Councillors,

In accordance with section 367 of the Local Government Act, 1993 notice is hereby given that an Ordinary Council Meeting will be held on:

DATE: Tuesday 24 October 2017

TIME: 5.30pm

VENUE: Council Chambers
2nd Floor
City Hall
290 King Street
Newcastle NSW 2300

J Bath
Interim Chief Executive Officer

City Administration Centre
282 King Street
NEWCASTLE NSW 2300

17 October 2017

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NOTE: ITEMS MAY NOT NECESSARILY BE DEALT WITH IN NUMERICAL ORDER
CONFIRMATION OF PREVIOUS MINUTES

MINUTES - ORDINARY COUNCIL MEETING HELD 26 SEPTEMBER 2017

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 170926 Ordinary Council Meeting Minutes

Note: The attached minutes are a record of the decisions made by Council at the meeting and are draft until adopted by Council. They may be viewed at www.newcastle.nsw.gov.au
Minutes of the Ordinary Council Meeting held in the Council Chambers, 2nd Floor City Hall on Tuesday 26 September 2017 at 5.52pm.

Prior to the opening of the meeting, the Councillors were led into the Chamber. Aunty Jaye Quinlan and the Wakageatti Dancers and Didgeridoo delivered a formal Welcome to Country.

The Interim Chief Executive Officer presented the Chains of Office to the Lord Mayor, Councillor Nuatali Nelmes and gave the following address:

Councillors, officers, invited guests, ladies and gentlemen

I now take great pleasure in investing the Lord Mayor Councillor Nuatali Nelmes with her chains of office.

It is my privilege on behalf of the community of Newcastle to congratulate you Lord Mayor on your election to this high office, of civic leadership in the City of Newcastle.

On behalf of the whole organisation, we welcome you and look forward to working with you.

I now take great pleasure in placing the chains upon you.

May I also congratulate all Councillors on their election to the office of Councillor of the City of Newcastle and add my congratulations to each one of you individually and to re-iterate that the staff of the organisation and myself are very much looking forward to the challenges, opportunities, successes and achievements of the next three years.

The Lord Mayor declared the meeting open at 5.52pm.

PRESENT
The Lord Mayor (Councillor N Nelmes), Councillors M Byrne, D Clausen, J Church, C Duncan, J Dunn, B Luke, J Mackenzie, A Robinson, A Rufo and E White.

IN ATTENDANCE
J Bath (Interim Chief Executive Officer), K Liddell (Interim Director Infrastructure), P Chrystal (Director Planning and Regulatory), E Kolatchew (Interim Manager Legal and Governance), M Swan (Interim Manager Finance), P Nelson (Manager Property Services), A Baxter (Manager Regulatory Services), K Baartz (Acting Manager Communications and Engagement), M Murray (Policy Officer), K Sullivan (Council Services/Minutes) and A Leach (Council Services/Webcasting).

MESSAGE OF ACKNOWLEDGEMENT
The Lord Mayor read the message of acknowledgement to the Awabakal and Worimi peoples.
PRAYER
The Lord Mayor read a prayer and a period of silence was observed in memory of those who served and died so that Council might meet in peace.

APOLOGIES

MOTION
Moved by Cr Luke, seconded by Cr Rufo

The apologies submitted on behalf of Councillors Elliott and Winney-Baartz be received and leave of absence granted.

Carried

TAKING OF THE OATH / AFFIRMATION OF OFFICE

The Lord Mayor, Cr Nelmes and Councillors Byrne, Clausen, Church, Duncan, Dunn, Luke, Mackenzie, Robinson, Rufo and White individually took the Oath / Affirmation as required under Section 233A of the Local Government Act - Oath and Affirmation for Councillors.

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor Rufo
Councillor Rufo declared a pecuniary interest in Lord Mayoral Minute Item 14 - Marriage Equality stating that he was a registered and practising marriage celebrant and a reasonable person may believe the Lord Mayoral Minute on Council's agenda may result in financial gain to him. Councillor Rufo stated that he would leave the Chamber for discussion on the item.

Councillor Luke
Councillor Luke declared a non-pecuniary less than significant conflict of interest in Item 100 - Executive Monthly Performance Report as it included the Re-investment Surplus Funds Report which mentions multiple financial institutions and many financial institutions that he had dealings with in his business. The declaration is less than significant as he noted he was not involved in determining where funds are invested and was just receiving a report.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES PUBLIC VOICE COMMITTEE 15 AUGUST 2017
MINUTES - ORDINARY COUNCIL MEETING 22 AUGUST 2017

MOTION
Moved by Cr Clausen, seconded by Cr Dunn

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

Carried
ITEM-14  LMM 26/09/17 - MARRIAGE EQUALITY

Councillor Rufo left the Chamber for discussion on Lord Mayoral Minute Item 14 - Marriage Equality.

MOTION
Moved by Lord Mayor, Cr Nelmes, seconded by Councillor Clausen

That Newcastle City Council:

1. Re-affirms the City of Newcastle's commitment to Marriage Equality;
2. Writes to the Federal Government, and Federal Opposition, advising them of the City of Newcastle's support for Marriage Equality;
3. Shows support for Marriage Equality by flying the Rainbow Flag at City Hall;
4. Delivers an advocacy and communication strategy that affirms Council's support for Marriage Equality and the "Yes" Campaign on its website, social media account, and by erecting banners across the City in support of Marriage Equality;
5. Hosts a community event in support of a "Yes" vote.

For the Motion: Lord Mayor, Cr Nelmes, Councillors Byrne, Clausen, Duncan, Dunn, Mackenzie and White.

Against the Motion: Councillors Church, Luke and Robinson. Carried

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

ITEM-15  LMM 26/09/17 - APPOINTMENT OF CHIEF EXECUTIVE OFFICER

MOTION
Moved by Lord Mayor, Cr Nelmes

1. Establish a Chief Executive Officer Recruitment Panel comprising Councillors Duncan, Dunn and Mackenzie in addition to the Lord Mayor and a representative from the appointed recruitment agency to be part of the recruitment panel for the recruitment and selection of Council's permanent Chief Executive Officer. This Panel will also be responsible for the performance review.

   The Chief Executive Officer Recruitment Panel's role will be to shortlist candidates, conduct candidate interviews, and assess the results of interviews before recommending an appointment.

2. Delegates to the Chief Executive Officer Recruitment Panel, the management of the process for the selection of a permanent Chief Executive Officer and approves the recruitment process in three (4) phases including:
a) Phase 1 will be the engagement of a preferred recruitment agency. The engagement of the preferred recruitment agency is to be undertaken in accordance with Council's Procurement Policy. The Chief Executive Officer Recruitment Panel will be required to be available to select the preferred recruitment agency by 13 October 2017.

Councillors on the recruitment panel will also need to be available between 16 - 20 October to meet the preferred recruitment agency to agree on search strategies, time lines and ideal candidate profile.

b) Phase 2 of the recruitment process will be the candidate search. The Chief Executive Officer Recruitment Panel will need to be available to review shortlisted candidates by 22 November 2017.

c) Phase 3 of the recruitment process will be interviews, assessment and recommended appointment. The Chief Executive Officer Recruitment Panel will need to be available for interviews from the week commencing 26 November 2017.

d) Phase 4 this panel will form the Performance Review Panel for the CEO and will convene and report back to council when required.

3. Council directs the Lord Mayor to report the recommendation of the Chief Executive Officer Recruitment Panel relating to the appointment of a permanent Chief Executive Officer, to a meeting of the elected Council as soon as possible.

AMENDMENT
Moved by Cr Rufo, seconded by Cr Luke

The Chief Executive Officer Recruitment Panel include Councillor Robinson

Defeated

The motion moved by the Lord Mayor was put to the meeting.

Carried
ITEM-98  CCL 26/09/17 - ADOPTION OF ASSET ADVISORY COMMITTEE CHARTER AND NOMINATION OF COUNCILLOR REPRESENTATIVES

MOTION
Moved by Cr Clausen, seconded by Cr Dunn

a) Council adopts the Asset Advisory Committee Charter as at Attachment A.

b) Councillor Clausen and Dunn are elected as Councillor members to fill the existing Asset Advisory Committee vacancies.

c) The Lord Mayor, currently acting as Chairperson of the Asset Advisory Committee, is re-appointed to the role.

AMENDMENT
Moved by Cr Rufo, seconded by Cr Luke

Councillor Elliott be elected to the Asset Advisory Committee.

