information and opportunities directly with community members.

The committee will be run by Supercars Australia and will comprise independent local community members and representatives from Newcastle City Council, media and tourism bodies to ensure the community has a voice in the event planning process.

Communications activities

Media and communications activities include:

- establishing a designated Supercars website on the Council website
- e-newsletters that can be subscribed to via Council's website, offering updates
- coordination between event partners to promote the event and address queries and issues raised by residents and businesses
- regular messaging through the Customer Contact Centre
- the development of series of fact sheets called Supercars Fast Facts
- direct communication via email
- letterbox drops and mailings
- features in Council publications.

RECOMMENDATION

For noting.
ITEM-9: NOM 26/04/17 - CROWN LAND MANAGEMENT IN THE NEWCASTLE LOCAL GOVERNMENT AREA

COUNCILLORS: D CLAUSEN, J DUNN, S POSNIAK, N NELMES

PURPOSE

The following Notice of Motion was received on 13 April 2017 from the abovementioned Councillors:

MOTION

That Council:

1 Notes recent legislative changes to Crown Lands, with the Government seeking to transfer ownership of Crown Land to local councils for management under the Local Government Act (see attachment).

2 Works with the NSW Government to identify and consider opportunities for Council to take ownership of identified Crown properties across the Newcastle LGA, particularly those where Council is already the Crown Land Manager, where there is public benefit, where the maintenance of the land fits within existing Council budgets, and where Council is committed to maintaining the land as Community Land in perpetuity.

3 A report on identified opportunities be provided to Council by November 2017.

BACKGROUND

Commentary from Local Government NSW:

The long anticipated Crown Land Management Act was introduced into the NSW Parliament on 19 October 2016. The Act was carried by Parliament, and assented to on Monday 14 November 2016 - Act No 58 of 2016.

The introduction of the Act follows a major review of Crown land management and legislation that commenced in 2012. There was extensive consultation with local government during the review process. Councils across NSW currently manage around 7,765 crown reserves.

Key elements of the Bill relating to local government include:

Councils managing Crown reserves

- The Bill will enable councils to manage their Crown land reserves as if they were council-owned land under the Local Government Act 1993 (LGA).
- Councils will not generally be required to seek the Minister for Lands’ approval for dealings. Instead, in most cases councils will manage these reserves as if they were community land.
• There will be the ability to manage land as operational land in appropriate circumstances.
• The requirement to have plans of management for each reserve that is classified as community land will be phased in over time and councils will not have to go through the full LGA process for initial plans. To address initial costs, some financial assistance from the Government will be available.
• Councils will continue to be eligible to apply for grants from the Public Reserve Management Fund Program to support their management and up-keep of Crown reserves.

Local ownership

• The Bill allows land identified as being of local significance to be vested in councils where this is agreed by the councils.
• The rationale is that councils are best placed to make decisions on land of local significance and that ownership will reduce the council’s cost of managing land, simplify the approval and decision making and enhance benefits to local communities.
• There will be no forced transfers - the Bill explicitly requires agreement to any vesting.
• While land will generally be transferred as community land, the Bill provides for pragmatic exceptions to this in cases where operational classification is appropriate.
• Once land is transferred, income generated by that land will be retained by the council.

Native Title

• Councils as Crown land managers are already responsible for complying with the Commonwealth Native Title Act in all their dealings and activities.
• The Bill recognises this and clarifies responsibilities where native title has not been extinguished or determined.
• It includes provisions requiring councils to appoint trained native title managers to ensure compliance with their obligations under the Commonwealth Native Title Act. This will ensure that councils have the ability to meet their native title obligations.
• The State will pay for initial training for native title managers for all councils.
• The new vesting provisions will also allow land to be transferred to council ownership where native title has not been extinguished. All transfers will be voluntary.

ATTACHMENTS

Attachment A

COMPREHENSIVE REVIEW OF NSW CROWN LAND MANAGEMENT

Local management benefiting local communities

OCTOBER 2016

The NSW Government has introduced the Crown Land Management Bill 2016 to deliver modern, streamlined and transparent management of the state’s vast Crown land. The Bill implements reforms identified in the white paper and comprehensive review of Crown land management. This fact sheet describes some of the issues found and how the Bill proposes to address them.

Not all Crown land needs to be retained and managed by the NSW Government

The review found that certain types of Crown land are of state significance and need to be retained by the state government, but decisions about land of local value and interest are best managed locally.