For the Motion: Councillors Church, Luke and Robison.

Against the Motion: Lord Mayor, Cr Nelmes, Councillors Byrne, Clausen, Duncan, Dunn, Mackenzie and White.

Defeated

The motion moved by Councillors Clausen and Dunn was put to the meeting.

Carried

ITEM-99  CCL 26/09/17 - NOMINATION OF COUNCILLOR MEMBERS TO AUDIT COMMITTEE

MOTION
Moved by Cr Clausen, seconded by Cr Mackenzie

1 Through a process of nomination and majority vote, Council appoints two Councillor Members to the Audit Committee for the term of Council.

2 Council appoints Councillors Dunn and Mackenzie to the Audit Committee.

For the Motion: Lord Mayor, Cr Nelmes, Councillors Byrne, Clausen, Duncan, Dunn, Mackenzie and White.

Against the Motion: Councillors Church, Luke, Robinson and Rufo.

Carried
ITEM-100 CCL 26/09/17 - EXECUTIVE MONTHLY PERFORMANCE REPORT

MOTION
Moved by Cr Dunn, seconded by Cr Duncan

The report be received.

ITEM-101 CCL 26/09/17 - NOMINATIONS FOR ELECTION OF DEPUTY LORD MAYOR

The Lord Mayor proceeded with the motion seriatim.

MOTION
Moved by Lord Mayor, Cr Nelmes, seconded by Cr Clausen

(a) That Council resolves the term of the Deputy Lord Mayor be for the period taking effect from 26 September 2017 and concluding 25 September 2018.  
Carried

(b) That Council elects a Deputy Lord Mayor by open voting in accordance with the process set out in the Local Government (General) Regulation 2005 (NSW).  
Carried

(c) That Councillor Clausen is elected Deputy Lord Mayor for the period 26 September 2017 until 25 September 2018.  
Carried

The Interim Chief Executive Officer (as the returning officer):

- Announced that nominations had been received for the position of Deputy Lord Mayor from Councillors Clausen and Rufo.
- Distributed ballot forms and called for a vote in favour of each nominee by ordinary ballot.
- Declared Councillor Clausen elected as Deputy Lord Mayor for a period from 26 September 2017 and concluding on 25 September 2018.

The meeting concluded at 6.34pm.
REPORTS BY COUNCIL OFFICERS

ITEM-102 CCL 24/10/17 - EXECUTIVE MONTHLY PERFORMANCE REPORT

REPORT BY: CORPORATE SERVICES
CONTACT: INTERIM DIRECTOR CORPORATE SERVICES / MANAGER
FINANCE

PURPOSE

To report on Council's monthly performance. This includes:

a) Monthly financial position and year to date (YTD) performance against the 2017/18 Operational Plan as at the end of September 2017.

b) Investment of temporary surplus funds under section 625 of the Local Government Act 1993 (Act), submission of report in accordance with the Act and clause 212 of the Local Government (General) Regulation 2005 (Regulation).

RECOMMENDATION

1 The report be received.

KEY ISSUES

2 At the end of September 2017 the consolidated YTD actual operating position is a deficit of $3m which represents a negative variance of $4.4m against the budgeted YTD surplus of $1.4m. This budget variance is due to a combination of income and expenditure variances which are detailed in Attachment A. The full year revised budget for 2017/18 is an operating surplus of $4.8m.

3 The September YTD position includes $2.5m of revenue items which are either one-off or cannot be applied to meet operational expenditure ($1.5m 2012 Special Rate Variation revenue, $0.3m consolidation of Newcastle Airport result, $0.5m stormwater management service charge, and $0.2m local road grants which fund capital works). When these items are removed Council's sustainable underlying operating position at the end of September is a deficit of $5.5m.

4 The net funds generated as at the end of September 2017 is a deficit of $4.3m (after capital revenues, expenditure and loan principal repayments). This is a positive variance to the YTD budgeted deficit of $10.8m. This is primarily due to a timing variance in the delivery of Council's works program with a higher amount of project expenditure (both capital and operational expenditures) expected to be incurred during the final quarter of the financial year.
The variance between YTD budget and YTD actual results at the end of September 2017 is provided in the Executive Monthly Performance Report (Attachment A). Key elements are:

### Operating Revenue

<table>
<thead>
<tr>
<th>Full Year Adopted Budget</th>
<th>YTD Adopted Budget $'000</th>
<th>YTD Actual Result $'000</th>
<th>Variance $'000</th>
<th>Variance %</th>
<th>Financial Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>155,366 Rates &amp; charges</td>
<td>38,433</td>
<td>38,421</td>
<td>(12)</td>
<td>0%</td>
<td>-</td>
</tr>
<tr>
<td>71,297 User charges &amp; fees</td>
<td>16,804</td>
<td>22,339</td>
<td>5,535</td>
<td>33%</td>
<td>+</td>
</tr>
<tr>
<td>8,973 Interest</td>
<td>2,239</td>
<td>2,239</td>
<td>0%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>8,638 Other operating revenues</td>
<td>2,122</td>
<td>2,387</td>
<td>265</td>
<td>12%</td>
<td>+</td>
</tr>
<tr>
<td>15,936 Grants &amp; contributions - Operating</td>
<td>3,787</td>
<td>2,036</td>
<td>(1,751)</td>
<td>-46%</td>
<td>-</td>
</tr>
</tbody>
</table>

### Operating Expenses

<table>
<thead>
<tr>
<th>Full Year Adopted Budget</th>
<th>YTD Adopted Budget $'000</th>
<th>YTD Actual Result $'000</th>
<th>Variance $'000</th>
<th>Variance %</th>
<th>Financial Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>99,802 Employee costs</td>
<td>24,670</td>
<td>24,035</td>
<td>(635)</td>
<td>-3%</td>
<td>+</td>
</tr>
<tr>
<td>3,764 Borrowing costs</td>
<td>934</td>
<td>932</td>
<td>(2)</td>
<td>0%</td>
<td>+</td>
</tr>
<tr>
<td>57,769 Materials &amp; contracts</td>
<td>14,150</td>
<td>19,205</td>
<td>5,055</td>
<td>36%</td>
<td>-</td>
</tr>
<tr>
<td>41,435 Depreciation &amp; amortisation</td>
<td>9,644</td>
<td>9,645</td>
<td>1</td>
<td>0%</td>
<td>-</td>
</tr>
<tr>
<td>48,334 Other operating expenses</td>
<td>11,581</td>
<td>15,282</td>
<td>3,701</td>
<td>32%</td>
<td>-</td>
</tr>
<tr>
<td>4,301 Net Loss from disposal of asset</td>
<td>993</td>
<td>1,282</td>
<td>289</td>
<td>29%</td>
<td>-</td>
</tr>
</tbody>
</table>

Note 1 - Actual and Budget results include an estimate for the Newcastle Airport.
6 Factors favourably impacting Financial Position
   i User charges and fees – increase of $5.5m
      The Summerhill Waste Management Centre has generated above budget income which is partially offset by an increased State Waste Levy expense ($3.9m).

   ii Other operating revenues – increase of $0.3m
      Council has generated higher parking fine revenue than anticipated.

7 Factors unfavourably impacting Financial Position
   i Grants and contributions – decrease of $1.8m
      Six months of the 2017/18 financial assistance grant was paid in advance and recorded against the 2016/17 financial year. It is not yet known what payments will be made this financial year. Council has acted conservatively and included only the remaining six months of the grant in current estimates.

   ii Materials & contracts – increase of $5.1m
      There has been an above average level of operational expenditure generated through current projects. This is partially offset by the scheduling of work in Waste Management ($0.5m), Facilities and Recreation ($0.6m), and Civil Works ($0.5m).

   iii Other operating expenses – increase of $3.7m
      Expenditure on the NSW State Waste Levy is above budget due to higher than forecast tonnages. The higher levy is offset by above budget income ($5m).

8 The month of September returned an operating deficit of $4.9m which is $3.5m below the monthly deficit budgeted of $1.4m. The main drivers of the negative variance are the above average level of operational expense being generated through current projects in addition to the decrease in expected financial assistance grant payments.

$\,000s Trend in monthly operating position\textsuperscript{2017/18}
At the end of September Council has received $3.2m more capital grants and contributions than budgeted. This is a timing variance as the main driver is section 94 contributions from on-going development in the city centre which are included in the full year budget.

Council’s total capital spend at the end of September is $17m. This result is $7.7m below the YTD budget due to the above average value of work that cannot be capitalised and Council is required to expense through the profit and loss. The total project spend inclusive of operational and capital expenditure is $26.8m at the end of September compared with a budget of $28.6m.

Council’s temporary surplus funds are invested consistent with Council’s Investment Policy, Investment Strategy, the Act and Regulations. Details of all Council funds invested under s. 625 of the Act are provided in the Investment Policy and Strategy Compliance Report (section 4 of Attachment A).
COMMUNITY STRATEGIC PLAN ALIGNMENT

12 This report aligns to the Community Strategic Plan under the strategic direction of ‘Open and collaborative leadership’ action 7.4b ‘ensure the management of Council’s budget allocations and funding alternatives are compliant with Council policy and relevant legislation to ensure the long term financial sustainability of the organisation.’

IMPLEMENTATION PLAN/IMPLICATIONS

13 The distribution of the report and the information contained therein is consistent with:

   i) Council’s resolution to receive monthly financial position and performance result on a monthly basis,

   ii) Council’s Investment Policy and Strategy, and

   iii) Clause 212 of the Regulation and s. 625 of the Act.

RISK ASSESSMENT AND MITIGATION

14 No additional risk mitigation has been identified this month.

RELATED PREVIOUS DECISIONS

15 Council resolved to receive a report containing Council’s financial performance on a monthly basis.

16 At the Ordinary Council Meeting held on 26 April 2016 Council resolved the following:

   The report be received with the addition of a compliance report on Council’s adopted clauses on ethical and social responsibility set out in Council’s Investment Policy to be included under the section "Investment Policy Compliance Report".

17 The Investment Policy Compliance Report included in the Executive Monthly Performance Report has been amended to include a specific confirmation in regard to compliance with part E of the Investment Policy.

CONSULTATION

18 A monthly workshop is conducted with the Councillors to provide detailed information and a forum to ask questions. In circumstances where a workshop cannot be scheduled the information is distributed under separate cover.
OPTIONS

Option 1

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

Option 2

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

BACKGROUND

21 Previous resolutions of Council and the Audit Committee identified the need for careful monitoring of Council’s financial strategy and operational budget result. The presentation of a monthly Executive Performance Report to Council and a workshop addresses this need and exceeds the requirements of the Act.

REFERENCES

ATTACHMENTS

Attachment A: Executive Monthly Performance Report - September 2017
Distributed under separate cover
Contents

Financial Summary
- Operating progress at a glance
- Operating Analysis
- Overall budget funding summary
- Overall performance graphs

Financial Detail
- Overall financial position by group
- Executive Management overall financial position
- Planning & Regulatory overall financial position
- Corporate overall financial position
- Infrastructure overall financial position
- Rates Income Analysis
- Debtors Report

Capital
- Project Program Summary
- Ward 4 Capital Works Update

Investments
- Introduction
- Investment Policy Compliance Report
- Schedule of Investment movements for period ended 30 September, 2017
- Key Performance Indicator Compliance
- Credit Risk Compliance
- Credit Risk Compliance (continued)
- Maturity Risk Compliance
- Budget to Actual Interest Performance
- Schedule of Investment movements for period ended 31 August, 2017
- Schedule of Investment movements for period ended 31 July, 2017

Customer Services, Communications, Consultation Services & Records
- Customer Service
- Communications
### Operating progress at a Glance as at 30 September, 2017

<table>
<thead>
<tr>
<th>Department / Service Unit</th>
<th>Indicator</th>
<th>Comments</th>
<th>Variance (DAR)</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Management</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ICT's Offic</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Information Technology</td>
<td>Due to timing and delivery of projects</td>
<td>338</td>
<td>19%</td>
<td></td>
</tr>
<tr>
<td>Human Resources</td>
<td>Overtime paid, work, health and safety costs</td>
<td>(868)</td>
<td>-21%</td>
<td></td>
</tr>
<tr>
<td>Communication and Engagement</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning &amp; Regulatory</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning &amp; Regulatory Director</td>
<td>Due to faster turnaround of target DA's</td>
<td>(516)</td>
<td>-40%</td>
<td></td>
</tr>
<tr>
<td>Development &amp; Building</td>
<td>Timing variance in the milestone payments of key civic projects</td>
<td>409</td>
<td>87%</td>
<td></td>
</tr>
<tr>
<td>Strategic Planning</td>
<td>Timing variance in the milestone payments of key civic projects</td>
<td>171</td>
<td>7%</td>
<td></td>
</tr>
<tr>
<td>Regulatory Services</td>
<td>Overall higher revenue in parking and fines than expected</td>
<td>473</td>
<td>44%</td>
<td></td>
</tr>
<tr>
<td>Cultural Facilities</td>
<td>The positive result is driven by a combination of higher revenue and a timing variance in the delivery of operational services</td>
<td>187</td>
<td>11%</td>
<td></td>
</tr>
<tr>
<td>Libraries</td>
<td>(93)</td>
<td>-1%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corporate Services</td>
<td>Corporate Services Director</td>
<td>83</td>
<td>6%</td>
<td></td>
</tr>
<tr>
<td>Finance</td>
<td>A lower level of local government grants has been awarded due to uncertainty in the amount to be paid in 2017/18</td>
<td>(1,404)</td>
<td>-15%</td>
<td></td>
</tr>
<tr>
<td>Property Services</td>
<td>126</td>
<td>2%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Customer Service</td>
<td>34</td>
<td>3%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal and Governance</td>
<td>Insurance claims assets - budgeted for but have not eventuated.</td>
<td>275</td>
<td>19%</td>
<td></td>
</tr>
<tr>
<td>Infrastructure</td>
<td>Infrastructure Director</td>
<td>46</td>
<td>11%</td>
<td></td>
</tr>
<tr>
<td>Infrastructure Planning</td>
<td>There has been an average actual cost of operational costs against standard projects currently underway</td>
<td>(1,255)</td>
<td>-68%</td>
<td></td>
</tr>
<tr>
<td>Civil Works</td>
<td>Higher utilisation of fleet than budgeted &amp; employees costs upkeep.</td>
<td>836</td>
<td>18%</td>
<td></td>
</tr>
<tr>
<td>Projects and Grants</td>
<td>29</td>
<td>6%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facilities &amp; Equipment</td>
<td>Due to an unexpected building &amp; trades cost and a timing variance in the delivery of operational work</td>
<td>500</td>
<td>12%</td>
<td></td>
</tr>
<tr>
<td>Waste Management</td>
<td>The result is driven by above budgeted revenue ($5m) less the associated NSW waste levy ($3.3m)</td>
<td>1,346</td>
<td>40%</td>
<td></td>
</tr>
</tbody>
</table>
### Operating Analysis as at 30 September, 2017

#### Detailed Budget Issues
- **Potential Budget Issues**
- **Budgetary Trace or Better**

#### Operating Revenues

<table>
<thead>
<tr>
<th>Description / Service Unit</th>
<th>Indicator</th>
<th>Pct of Total</th>
<th>Variance</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rates and charges</td>
<td></td>
<td>0.23</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>User charges &amp; fees</td>
<td></td>
<td>5,085</td>
<td>100%</td>
<td>Increased charge, $55km</td>
</tr>
<tr>
<td>Interest</td>
<td></td>
<td>0</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Other operating revenues</td>
<td></td>
<td>205</td>
<td>100%</td>
<td>Higher than anticipated</td>
</tr>
<tr>
<td>Grants &amp; contributions - Operating</td>
<td></td>
<td>5,712</td>
<td>100%</td>
<td>Financial Assistance Grant - $1,5m</td>
</tr>
</tbody>
</table>

#### Operating Expenses

<table>
<thead>
<tr>
<th>Description</th>
<th>Indicator</th>
<th>Pct of Total</th>
<th>Variance</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee costs</td>
<td>3,091</td>
<td>100%</td>
<td>Staff costs</td>
<td>Lower than forecasted due to shortening of the project program and reduction in scope.</td>
</tr>
<tr>
<td>Contractors</td>
<td>395</td>
<td>100%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Materials &amp; Contracts</td>
<td>5,080</td>
<td>100%</td>
<td></td>
<td>Reduced over periods - $2,7m</td>
</tr>
<tr>
<td>Debt service &amp; amortisation</td>
<td>5</td>
<td>100%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other operating expenses</td>
<td>2,750</td>
<td>100%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net loss from disposal of assets</td>
<td>26</td>
<td>100%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Overall Budget Funding Summary