The review found that the NSW Government added marginal value by continuing to own locally-significant Crown land. It also found that local council ownership of this land would reduce unnecessary red tape between the local and state governments and make it easier for the local council to manage its overall local land assets.

Proposed framework to deal with this issue

- The NSW Government recognises that while Crown land of state significance should be retained by the state, Crown land management arrangements could be improved to provide opportunities for local councils to better and more easily manage lands that are primarily used by local communities.

- Crown land that is considered likely to be local includes land used mainly by the local community, such as parks, gardens, local sports fields, recreation centres, community centres, swimming pools, tennis courts and libraries.

- Enabling local councils to own more local land will reduce the council’s cost of managing land, simplify the approval and decision making process for the land, and enhance the benefits of that land to local communities.

- In 2015 the Local Land Pilot was conducted to explore the concept that local land should be transferred to local councils to enable better decisions about the land to be made by local communities.

- The pilot also tested the draft criteria for identifying local land as recommended by the review, negotiated hypothetical outcomes and identified implementation issues. No land was transferred to local councils as part of the pilot.

- Four local councils were involved in the pilot with the Department of Industry – Lands: Warringah Council, Tamworth Regional Council, Tweed Shire Council and Corowa Shire Council.

- The pilot found that there was support for the implementation of the local land transfer concept.
Local management benefiting local communities

Implementation of proposed framework

- All transfers of local land to local councils will be voluntary and there will be no forced transfers.
- Crown land that is identified as state land, being land that is of significance to all the peoples of NSW, will not be transferred.
- The negotiation process will be run in partnership with both local councils and Aboriginal Land Councils. Aboriginal Land Councils will be involved given their rights and interests in Crown land under the Aboriginal Land Rights Act 1983 and Aboriginal people's traditional and spiritual connection to the land.
- Aboriginal Land Councils will be asked to consider whether there is Crown land that could be transferred to them to achieve economic, social and cultural outcomes.
- Native title holders or registered claimants can be invited to participate in negotiations by agreement of the parties.
- Consistent with current practice, any land transferred to Local Aboriginal land Councils as part of the negotiation process will be subject to any native title rights and interests.
- It is anticipated that implementation will commence in the pilot local government areas later in 2016. Further rollout to other areas across the state will then be considered.

Ensuring community involvement in future decisions on transferred local land

Submissions to the white paper raised concerns about future decisions that councils would take with former Crown land once it is given to them.

Proposed framework to deal with this issue

- Crown land identified as local land will generally be transferred to local councils as community land. Under the Local Government Act 1993 (LGA) councils are not allowed to sell community land and a plan of management must be prepared for all community land.
- If local councils want to reclassify this land to operational land – allowing it to be sold – the councils are required to undertake detailed community consultation, including public hearings.
- Some limited land types will be transferred to local councils as operational land. This will be allowed only if local councils demonstrate that the land does not fall within one of the categories of community land set out in the LGA (for example land being used as a waste or night soil depot) or the current use of the land would be restricted by the community land classification (for example caravan park long-term residences).
- All land transferred out of the Crown estate will continue to be subject to the restrictions on use contained in the state's land use legislation, planning instruments and other environmental legislation.

Simplifying reserve trust management and reducing legislative duplication

Local councils play an important role in managing Crown land for their local communities by being appointed manager of Crown reserves. As manager they have care and management of Crown land.

The review, however, made clear that the current system of managing reserves is excessively complex.

Under the current system, local councils manage Crown land under Crown lands legislation, but manage reserves that local councils own under the LGA, leading to a duplication of management, administrative and reporting systems and processes, and confusion between the legislative frameworks.
Local management benefiting local communities

Proposed framework to deal with this issue

- In order to reduce red tape and legislative duplication, under the proposed legislation local councils will manage the Crown reserves they are appointed to manage under the LGA rather than under the Crown land legislation.
- Crown reserves managed by local councils will be classified (generally as community land) and categorised under the LGA, with the Minister for Lands’ approval.
- Local councils will not generally be required to seek the Minister for Lands’ approval for dealings on Crown reserves. Instead, in most cases local councils will manage these reserves under the requirements for community land under the LGA, with the requirement to have plans of management for each reserve phased in over time.
- Although local councils will generally be managing land under the LGA, the Minister for Lands will retain important rights and powers including the ability to:
  - make rules with which local councils must comply
  - put conditions in local councils’ appointment instruments, when appointing them as reserve managers
  - remove local council managers.
- Local council Crown land managers will not be able to sell or re-categorise managed Crown land.
- Communities will be in a position to influence decisions about how Crown land is managed by local councils through the strong existing processes under the LGA.
- Local councils will be required to comply with their reporting requirements under the LGA and to provide information to the Minister for Lands, if requested.

More information

For more information contact the Department of Industry - Lands on 1300 886 235 or enquiries@crownland.nsw.gov.au

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Disclaimer: The content of this publication does not constitute legal advice. You should seek legal or other professional advice before acting or relying on any of the content. The information contained in this publication is based on knowledge and understanding at the time of writing (October 2016). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the Department of Industry or the user’s independent adviser. The final form of the new Crown land legislation will not be known until a bill is passed by the NSW Parliament. Proposals outlined in this fact sheet are therefore subject to the final legislation.
ITEM-10: NOM 26/04/17 - FULLY FENCED DOG OFF LEASH AREA FOR PLAY, EXERCISE, SOCIALISATION AND TRAINING – LAMBTON PARK

COUNCILLORS: D CLAUSEN, N NELMES, J DUNN, S POSNIAK

PURPOSE

The following Notice of Motion was received on 13 April 2017 from the abovementioned Councillors:

MOTION

That Council:

1 Accepts the attached petition (Attachment A) with 107 signatories calling for a fully fenced dog off leash area for play, exercise, socialisation and training in Lambton Park.

2 Notes the success of Council’s Pups in the Park initiative held on 10 December 2016 in Lambton Park.

3 Considers the development of a fenced dog park in Lambton Park alongside similar requests for Connelly Park in Carrington, Novocastrian Park in New Lambton and Waratah Park in Waratah as per the unanimous Notice of Motion carried 20 December 2016 (Item 22 NOM 13/12/16 – Increased Dog Leash Free Areas including Enclosed Areas).
BACKGROUND

At the Ordinary Council Meeting on 24 May 2016, Council carried the following motion:

That Council:

1. Notes that Officers are presently undertaking a review of the Sportsland Plan of Management which is intended to be publicly exhibited in the third quarter of 2016 as part of a new Community Land Plan of Management.

2. Requests that public consultation on the new Community Land Plan of Management consider the implementation of a time restricted off-leash area at Novocastrian Park, New Lambton. Consultation should include dog owners, park neighbours and other park users such as sports users.

At the Ordinary Council Meeting of 22 November 2016, Council received a petition with 96 signatories calling for a dedicated off-leash area for Waratah Park, Waratah.

At the Adjourned Ordinary Council Meeting on 20 December 2016, Council unanimously carried the following motion:

That Council, as a priority:

1. Review the number of Dog Leash Free Areas across the city, with a focus on enclosed off leash areas and the aim to increase the number of designated areas to meet the growing demand.

2. Report to the April 2017 meeting with a draft Community Land Plan of Management to be placed on public exhibition, to outline the timeframe to roll out the new Dog Leash Free Areas (including enclosed areas) and to include any necessary expenditure in the 2017-18 Council Budget process such a draft Community Land Plan of Management to include consideration of specific sportsgrounds/ovals to be used as time-restricted Dog Leash Free Areas including Connelly Park in Carrington, Novocastrian Park in New Lambton and Waratah Park in Waratah.

The Law Society of NSW provides a comprehensive background note on the benefits of Off Leash areas:

Community Health Considerations

There is persuasive evidence that pet ownership has beneficial effects on humans' physical and psychological health, reducing anxiety related illness, increasing stress coping mechanisms and alleviating feelings of loneliness and social isolation. Walking a dog can provide invaluable socialisation and exercise for the owner as well as the dog, and for these reasons, responsible exercise of dogs in leash free areas should be facilitated.

There is further evidence that socialisation of dogs can significantly decrease stress related aggression towards both people and other dog. It is necessary that socialisation be a continual process throughout the life of the dog.
Whilst "puppy training classes" provide invaluable exposure for young animals, there are fewer options available for the socialisation of older dogs. Leash free parks can fill this role, becoming focal points for dog owners and allowing dogs to interact with each other in a way that is least stressful, as the animals have the ability to move freely.

Regular exercise of dogs is known to decrease excessive barking and other forms of antisocial behaviour, such as digging and escaping – common neighbourhood problems in urban areas. Off-lead exercising of dogs is also more beneficial to the animal's physical and mental health than on-lead walking.

**Current Legislative Provisions**

We submit that current legislative provisions adequately address concerns that may be raised about the designation of certain parks as off-lead at all times.