**Result for the financial period ending 30 September, 2017**

<table>
<thead>
<tr>
<th>Full Year Budget</th>
<th>YTD Adapted Budget $'000</th>
<th>YTD Actual Result $'000</th>
<th>Variance $'000</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Yr e / Yr c</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Operating Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>155,366 Rates &amp; charges</td>
<td>38,433</td>
<td>38,421</td>
<td>(12)</td>
<td>0%</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>71,297 User charges &amp; fees</td>
<td>16,804</td>
<td>22,339</td>
<td>5,533</td>
<td>33%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>8,973 Interest</td>
<td>2,239</td>
<td>2,239</td>
<td>0</td>
<td>0%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>8,638 Other operating revenues</td>
<td>2,122</td>
<td>2,387</td>
<td>265</td>
<td>12%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>15,936 Grants &amp; contributions - Operating</td>
<td>3,287</td>
<td>2,036</td>
<td>(1,251)</td>
<td>-46%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>260,210 Total Operating Revenue</strong></td>
<td><strong>63,885</strong></td>
<td><strong>67,422</strong></td>
<td><strong>4,037</strong></td>
<td><strong>6%</strong></td>
<td>+</td>
<td></td>
</tr>
<tr>
<td><strong>Operating Expenses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>99,882 Employee costs</td>
<td>24,670</td>
<td>24,035</td>
<td>(635)</td>
<td>3%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>3,764 Borrowing costs</td>
<td>934</td>
<td>592</td>
<td>(342)</td>
<td>0%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>57,769 Materials &amp; contracts</td>
<td>14,150</td>
<td>19,205</td>
<td>5,055</td>
<td>36%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>41,635 Depreciation &amp; amortisation</td>
<td>9,644</td>
<td>9,656</td>
<td>1</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>48,334 Other operating expenses</td>
<td>11,581</td>
<td>15,282</td>
<td>3,701</td>
<td>32%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4,201 Net Loss from disposal of assets</td>
<td>993</td>
<td>1,282</td>
<td>289</td>
<td>29%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>255,405 Total Operating Expenses</strong></td>
<td><strong>61,972</strong></td>
<td><strong>70,381</strong></td>
<td><strong>8,409</strong></td>
<td><strong>14%</strong></td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>4,805 Expenditure</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>1,413 Operating Revenue Less Operating Expenditure</strong></td>
<td><strong>2,402</strong></td>
<td><strong>2,402</strong></td>
<td><strong>0</strong></td>
<td><strong>0%</strong></td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>31,855 Capital Revenues</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3,584 Proceeds from the sale of Assets</td>
<td>637</td>
<td>384</td>
<td>(253)</td>
<td>-40%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>34,403 Total Capital Raising revenue</strong></td>
<td><strong>3,601</strong></td>
<td><strong>6,534</strong></td>
<td><strong>2,933</strong></td>
<td><strong>81%</strong></td>
<td>+</td>
<td></td>
</tr>
<tr>
<td><strong>15,208 Net Surplus/(deficit) after capital revenue</strong></td>
<td><strong>5,014</strong></td>
<td><strong>3,575</strong></td>
<td><strong>(1,439)</strong></td>
<td><strong>-29%</strong></td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>Adjustments for Non Cash Items</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41,436 Add back Depreciation</td>
<td>9,644</td>
<td>9,656</td>
<td>1</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4,201 Add back loss on Disposal</td>
<td>993</td>
<td>1,282</td>
<td>289</td>
<td>29%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>(4,600) Less land &amp; infrastructure donations</td>
<td>(1,150)</td>
<td>(1,150)</td>
<td>0</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>60,344 Funding available for capital expenditure</strong></td>
<td><strong>14,501</strong></td>
<td><strong>13,352</strong></td>
<td><strong>(1,149)</strong></td>
<td><strong>-8%</strong></td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>Capital Expenses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38,199 Asset renewals</td>
<td>17,217</td>
<td>11,386</td>
<td>(5,831)</td>
<td>-34%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>7,375 2012 SRV Priority Projects</td>
<td>1,270</td>
<td>2,073</td>
<td>1,203</td>
<td>68%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>33,835 New / upgrade</td>
<td>3,328</td>
<td>1,537</td>
<td>(1,791)</td>
<td>-54%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>9,262 Non-Infrastructure Projects</td>
<td>2,265</td>
<td>1,063</td>
<td>(1,102)</td>
<td>-53%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td><strong>68,671 Total capital spend</strong></td>
<td><strong>24,580</strong></td>
<td><strong>16,959</strong></td>
<td><strong>(7,621)</strong></td>
<td><strong>-31%</strong></td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>2,882 Loan Principal Repayment</td>
<td>721</td>
<td>721</td>
<td>0</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>(11,299) Net Funds Generated / (Used)</strong></td>
<td><strong>(10,800)</strong></td>
<td><strong>(4,328)</strong></td>
<td><strong>6,472</strong></td>
<td><strong>-60%</strong></td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

**Note 1 -** Actual and Budget results include an estimate for the Newcastle Airport
Overall Performance Graphs as at 30 September, 2017

Operating Revenues

- Rates & charges
- User charges
- Interest
- Other revenues
- Operating grants

Operating Expenditure

- Employee
- Borrowing
- Materials
- Depreciation
- Other expenses
- Loss on disposal

Capital Expenditure

- Asset renewals
- SRV
- New / upgrade
- Non-infrastructure

(YTD Adopted Budget) vs (YTD Actual Result)
### Executive

**IOI Office**

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$200</td>
<td>$300</td>
<td>100</td>
<td>50%</td>
</tr>
</tbody>
</table>

**Human Resources**

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$100</td>
<td>$150</td>
<td>50</td>
<td>50%</td>
</tr>
</tbody>
</table>

**Information Technology**

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$300</td>
<td>$400</td>
<td>100</td>
<td>33%</td>
</tr>
</tbody>
</table>

**Communications & Engagement**

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$400</td>
<td>$500</td>
<td>100</td>
<td>25%</td>
</tr>
</tbody>
</table>

**Executive**

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$500</td>
<td>$600</td>
<td>100</td>
<td>20%</td>
</tr>
</tbody>
</table>

### Operational Revenue

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$100</td>
<td>$150</td>
<td>50</td>
<td>50%</td>
</tr>
</tbody>
</table>

### Operating Expenses

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$200</td>
<td>$300</td>
<td>100</td>
<td>50%</td>
</tr>
</tbody>
</table>

### Total Operating Expenditure

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$100</td>
<td>$150</td>
<td>50</td>
<td>50%</td>
</tr>
</tbody>
</table>

### Profit or Loss from Disposal of Assets

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0</td>
<td>$0</td>
<td>0</td>
<td>0%</td>
</tr>
</tbody>
</table>

### Profit or Loss from Disposal of Assets

<table>
<thead>
<tr>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0</td>
<td>$0</td>
<td>0</td>
<td>0%</td>
</tr>
</tbody>
</table>

---

**Newcastle City Council**

For the month ending 30 September 2017

**McKinsey**

<table>
<thead>
<tr>
<th>Category</th>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Revenue</td>
<td>$100</td>
<td>$150</td>
<td>50</td>
<td>50%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>$200</td>
<td>$300</td>
<td>100</td>
<td>50%</td>
</tr>
<tr>
<td>Total Operating Expenditure</td>
<td>$300</td>
<td>$400</td>
<td>100</td>
<td>33%</td>
</tr>
<tr>
<td>Total Operating Revenue Less Operating Expenditure</td>
<td>$100</td>
<td>$150</td>
<td>50</td>
<td>50%</td>
</tr>
</tbody>
</table>
### Planning & Regulatory