The *Companion Animals Act 1998* (NSW) (CAA) currently provides legal remedies for irresponsible animal ownership by setting out the duties of pet owners and providing corresponding penalties for breach of those duties.

**ATTACHMENTS**

**Attachment A:** Petition titled ‘Submission for consideration by Newcastle Council for a fully fenced dog off leash area for play, exercise, socialisation and training with 107 signatories’
SUBMISSION FOR CONSIDERATION BY NEWCASTLE COUNCIL FOR A FULLY FENCED DOG OFF LEASH AREA FOR PLAY, EXERCISE, SOCIALISATION & TRAINING
YOU WANT US TO BE SOCIALLY ACCEPTABLE, HAPPY AND WELL ADJUSTED.........

WE NEED YOUR HELP TO ACHIEVE THAT AIM....

AT THE TIME OF WRITING THERE IS NO SAFE OFF LEASH PLACE FOR US (AND THAT AFFECTS YOUR SAFETY AND OUR FUTURE) TO PLAY OFF LEASH, TO LEARN AND PRACTICE OBEDIENCE...

IF YOU CAN CONSIDER THIS REQUEST WE WOULD BE MOST GRATEFUL, WELL BEHAVED, HAPPY AND THAT IN TURN WILL MAKE OUR OWNERS AND THE WHOLE COMMUNITY WELL PLEASED WITH US
SUBMISSION FOR A FENCED LEASH FREE AREA IN LAMBTON PARK

I understand Newcastle Council has 17 leash free areas but not one is fenced which calls in to account the safety for the dogs and also any person or child who could accidently or unknowingly wander into these areas. In fact I believe that one of these areas – North Lambton enables access to the childrens play area.

It is also a hazard for humans with a fear of dogs wanting to use or cross these areas which they will do and often, albeit accidentally, cause chaos. This has a catch 22 effect in that having no area for dogs to run free and socialize, humans become blasé or frustrated in attempts to train and socialize their dogs and allow them off lead in parks not allocated as leash free. This can create considerable concern, particularly from the elderly, children and disabled members of the community.

I would like to propose an area of Lambton Park be considered by council as a leash free area. Lambton Park is much used as it is large and central to a few suburbs. It also allows for considerable safe parking so encourages both close living residents and those further away. It is also a very beautiful, well cared park with some beautiful gardens and play areas, picnic places and more recently even exercise equipment. The Lambton Residents Group looks after the park with pride and they are very watchful for misuse of any of the facilities, anti social behavior and vandalism so it is with confidence that I believe such a fenced leash free area would work favourably for all.
Lambton Park has an area which I believe would be perfect for a fenced leash free area. It is probably one of the only areas of the park little used except as a walkway between Karoola Road and Howe-Lambton Road. This area is between the Bowling club and the Swimming pool.

I have attempted to draw a proposed fenced area in this vicinity. It would not disrupt current use for those who wish to walk from east to west in the park nor any current vehicle access. It would make a lot of dogs and their owners safe and happy and probably encourage more people to this amazing park.

I have spoken to quite a number of people when walking and they dearly wish there was a safe lease free area in this park where their dogs could play and socialize and the owners could feel happy knowing they have done the right thing allowing their dogs freedom to grow, play and learn.

I understand that Lake Macquarie Council have just approved a fully fenced Leah Free area at Speers Point. It would be wonderful if we could have one as well.

Mary Webster
32 Pearson Street
Lambton 2299
0407495623

A member of Lambton Residents Group which supports this submission
BASIC OUTLINE OF SUGGESTED AREA

Fence line inside current footpath
Diagonal fence from north corner footpath to just past tree furthest west
Fence/gate from end of diagonal fence to 10th (from west end) main pool fence bollard
WHETHER OR NOT ADDITIONAL FENCING WOULD BE REQUIRED DOWN THE POOL FENCE LINE WOULD BE SUBJECT TO RISK ASSESSMENT AND IS DEBATABLE. BUT PERHAPS SOME SMALLER BARRIER (SHRUBS) COULD BE USED SHOULD THERE BE CONCERNS AS RESULT OF A RISK ASSESSMENT. THERE DOES NOT APPEAR TO BE A PROBLEM CURRENTLY WITH THE POOL FENCE AND PASSING DOGS – EVEN A NUMBER OFF LEAD – BUT ADMITTEDLY THOSE THAT ARE ON LEASH ARE ABLE TO BE CONTROLLED HOWEVER IF DOGS HAVE A PLAY AREA THEY ARE LESS INTERESTED IN THINGS ON THE OTHER SIDE OF THE FENCE AND HUMANS IN THE POOL SHOULD BE CONTROLLED!!!
IF YOU WOULD LIKE TO SUPPORT THIS PROPOSAL TO COUNCIL IT WOULD BE APPRECIATED

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<thead>
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<th>NAME</th>
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<td>Rick Igoe</td>
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<tr>
<td>Luan Newell</td>
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<td>Tehrue Spear</td>
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<td>M. Gubb</td>
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<td>Peg Davis</td>
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<td>Marjorie Wang</td>
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<td>Lauren Alexandre</td>
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<td>Melinda Newman</td>
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COUNCILLORS: D CLAUSEN, N NELMES, J DUNN, S POSNIAK

PURPOSE

The following Notice of Motion was received on 13 April 2017 from the abovementioned Councillors:

MOTION

That Council:

1 Notes the State Government’s will require Council to collect a Fire and Emergency Services Property Levy from 1 July 2017 at an expected additional cost of approximately $185 per year for each residential property (Attachment A).

2 From 1 July 2017, Council incorporates the following text on the front page of all residential rates and installment notices in a similar style and format to the NSW Government’s requirements for electricity providers (Attachment B – i.e. red text, minimum size 12 font: “NSW State Government taxes and levies add about $XXX a year to the average Newcastle household’s rates”

Where XXX, currently estimated at $280 per year for the average Newcastle residential ratepayer, is an updated total of the average Newcastle residential ratepayer’s costs for:

- The Fire and Emergency Services Levy collected for the NSW Government (~$185/year)
- The Hunter Catchment Contribution collected for the NSW Government’s Local Land Services (~$25/year)
- The Section 88 Waste Levy on the Domestic Waste Management Charge collected for the NSW Government’s EPA (~$70/year)
- Any other fee, tax or levy collected by Council on behalf of the NSW Government or any NSW Government agency.

3 Council includes a stylised ‘How Newcastle City Council works for you’ summary with the next Council News (eg, Attachment D). This is to include a summary of Council’s use of rates income in the delivery of services and capital projects, such as:

A Services

i Parks, Playgrounds and Public Open Space
ii Lifeguards
iii Libraries, Museum and Gallery
iv Sporting Facilities including swimming pools
v Development and Regulatory Services
vi Disaster Management and Resilience
vii Smart City and Information Technology
viii Waste collection
B Capital Delivery

i SRV projects
   1 Coastal Revitalisation
   2 Cycleways
   3 Blackbutt
   4 Hunter Street

ii Renewal works
   1 Roads
   2 Buildings
   3 Environment

iii New infrastructure
   1 Waste
   2 Roads
   3 Buildings
   4 Environment

BACKGROUND
Nil

ATTACHMENTS

Attachment A: NSW homeowners set to pay $185 annual fire services levy via council rates, Sydney Morning Herald, 7 March 2017
Attachment B: Media Release: Minister for Resources and Energy
Attachment C: Australian Tax Office (ATO), Tax Receipt Sample
Attachment D: Douglas Shire Council (QLD), How Your Council Works for You summary
**NSW homeowners set to pay $185 annual fire services levy via council rates**

Sean Nicholls  
Published: March 7, 2017 - 8:20AM

NSW home owners will learn from May 1 exactly how much they will pay each year to fund fire and emergency services under a new system that will see an average $185 added to council rates notices.

Treasurer Dominic Perrottet will on Tuesday introduce legislation to usher in the Fire and Emergency Services Levy from July 1.

Currently three-quarters of the annual $950 million cost of funding Fire and Rescue NSW, the Rural Fire Service and the State Emergency Service is funded via a tax on insurance companies, passed onto customers via higher premiums.

The balance is funded by the state and a tax on councils.

The new system instead charges all landowners in NSW an annual levy.

For residential landowners and owners of "public benefit land" such as churches and scout halls, there will be an annual fixed charge is $100 plus an additional amount calculated on the unimproved land value determined by the NSW Valuer-General.

For farms, industrial and commercial landholders the fixed charge will be $200 plus the additional amount.

The precise amount charged to each landowner will be determined by the size of each year’s emergency services budget but the government is estimating an average levy of about $185.

Land owners will be able to visit the fire services and emergency services levy website to calculate their annual payment from May 1 - the date at which the 2017-18 emergency service budget will be known.