<table>
<thead>
<tr>
<th>Planning &amp; Regulatory</th>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>YTD Budget</th>
<th>YTD Actual</th>
<th>YTD Budget</th>
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<th>YTD Budget</th>
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<th>YTD Budget</th>
<th>YTD Actual</th>
<th>YTD Budget</th>
<th>YTD Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Planning &amp; Regulatory</strong></td>
<td></td>
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</tr>
<tr>
<td>Operating Revenue</td>
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<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>1 Rates &amp; Charges</td>
<td>279</td>
<td>279</td>
<td>279</td>
<td>279</td>
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<td>279</td>
<td>279</td>
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<td>279</td>
<td>279</td>
<td>279</td>
<td>279</td>
<td>279</td>
</tr>
<tr>
<td>2 Water charges &amp; fees</td>
<td>760</td>
<td>760</td>
<td>760</td>
<td>760</td>
<td>760</td>
<td>760</td>
<td>760</td>
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<td>760</td>
<td>760</td>
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<td>760</td>
<td>760</td>
</tr>
<tr>
<td>3 Other operating revenues</td>
<td>54</td>
<td>54</td>
<td>54</td>
<td>54</td>
<td>54</td>
<td>54</td>
<td>54</td>
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<td>54</td>
<td>54</td>
<td>54</td>
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<td>54</td>
</tr>
<tr>
<td>4 Grants contributions - Operating</td>
<td>34</td>
<td>34</td>
<td>34</td>
<td>34</td>
<td>34</td>
<td>34</td>
<td>34</td>
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<tr>
<td><strong>Total Operating Revenue</strong></td>
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<td>2291</td>
<td>2291</td>
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<tr>
<td><strong>Planning &amp; Regulatory</strong></td>
<td></td>
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</tr>
<tr>
<td>Operating Expenses</td>
<td></td>
<td></td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>5 Rates &amp; charges</td>
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<td>151</td>
<td>151</td>
<td>151</td>
<td>151</td>
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<td>151</td>
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<td>151</td>
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<td>151</td>
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<tr>
<td>7 Other operating expenses</td>
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<td>3</td>
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<td>3</td>
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<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td>2291</td>
<td>2291</td>
<td>2291</td>
<td>2291</td>
<td>2291</td>
<td>2291</td>
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<td>2291</td>
<td>2291</td>
<td>2291</td>
<td>2291</td>
<td>2291</td>
<td>2291</td>
<td>2291</td>
</tr>
<tr>
<td><strong>Planning &amp; Regulatory</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Planning &amp; Regulatory</strong></td>
<td>1142</td>
<td>1142</td>
<td>1142</td>
<td>1142</td>
<td>1142</td>
<td>1142</td>
<td>1142</td>
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<td>1142</td>
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### Corporate Services

<table>
<thead>
<tr>
<th>Corporate Services</th>
<th>Director</th>
<th>Finance</th>
<th>Property Services</th>
<th>Customer Service</th>
<th>Legal &amp; Governance</th>
<th>Corporate Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>YTD Budget</td>
<td>YTD Actual</td>
<td>YTD Budget</td>
<td>YTD Actual</td>
<td>YTD Budget</td>
<td>YTD Actual</td>
<td>YTD Budget</td>
</tr>
<tr>
<td>------------------</td>
<td>-----------</td>
<td>-----------</td>
<td>---------------</td>
<td>--------------</td>
<td>-------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Operating Revenue</td>
<td>33,513</td>
<td>33,513</td>
<td>51</td>
<td>51</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>1 Rates &amp; charges</td>
<td>51</td>
<td>51</td>
<td>51</td>
<td>51</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>2 Water charges &amp; fees</td>
<td>3,492</td>
<td>3,492</td>
<td>3,492</td>
<td>3,492</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>3 Rates &amp; charges</td>
<td>2,645</td>
<td>2,645</td>
<td>2,645</td>
<td>2,645</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td><strong>Total Operating Revenue</strong></td>
<td>33,513</td>
<td>33,513</td>
<td>51</td>
<td>51</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>33,513</td>
<td>33,513</td>
<td>51</td>
<td>51</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>1 Rates &amp; charges</td>
<td>51</td>
<td>51</td>
<td>51</td>
<td>51</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>2 Water charges &amp; fees</td>
<td>3,492</td>
<td>3,492</td>
<td>3,492</td>
<td>3,492</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>3 Rates &amp; charges</td>
<td>2,645</td>
<td>2,645</td>
<td>2,645</td>
<td>2,645</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td>33,513</td>
<td>33,513</td>
<td>51</td>
<td>51</td>
<td>15</td>
<td>15</td>
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<tr>
<td><strong>Total Corporate Services</strong></td>
<td>56,027</td>
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<td>76</td>
<td>30</td>
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<tr>
<td></td>
<td>Operating Revenue</td>
<td>Infrastructure Planning</td>
<td>Citi Works</td>
<td>Projects &amp; Contracts</td>
<td>Facilities &amp; Innovation</td>
<td>Service Manager assets</td>
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<tr>
<td>----------------------</td>
<td>------------------</td>
<td>-------------------------</td>
<td>------------</td>
<td>---------------------</td>
<td>------------------------</td>
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<tr>
<td></td>
<td>FY20 Budget</td>
<td>FY20 Actual</td>
<td>FY20 Budget</td>
<td>FY20 Actual</td>
<td>FY20 Budget</td>
<td>FY20 Actual</td>
</tr>
<tr>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Operating Revenue</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Income</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>1. Rates &amp; charges</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>2. User charges &amp; fees</td>
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<td>3. Interest</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Other operating revenues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Grants &amp; contributions - Federal</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>531,530</td>
<td>531,530</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total Operating Revenue</td>
<td>531,530</td>
<td>531,530</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total Operating Expenses</td>
<td>1,537,946</td>
<td>1,537,946</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total Operating Revenue less Operating Expenses</td>
<td>-1,006,416</td>
<td>-1,006,416</td>
<td>0</td>
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<td>0</td>
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</tr>
</tbody>
</table>
### Rates Income as at 30 September, 2017

<table>
<thead>
<tr>
<th></th>
<th>YTD Budget (000's)</th>
<th>YTD Actual (000's)</th>
<th>Variance (000's)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rates and Charges</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Rates</td>
<td>32,989</td>
<td>32,989</td>
<td>0</td>
</tr>
<tr>
<td>Domestic Waste</td>
<td>4,608</td>
<td>4,608</td>
<td>0</td>
</tr>
<tr>
<td>Stormwater</td>
<td>493</td>
<td>493</td>
<td>0</td>
</tr>
<tr>
<td>Levies</td>
<td>342</td>
<td>342</td>
<td>0</td>
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<tr>
<td><strong>Total Rates</strong></td>
<td>38,433</td>
<td>38,433</td>
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</tbody>
</table>

![Graph showing rates income as at 30 September, 2017](image-url)
Debtors Report as at 30 September, 2017

### Outstanding Rates

<table>
<thead>
<tr>
<th>Debt Recovery Action</th>
<th>No. of Properties</th>
<th>$ Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Action</td>
<td>118</td>
<td>$1,693,255</td>
</tr>
<tr>
<td>Formal Arrangements</td>
<td>84</td>
<td>$218,922</td>
</tr>
<tr>
<td>Deferral against estate</td>
<td>43</td>
<td>$667,021</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>245</strong></td>
<td><strong>$2,579,198</strong></td>
</tr>
</tbody>
</table>

### Aged Debtors Report (Major Debtors Report)

<table>
<thead>
<tr>
<th>Period</th>
<th>Sep-17 $</th>
<th>Aug-17 $</th>
<th>Sep-16 $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>3,083,098</td>
<td>2,594,934</td>
<td>1,619,096</td>
</tr>
<tr>
<td>30 Days</td>
<td>1,421,668</td>
<td>1,222,084</td>
<td>586,341</td>
</tr>
<tr>
<td>60 Days</td>
<td>127,007</td>
<td>56,700</td>
<td>547,765</td>
</tr>
<tr>
<td>90 Days</td>
<td>7,613,552</td>
<td>712,831</td>
<td>769,269</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>5,716,125</strong></td>
<td><strong>4,986,609</strong></td>
<td><strong>4,984,609</strong></td>
</tr>
</tbody>
</table>

### Breakdown of Material Debtors greater than $100,000

<table>
<thead>
<tr>
<th>Debtor</th>
<th>Business Unit</th>
<th>Total $</th>
<th>Current</th>
<th>30 Days</th>
<th>60 Days</th>
<th>90 Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>BP Australia Pty Ltd</td>
<td>Infrastructure Planning</td>
<td>$586,023</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>586,023</td>
</tr>
<tr>
<td>Veolia Environmental</td>
<td>Waste Management</td>
<td>212,754</td>
<td>212,754</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Enviropacific Services</td>
<td>Waste Management</td>
<td>$3,410,697</td>
<td>1,730,534</td>
<td>1,678,199</td>
<td>1,999</td>
<td>-</td>
</tr>
<tr>
<td>LMCC</td>
<td>Waste Management</td>
<td>$274,927</td>
<td>274,927</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Cleason Civil Engineering</td>
<td>Waste Management</td>
<td>$258,348</td>
<td>258,348</td>
<td>-</td>
<td>168</td>
<td>-</td>
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<tr>
<td>CCC</td>
<td>Strategic Planning</td>
<td>$226,020</td>
<td>-</td>
<td>226,020</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

### Commentary on Material Debtors greater than 90 days

**BP Australia Pty Ltd - Greater than 90 Days**

Legal action is currently underway with BP regarding a segment of Council's pipework being broken. This is an ongoing issue and the cost represents the pumping out of localized flooding and repair of pipework during negotiations. It is expected that this money will be recovered from BP.
### Project Program Summary

For the month ending 30 September, 2017

<table>
<thead>
<tr>
<th>Adopted Budget $,000</th>
<th>Portfolio/Program</th>
<th>YTD Adopted Result $,000</th>
<th>YTD Actual Result $,000</th>
<th>Variance to YTD Budget (%)</th>
<th>% of FY Budget Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>28,609</td>
<td>Buildings, Structures and Places</td>
<td>5,944</td>
<td>6,556</td>
<td>-10%</td>
<td>25%</td>
</tr>
<tr>
<td>1,250</td>
<td>Aquatic Centres</td>
<td>1</td>
<td>-1%</td>
<td>0%</td>
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</tr>
<tr>
<td>1,935</td>
<td>Blackbut Reserve</td>
<td>468</td>
<td>266</td>
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<td>14%</td>
</tr>
<tr>
<td>1,688</td>
<td>Buildings - Council Support Services</td>
<td>404</td>
<td>477</td>
<td>-18%</td>
<td>28%</td>
</tr>
<tr>
<td>50</td>
<td>Caravan Parks and Commercial Properties</td>
<td>12</td>
<td>100%</td>
<td>0%</td>
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</tr>
<tr>
<td>1,486</td>
<td>City Centre Revitalisation</td>
<td>307</td>
<td>81</td>
<td>77%</td>
<td>5%</td>
</tr>
<tr>
<td>6,815</td>
<td>Coastal Revitalisation</td>
<td>1,156</td>
<td>2,329</td>
<td>-101%</td>
<td>34%</td>
</tr>
<tr>
<td>524</td>
<td>Community Buildings</td>
<td>126</td>
<td>493</td>
<td>291%</td>
<td>94%</td>
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<tr>
<td>2,880</td>
<td>Cultural Facilities</td>
<td>636</td>
<td>760</td>
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<td>25%</td>
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<tr>
<td>380</td>
<td>Libraries</td>
<td>86</td>
<td>557</td>
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<td>155%</td>
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<tr>
<td>6,638</td>
<td>Recreation Parks and Sporting Facilities</td>
<td>1,637</td>
<td>316</td>
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<td>5%</td>
</tr>
<tr>
<td>1,413</td>
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<td>97</td>
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<td>7%</td>
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<td>2,805</td>
<td>Retaining Walls</td>
<td>673</td>
<td>1,179</td>
<td>-75%</td>
<td>42%</td>
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<tr>
<td>20,492</td>
<td>Roads</td>
<td>12,202</td>
<td>15,733</td>
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<td>77%</td>
</tr>
<tr>
<td>2,225</td>
<td>Bridges</td>
<td>534</td>
<td>65</td>
<td>88%</td>
<td>3%</td>
</tr>
<tr>
<td>1,946</td>
<td>Footpaths</td>
<td>1,120</td>
<td>92</td>
<td>13%</td>
<td>48%</td>
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<tr>
<td>1,155</td>
<td>Road Furniture</td>
<td>413</td>
<td>154</td>
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<tr>
<td>11,316</td>
<td>Road Rehabilitation</td>
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<td>3,750</td>
<td>Road Resurfacing</td>
<td>3,750</td>
<td>8,210</td>
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<td>219%</td>
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<tr>
<td>7,101</td>
<td>Transport</td>
<td>1,705</td>
<td>904</td>
<td>47%</td>
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<td>Cycleways</td>
<td>638</td>
<td>873</td>
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<td>33%</td>
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<tr>
<td>767</td>
<td>Local Area Traffic Management</td>
<td>109</td>
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<tr>
<td>1,000</td>
<td>Parking Infrastructure</td>
<td>240</td>
<td>100%</td>
<td>0%</td>
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<tr>
<td>2,057</td>
<td>Pedestrian Access and Mobility Plan</td>
<td>638</td>
<td>31</td>
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<tr>
<td>8,765</td>
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<td>2,371</td>
<td>948</td>
<td>60%</td>
<td>10%</td>
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<td>130</td>
<td>Flood Planning</td>
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<tr>
<td>885</td>
<td>Stormwater System</td>
<td>2,326</td>
<td>945</td>
<td>59%</td>
<td>10%</td>
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<tr>
<td>15,918</td>
<td>Environment</td>
<td>3,793</td>
<td>1,099</td>
<td>71%</td>
<td>28%</td>
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<tr>
<td>2,490</td>
<td>Bushland and Watercourses</td>
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<td>265</td>
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<td>12%</td>
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<tr>
<td>1,800</td>
<td>Coast, Estuary and Wetlands</td>
<td>379</td>
<td>269</td>
<td>32%</td>
<td>14%</td>
</tr>
<tr>
<td>1,380</td>
<td>Street and Park Trees</td>
<td>331</td>
<td>238</td>
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<td>17%</td>
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<td>10,495</td>
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<td>804</td>
<td>88%</td>
<td>3%</td>
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<tr>
<td>4,385</td>
<td>Information Technology</td>
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<td>647</td>
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<tr>
<td>2,450</td>
<td>Implementation and Upgrade of Applications</td>
<td>508</td>
<td>462</td>
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<tr>
<td>1,430</td>
<td>Infrastructure Improvements</td>
<td>343</td>
<td>57</td>
<td>83%</td>
<td>4%</td>
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<tr>
<td>425</td>
<td>Strategic and Systems Analysis</td>
<td>102</td>
<td>108</td>
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<tr>
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<td>Strategic</td>
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<td>347</td>
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<td>Smart City</td>
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<td>350</td>
<td>Economic Development</td>
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<tr>
<td>3,645</td>
<td>Fleet Replacement</td>
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<td>1,524</td>
<td>Minor Capital</td>
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<td>324</td>
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<td>77</td>
<td>Art Gallery Works of Art</td>
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<td>81</td>
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<td>800</td>
<td>Library Resources</td>
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<td>172</td>
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<tr>
<td>100</td>
<td>Parking Meter Replacement</td>
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<td>0%</td>
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<tr>
<td>647</td>
<td>Small Purchases</td>
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<td>89,366</td>
<td>Total Works Program</td>
<td>28,672</td>
<td>26,771</td>
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<td>30%</td>
</tr>
</tbody>
</table>

Note: The Budget above is inclusive of operational and capital works.
## Ward 4 Capital Works at 30 September, 2017

<table>
<thead>
<tr>
<th>Item</th>
<th>Due Date</th>
<th>Actual Date</th>
<th>Reason for delay</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) Wallsend bridge replacement</td>
<td>Completed</td>
<td>Jul-17</td>
<td>n/a</td>
</tr>
<tr>
<td>Tyrell St bridge concept design</td>
<td>Oct-17</td>
<td>n/a</td>
<td>Services and property interaction</td>
</tr>
<tr>
<td>Anticipated construction 2018</td>
<td>2018</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>(ii) Minmi Road footpath and road widening between Cowper Street and Macquarie Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street lighting relocations and upgrade construction</td>
<td>Feb-17</td>
<td>Mar-17</td>
<td>Contractor availability and approval for power outage</td>
</tr>
<tr>
<td>Civil Design drawings</td>
<td>Mar-17</td>
<td>Mar-17</td>
<td>n/a</td>
</tr>
<tr>
<td>Civil construction commencement</td>
<td>Apr-17</td>
<td>Mar-17</td>
<td>n/a</td>
</tr>
<tr>
<td>Civil construction completion</td>
<td>Aug-17</td>
<td>Sep-17</td>
<td>Need to remove existing power poles</td>
</tr>
<tr>
<td>(iii) Water main replacement and road re-sealing Anderson Drive Tarro</td>
<td>Start project</td>
<td>2015</td>
<td>Funding commitment from HWC</td>
</tr>
<tr>
<td>Award tender for water main feasibility and design</td>
<td>Dec-16</td>
<td>Dec-16</td>
<td>n/a</td>
</tr>
<tr>
<td>Water main design submitted to Hunter Water Corporation</td>
<td>Jun-17</td>
<td>Jun-17</td>
<td>Scoping greater than expected</td>
</tr>
<tr>
<td>Water main tender</td>
<td>Jul-17</td>
<td>Sep-17</td>
<td>Additional investigations required due to design issues</td>
</tr>
<tr>
<td>Water main commence construction</td>
<td>Nov-17</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Water main complete construction</td>
<td>Feb-18</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Civil construction commencement</td>
<td>Mar-18</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Civil construction completion</td>
<td>Jul-18</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>(iv) Wallsend and Beresfield Public Domain Plans</td>
<td>Wallsend Public Domain Plan Draft Concept Plan</td>
<td>Late March 2017</td>
<td>Late March 2017</td>
</tr>
<tr>
<td>Traffic Committee</td>
<td>10-Apr-17</td>
<td>16-Apr-17</td>
<td>n/a</td>
</tr>
<tr>
<td>Exhibition of Draft PDP</td>
<td>May-17</td>
<td>May-17</td>
<td>n/a</td>
</tr>
<tr>
<td>Report to Council for adoption of PDP</td>
<td>Jul-17</td>
<td></td>
<td>Some issues to be resolved relating to traffic and cycleways. To be scheduled for meeting late 2017.</td>
</tr>
</tbody>
</table>
Executive summary:

1. Council’s temporary surplus funds are invested consistent with Council’s Investment Policy and The Local Government Act and Regulations.

2. Application of the investment function has remained consistent with requirements outlined within Part E of Council’s Investment Policy, “Environmentally and Socially Responsible investments (SRI)”.

3. Council’s overall investment portfolio holdings are $307,301,117 comprising $301,366,093 of invested funds, and $5,935,024 Cash At Call. Further disclosure of investment portfolio composition and details of investment placements performed during the reporting period are disclosed later in this report.

4. Council achieved a Net Yield on the investment portfolio for the 12 months to 30 September 2017 of 2.97%, against the benchmark of 1.76% 90d Bloomberg AusBond Bank Bill Index.

Council’s Investment Policy mandates a KPI Active Return (Net Return less benchmark) of 0.50%. The Active Return for the 12 months to September 2017 is 1.21%.

5. The 2017/18 adopted budget for unconsolidated interest income from cash and investments is $8,470,000. This represents a decline of income relative to the actual result achieved for Financial Year 2016/17. The decline in budgeted revenue is based on Council running a net deficit budget, from a funding perspective for 2017/18 as well as continuing declining total yield.

The budget position remains conservative and if current inputs into this forecast perform as expected an end of year positive budget variance should result.

6. Cumulative 2017/18 interest income from Council’s cash and investments is $2,182,572 (excluding Newcastle Airport and non-investment portfolio sources of interest). The budget to actual interest report as at 30 September 2017 is submitted to Council later in this report. Year to date performance is in excess of the adopted budget by $64,000.

7. Council’s new and rolled investments are subject to current and future economic financial market prices. The below graphs display the average of interest rate forecasts (which unchanged from the prior month) sourced from the 4 major Australian Banks as at 30 September 2017.

8. In accordance with Council’s resolution of 30 May 1995, the schedules of investments from the two previous meetings of Council are provided in detail at the conclusion of this report.
Investment Policy compliance report
30 September 2017

Investment policy objectives:

9.1 To provide a framework for the investing of Council’s funds at the most favourable rate of interest available to it at the time whilst having due consideration of risk and security for that investment type and ensuring that its liquidity requirements are being met.

9.2 While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity, and the return of investment.

9.3 Preservation of capital is the principal objective of the investment portfolio. Investments are to be placed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.

9.4 Investments should be allocated to ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment.

9.5 Investments are expected to achieve a market average rate of return in line with the Council’s risk tolerance.

9.6 Delegated Officers are to manage the investment portfolio as a hold to maturity investor. Deviation from this method of operation (ie sale of an investment prior to maturity) is permissible for either risk management purposes, to meet unforeseen liquidity requirements, or if deemed advantageous to do so.

9.7 All investments are to comply with the following:

9.7.1 Local Government Act 1993 (NSW) - Section 625
9.7.2 Local Government (General) Regulation 2005 (NSW)
9.7.3 Prevailing Ministerial Investment Order
9.7.4 Local Government Code of Accounting Practice and Financial Reporting
9.7.5 Division of Local Government Investment Circulars; and
9.7.6 Australian Accounting Standards

9.8 Council’s preference is to enter into environmentally and Socially Responsible Investments (SRI) where:

9.8.1 The investment is compliant with legislation and Investment Policy objectives (listed above) and parameters; and
9.8.2 The rate of return is favourable relative to comparable investments on offer to Council at the time of investment.
Investment Policy compliance report
30 September 2017

Portfolio Summary:

<table>
<thead>
<tr>
<th>Investment type</th>
<th>July 2017</th>
<th>August 2017</th>
<th>September 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash At Call</td>
<td>10,174,035</td>
<td>5,933,335</td>
<td>5,933,024</td>
</tr>
<tr>
<td>Term Deposit: fixed rate</td>
<td>72,278,847</td>
<td>90,278,847</td>
<td>77,278,847</td>
</tr>
<tr>
<td>Term Deposit: floating rate</td>
<td>40,000,000</td>
<td>40,006,000</td>
<td>38,000,000</td>
</tr>
<tr>
<td>Floating Rate Note</td>
<td>159,587,118</td>
<td>165,601,834</td>
<td>167,058,402</td>
</tr>
<tr>
<td>Fixed Rate Bond</td>
<td>19,044,865</td>
<td>19,024,732</td>
<td>19,028,844</td>
</tr>
<tr>
<td>Total</td>
<td>801,084,865</td>
<td>820,836,748</td>
<td>807,301,117</td>
</tr>
</tbody>
</table>

Asset Class allocation: September 2017

Cash and Investments: monthly movement
## Investment Policy compliance report

### 30 September 2017

### New and matured Investments:

#### Matured Investments:

<table>
<thead>
<tr>
<th>Date matured</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Original Term</th>
<th>Original date Invested</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 Sep 2017</td>
<td>NAB</td>
<td>Term Deposit: Floating Rate</td>
<td>$2,000,000</td>
<td>90d bbsw + 1.11%</td>
<td>4.25 yrs</td>
<td>7 Jan 2013</td>
</tr>
<tr>
<td>12 Sep 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.51%</td>
<td>130 days</td>
<td>5 May 2017</td>
</tr>
<tr>
<td>20 Sep 2017</td>
<td>Westpac</td>
<td>Term Deposit: Fixed Rate</td>
<td>$1,000,000</td>
<td>5.20%</td>
<td>5 yrs</td>
<td>20 Sep 2012</td>
</tr>
<tr>
<td>22 Sep 2017</td>
<td>Suncorp</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.51%</td>
<td>129 days</td>
<td>17 May 2017</td>
</tr>
<tr>
<td>22 Sep 2017</td>
<td>BankWest</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.25%</td>
<td>49 days</td>
<td>4 Aug 2017</td>
</tr>
<tr>
<td>29 Sep 2017</td>
<td>BankWest</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.50%</td>
<td>121 days</td>
<td>31 May 2017</td>
</tr>
</tbody>
</table>

#### New Investments:

<table>
<thead>
<tr>
<th>Contract date</th>
<th>Settlement date</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Term</th>
<th>Maturity date</th>
</tr>
</thead>
<tbody>
<tr>
<td>13 Sep 2017</td>
<td>15 Sep 2017</td>
<td>MU Bank</td>
<td>Floating Rate Note</td>
<td>$1,450,000</td>
<td>90d bbsw + 1.10%</td>
<td>1.85 yrs</td>
<td>18 Jul 2019</td>
</tr>
</tbody>
</table>

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

Andrew Glauzer  
Responsible Accounting Officer
Investment Policy compliance report
30 September 2017

Performance measurement:

_The Key Performance Indicator (KPI) for Income on Investments is benchmarked at 0.50% above the 1 year return on the 90 day Bloomberg AusBond Bank Bill Index._

<table>
<thead>
<tr>
<th></th>
<th>July '17</th>
<th>Aug '17</th>
<th>Sept '17</th>
</tr>
</thead>
<tbody>
<tr>
<td>12m: Council return</td>
<td>3.02%</td>
<td>2.99%</td>
<td>2.97%</td>
</tr>
<tr>
<td>12m: Benchmark + KPI</td>
<td>2.29%</td>
<td>2.26%</td>
<td>2.26%</td>
</tr>
<tr>
<td>12m: KPI outperformance</td>
<td>0.73%</td>
<td>0.73%</td>
<td>0.71%</td>
</tr>
</tbody>
</table>

Commentary:

The above graphs indicate an overall downward trend in Council Portfolio Yield. The downward trend is principally due to the downward trend in the benchmark as Council's Active Return has remained relatively consistent throughout the duration displayed.