The shift to a levy on land was recommended by a 2013 parliamentary inquiry which found that 36 per cent – or 810,000 landowners – who do not have home contents insurance would pay the levy for the first time.

But the government says for fully-insured homeowners the fire services levy contribution should drop from an annual average $233 to $185, for a saving of $47 a year.

Professor Allan Fels has been appointed as NSW Emergency Services Levy Insurance Monitor to ensure insurers pass on savings to customers.

The government estimates the proportion of the emergency services budget raised from residential land will be 58.1 per cent. For commercial land it will be 26.7 per cent, industrial land 10.4 per cent, farmland 4.6 per cent and public benefit land 0.3 per cent.

The proportion contributed by a levy on residential land and farm land will be the same as under the old system, while the proportion from public benefit land will fall from 0.8 per cent.

The proportion from industrial and commercial land - 37.1 per cent - increases slightly from the existing 36.6 per cent.

Other changes to the green slip system to be announced on Tuesday include limiting compensation awarded to people with whiplash and minor injuries to six months and capping lost earnings claims by those with serious injuries to two years.

The scheme will also be extended to cover motorists who are at fault in an accident, but their benefits will only be covered for six months.

Seriously injured motorists who are not at fault in accidents will continue to be able to claim lump sum compensation in addition to income and medical benefits.
NSW motorists have the highest premium costs in the country but only 45 cents in every dollar paid for each green slip returns to people injured on the road with the balance going to legal fees, administration costs and insurer profits.

A bill will be introduced to parliament this week and, if approved, the new scheme is expected to take effect by December.

This story was found at: http://www.smh.com.au/nsw/nsw-homeowners-set-to-pay-185-annual-fire-services-levy-via-council-rates-20170306-8guef.html
MEDIA RELEASE

Thursday 12 April 2012

CARBON TAX & GREEN SCHEMES TO ADD $315 TO NSW POWER BILLS

NSW electricity bills will show the cost of Labor’s carbon tax and green schemes following the announcement by the Independent Pricing and Regulatory Tribunal (IPART) that the carbon tax will be responsible for an estimated 9% increase in power bills.

From 1 July 2012, NSW power bills will include in red text:

“NSW Govt estimates that Federal carbon tax and green energy schemes add about $315 a year to a typical 7MWh household bill – see ipart.nsw.gov.au”

Energy Minister Chris Hartcher said NSW families were entitled to know how much of their quarterly household bill is courtesy of Labor’s carbon tax.

“Both households and small businesses will be devastated by the proposed price rises, estimated to add $182 to $381 to the average household bill,” Mr Hartcher said.

“Over half of the proposed 16% increase in electricity prices is because of Labor’s carbon tax – the Federal Government should be upfront and transparent about this massive cost impost.”

Green schemes, including the cost of Labor’s carbon tax, are calculated by IPART to contribute approximately $315 to the annual household power bill. Of this, $159 is due to the carbon tax; $96 is due to the Federal Renewable Energy Target; and $35 is due to the Solar Bonus Scheme.

“NSW households are still paying for John Robertson’s bungled Solar Bonus Scheme – the Opposition Leader’s lasting legacy for the people of NSW,” Mr Hartcher said.

“The NSW Government is calling for the immediate review of those green policies and schemes that deliver subsidies to industry at the broader expense of the community, and the closure of the Federal Renewable Energy Target.

“It is unreasonable for Labor to expect NSW households to bear the costs of unsustainable and costly green schemes.

“It’s crucial that households and small businesses are aware of how much Labor’s carbon tax and green schemes will contribute to power prices rises and we will continue to campaign against Labor’s devastating tax.”
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<tr>
<td>Industry assistance</td>
<td>$344</td>
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<td>Foreign affairs and economic aid</td>
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<td>Public order and safety</td>
<td>$266</td>
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<td>Housing and community</td>
<td>$260</td>
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<tr>
<td>Immigration</td>
<td>$204</td>
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<tr>
<td>Recreation and culture</td>
<td>$188</td>
<td></td>
<td></td>
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<tr>
<td>Other purposes*</td>
<td>$782</td>
<td></td>
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</tbody>
</table>

*Includes transfers to state and local governments (except for GST) and other economic affairs.

Estimates and categories were based on information from the Department of Treasury.

Your total tax assessed: $20,000
How Your Council Works For You
Services Provided For Each $100 in Rates Paid

Attachment D

1. INFORMATION TECHNOLOGY - $6.24
2. COMMUNITY & ECONOMIC DEVELOPMENT - $4.97
3. INFRASTRUCTURE MANAGEMENT - $9.19
4. SEWERAGE INFRASTRUCTURE - $9.25
5. WASTE MANAGEMENT & RECYCLING - $7.65
6. CORPORATE SERVICES & ADMINISTRATION - $3.86
7. OPEN SPACES - $8.00
8. ROAD NETWORKS - $17.98
9. WATER INFRASTRUCTURE - $12.12
10. library - $1.48
11. sport, recreation & public facilities - $4.06
12. development, planning & environment - $3.24
13. environmental health & local laws - $0.00
14. disaster management - $0.23
15. fleet, plant & facilities management - $2.12
16. intermediate construction - $0.00
DIRECTOR COMMENT

Council's 2017/18 rates and charges notices will be levied on approximately 25 July 2017 and will display the new Fire and Emergency Services Levy (FESL). The FESL is a State Government charge supported by legislation that requires the new levy to be displayed as a separate item on Council's annual rates and charges notices. A notation "NSW Government Fire and Emergency Service Levy" must also accompany the levy amount on each notice.

Councillors have previously been advised that an information letter to the community regarding the FESL's introduction will be sent to all ratepayers (both residential and business) liable to pay the FESL. The format and contents of this letter has also been set by NSW Treasury and is unable to be altered. The same process and inclusion of this document with rate instalment notices is required by all NSW councils. This change enacts one of the recommendations of the Henry Tax Review and the Royal Commission into the Victorian Bushfires and will bring New South Wales in line with all other mainland states.

This letter will accompany Council's fourth rate instalment notice and provides details of the relevant classification for FESL purposes of each property and advises a right to have the classification reviewed by Council. Additionally the document contains further information regarding the FESL in a 'Questions and Answers' format.

The FESL listing is consistent with other non-rate charges and levies that are currently included in the annual rates and charges notices, however, the proposed wording referenced in the NOM may lead to confusion among ratepayers. The information letter states that the FESL will be listed on the annual rates and charges notice as a separate item and is not an addition to the household rates as indicated in the proposed text referenced in the NOM. To ensure this is clear in any communication Council proposes, it is recommended that Council adopt the wording shown in Recommendation 2 below.

For Councillors' information, the FESL information notes that the average fully insured residential property owner will be $47 per annum better off as a result of an average $233 per annum reduction to their insurance costs following the removal of the current emergency services levy from insurance premiums. All costs for software changes and the production of the letter distributed by councils will be borne by NSW Treasury.

With reference to item 2 in the NOM requesting the information be included in residential rates and installment notices it appears this request does not include business ratepayers. While it is possible to segregate the annual rates and charges notices to enable the additional text to be included on only annual residential notices it is not possible to undertake differential messaging for residential and business ratepayers on
the quarterly instalment notices. For this reason Council is asked to note that the notation will be applied to all rate notices. Inclusion of the additional messaging on annual rates and charges notices and quarterly instalment notices, in red ink, will incur an additional cost to Council of approximately $10,000 pa.

With reference to item 3 in the NOM, Councillors are advised that the Communications and Engagement Team have already commenced work on a "your rates at work" community engagement campaign. The objective of this campaign is to ensure residents and ratepayers are well informed about the full range of Council services, projects and initiatives funded by their rates. This campaign will include similar information as referenced in item 3 of the NOM.

It is noted that the content for the next issue of Council News is currently being finalised and it will not be possible to complete the analysis required to prepare the proposed ‘How Newcastle City Council works for you’ summary in time for inclusion in this issue.

RECOMMENDATION

1. That Council notes the Directors comments.

2. That the proposed text at paragraph 2 of the NOM be amended to "The average Newcastle household’s annual rates and charges notice includes an amount of $XXX representing taxes and levies collected on behalf of the NSW State Government" and this message to be included in all annual rates and charges notices (ie for residential and business ratepayers).

3. Council includes information based on the stylised ‘How Newcastle City Council works for you’ summary (similar to Attachment D in the NOM) in the above noted "your rates at work" community engagement campaign.
ITEM-12: NOM 26/04/17 - PUBLIC VOICE FOR GATEWAY EXHIBITION

COUNCILLOR: T DOYLE, M OSBORNE

PURPOSE

The following Notice of Motion was received on 13 April 2017 from the abovementioned Councillors:

MOTION

That Council invite community representatives, to present their comments about UrbanGrowth’s Gateway Proposal during the community consultation and exhibition period.

BACKGROUND

Public Voice is currently the single mechanism through which the public may address Council on issues of public concern. The purpose of Council’s Public Voice Policy is “to enable members of the public to formally address Council meetings during designated ‘public voice sessions’”.

In this instance the Public Voice presentation would come under the definition of a Leading Issues Session: ‘a public voice session reserved for short presentations on significant issues of a general, strategic or policy nature’.

(See Public Voice Policy page 3)

ATTACHMENTS

Nil
SUBJECT: REPORT ON NOTICE OF MOTION 26/04/17 - PUBLIC VOICE FOR GATEWAY EXHIBITION

REPORT BY: PLANNING AND REGULATORY

CONTACT: ACTING DIRECTOR, PLANNING AND REGULATORY

DIRECTOR COMMENT

Council resolved on 13 October 2016 to forward the Planning Proposal for the rail corridor land between Worth Place and Watt Street Newcastle to the Minister for Planning and Environment for Gateway Determination. Gateway Determination was issued on 13 December 2016.

Public exhibition of the planning proposal will commence in mid May 2017, subject to Council approving the draft Development Control Plan amendment and the draft Planning Agreement for the site at the Ordinary Council meeting on 9 May 2017.

The exhibition period is proposed for 28 days. Depending on the volume of submissions received, the Planning Proposal will be returned to Council for determination on 25 July 2017.


RECOMMENDATION

For noting.
ITEM-13: NOM 26/04/17 - SUPERCARS E

COUNCILLORS: D CLAUSEN, S POSNIAK, J DUNN, N NELMES

PURPOSE

The following Notice of Motion was received on 13 April 2017 from the abovementioned Councillors:

MOTION

That Council:

1  Reiterates its support of electric and low emissions vehicles, including its previous motion calling for Council to investigate options for the installation of electric vehicle charging stations with the Clean Energy Finance Corporation (June 2016), and for Newcastle to be an on-road trial site for smart, autonomous vehicles (June 2016).

2  Works with Supercars, Destinations NSW and other interested parties to explore opportunities host an advanced electric vehicle race alongside the Newcastle 500.

BACKGROUND

Nil.

ATTACHMENTS

Attachment A: Formula E racing on London’s public roads gets the greenlight
Attachment A

Formula E racing on London’s public roads gets the greenlight | TechRadar

Formula E racing on London’s public roads gets the greenlight

By Luke Johnson  15 hours ago  Car tech

Formula E to flood the streets of London

Formula E continues to grow, with the silent race cars winning fans over with gripping wheel-to-wheel racing that’s been missing from Formula 1 for some time.

These technologically advanced racers could be coming to a street near you too, with the British government having passed a new law that permits street races.

Although London has already held Formula E races, due to legislation restrictions the action has so far been confined to the closed off streets of Battersea Park.

Under new laws, however, London could soon play host to true street races like those seen in Monaco or on the Isle of Man.

The new rules, which come into effect this week, allow for motor sport races to be staged on closed sections of public highways in England.

While Formula 1 has previously dropped proposals for a London-based race, one that would circle the city's streets and take in such landmarks as Big Ben, the Houses of Parliament and Buckingham Palace, it's understood that the tech-pushing Formula E series is actually in the driving seat to land such a race.

**London calling**

"London is always open to hosting the world's biggest and best sport events – from athletics to American football, from cycling to baseball," a spokesperson for London Mayor Sadiq Khan said recently.

"In considering whether to support a grand prix in London the mayor would need to see what the impacts are on air pollution."

The spokesperson added: "Formula E races which involve environmentally-friendly, electric-powered cars, can now be held on public roads. The mayor's office is in discussion with Formula E to see if it may be feasible for London to host such a race."

A number of key electronics manufacturers have been using Formula E for a test bed for new technologies.

As well as focussing on advancements to electric car tech, companies such as Qualcomm have been using the series to address technologies such as wireless charging that could have broader applications than the automotive industry.

Although a Westminster-based Formula E race has been teased, it's currently unclear how long it would take to get plans in place for such an event.

Announcing the ruling, government transport minister, Andrew Jones, said: "Britain is a world leader in the motorsport industry. There are already races of this kind in some areas of the British Isles which are incredibly popular."

"New road races will boost local economies through increased tourism and hospitality."

He added: "We had a consultation on this idea last year and there were 6,000 responses and it was overwhelmingly positive... Of the councils who responded, they again were overwhelmingly positive."

Via Ars Technica