The Active Return generated by Council is now also expected to start coming under downward pressure due to a downward trend in bond market credit spreads, a trend that commenced in early 2016.

Portfolio yield remains comfortably above inflation (underlying CPI for the Quarter to June 2017 was 1.90%). Council's portfolio retains a theoretical natural hedge against inflationary impacts via its weighting toward investment in floating rate products. Whilst ever the Reserve Bank of Australia retains inflation targeting monetary policy stance the yield generated on these investments should continue to outperform inflation.
Investment Policy compliance report
30 September 2017

Credit Risk compliance:

Credit allocation: September 2017

<table>
<thead>
<tr>
<th>Investment credit rating</th>
<th>July 2017</th>
<th>August 2017</th>
<th>September 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>AAA</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>AA band (inc. major banks)</td>
<td>167,379,027</td>
<td>177,115,165</td>
<td>165,120,370</td>
</tr>
<tr>
<td>A+ and below</td>
<td>133,705,838</td>
<td>143,721,584</td>
<td>142,180,748</td>
</tr>
<tr>
<td>BBB+ and below</td>
<td>93,688,738</td>
<td>100,705,194</td>
<td>102,164,358</td>
</tr>
<tr>
<td>Non Rated (BBB- and below)</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>

Commentary:
The month of September saw the value of funds invested reduce as cash was required to fulfil funding commitments.

The majority of the funds that matured during the month were from investments held within the AA credit rating band.

Allocations remain well within Council Policy limits.
Investment Policy compliance report
30 September 2017

Credit risk compliance cont:

Credit allocation: September 2017

<table>
<thead>
<tr>
<th>Institution</th>
<th>Credit rating (S&amp;P)</th>
<th>July 2017</th>
<th>August 2017</th>
<th>September 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANZ</td>
<td>AA</td>
<td>32,986,266</td>
<td>32,985,459</td>
<td>32,982,863</td>
</tr>
<tr>
<td>Commonwealth Bank</td>
<td>AA+</td>
<td>45,303,015</td>
<td>44,041,181</td>
<td>38,043,871</td>
</tr>
<tr>
<td>National Australia Bank</td>
<td>AA-</td>
<td>44,588,403</td>
<td>55,588,021</td>
<td>50,592,525</td>
</tr>
<tr>
<td>Westpac</td>
<td>AA+</td>
<td>41,501,242</td>
<td>41,501,121</td>
<td>40,501,121</td>
</tr>
<tr>
<td>Rabobank</td>
<td>A+</td>
<td>5,001,465</td>
<td>5,001,223</td>
<td>5,001,223</td>
</tr>
<tr>
<td>Suncorp Metway</td>
<td>A+</td>
<td>19,007,643</td>
<td>22,007,643</td>
<td>19,007,643</td>
</tr>
<tr>
<td>AMP Bank</td>
<td>A</td>
<td>8,507,592</td>
<td>8,507,524</td>
<td>8,507,524</td>
</tr>
<tr>
<td>Credit Suisse AG</td>
<td>A</td>
<td>3,000,000</td>
<td>3,000,000</td>
<td>3,000,000</td>
</tr>
<tr>
<td>Macquarie Bank</td>
<td>A</td>
<td>7,500,000</td>
<td>7,500,000</td>
<td>7,500,000</td>
</tr>
<tr>
<td>Bendigo Bank</td>
<td>BB+</td>
<td>18,515,993</td>
<td>18,513,304</td>
<td>18,512,304</td>
</tr>
<tr>
<td>Bank of Queensland</td>
<td>BB+</td>
<td>18,141,643</td>
<td>18,141,438</td>
<td>18,141,438</td>
</tr>
<tr>
<td>Heritage Bank</td>
<td>BB8</td>
<td>4,650,000</td>
<td>4,650,000</td>
<td>4,650,000</td>
</tr>
<tr>
<td>Beyond Bank</td>
<td>BB8</td>
<td>-</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Credit Union Australia</td>
<td>BB8</td>
<td>2,000,000</td>
<td>2,000,000</td>
<td>2,000,000</td>
</tr>
<tr>
<td>Greater Bank</td>
<td>BB8</td>
<td>18,500,000</td>
<td>18,500,000</td>
<td>18,500,000</td>
</tr>
<tr>
<td>Illawarra Mutual Bank</td>
<td>BB8</td>
<td>-</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>MLC Bank</td>
<td>BB8</td>
<td>9,506,743</td>
<td>16,520,092</td>
<td>17,385,257</td>
</tr>
<tr>
<td>Newcastle Permanent</td>
<td>BB8</td>
<td>21,973,273</td>
<td>21,973,273</td>
<td>21,973,273</td>
</tr>
<tr>
<td>Teachers Mutual</td>
<td>BB8</td>
<td>1,601,087</td>
<td>1,601,087</td>
<td>1,601,087</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>301,484,865</td>
<td>320,836,748</td>
<td>307,301,117</td>
</tr>
</tbody>
</table>

Commentary:
Exposure remains diversified across a range of counterparties and is well within the limits set in place by Council Policy.
Investment Policy compliance report
30 September 2017

Maturity risk compliance:

![Maturity profile: September 2017](image)

<table>
<thead>
<tr>
<th>Term to Maturity</th>
<th>Actual performance</th>
<th>Policy Framework</th>
<th>Minimum rating of investment at purchase</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>September</td>
<td>Minimum</td>
<td>Maximum</td>
</tr>
<tr>
<td>0 - 1 Year</td>
<td>97,718,504</td>
<td>32%</td>
<td>30%</td>
</tr>
<tr>
<td>&gt; 1 Year</td>
<td>209,582,614</td>
<td>68%</td>
<td>70% (maximum of 30% to BBB)</td>
</tr>
<tr>
<td>&gt; 3 Years</td>
<td>85,476,126</td>
<td>28%</td>
<td>40%</td>
</tr>
<tr>
<td>&gt; 5 Years</td>
<td>-</td>
<td>0%</td>
<td>10%</td>
</tr>
</tbody>
</table>

Commentary:
The Policy mandates that Council hold a minimum of 30% of cash and investments with a maximum term to maturity of less than 12 months. This limit is established to ensure Council retains a comfortable liquidity buffer at all times whilst also ensuring sufficient additional capacity to maintain a long term maturity profile to enable improved yields.

Although close to the 30% minimum requirement in September 2017 Council retains significant liquidity to cover forecast requirements. The mandated 30% minimum is highly conservative, established well in excess of forecast liquidity requirements, to ensure an evenly distributed longer term maturity profile can be retained.
**Investment Policy compliance report**  
30 September 2017

**Interest Income Variance analysis:**

![Graph showing interest income for September 2017](image)

**Commentary:**

The adopted budget for 2017/18 investment income is $8.5m which is $0.68m (or 7%) below the actual result achieved in the 2016/17 financial year. Reasons for this forecast decline are twofold:

1. Council's Operational Plan is forecast to deliver a cash deficit for the 2017/18 period meaning a lower principal balance of funds invested; and
2. A continued decline in portfolio yield as a result of an ongoing maturity of investments made when yields were higher (which have protected Council's returns from declining sooner).

The budget position remains conservative, however actual to budget variances may arise in the event of market conditions altering.

Total interest income generated in the month to September 2017 was $0.73m, resulting in cumulative interest income tracking slightly in excess of the adopted budget as at 30 September 2017.
## Investment Policy compliance report

31 August 2017

### New and matured Investments:

**Matured Investments:**

<table>
<thead>
<tr>
<th>Date matured</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Original Term</th>
<th>Original date invested</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 Aug 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.54%</td>
<td>155 days</td>
<td>11 Apr 2017</td>
</tr>
<tr>
<td>18 Aug 2017</td>
<td>Bankwest</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.45%</td>
<td>70 days</td>
<td>9 June 2017</td>
</tr>
</tbody>
</table>

### New Investments:

<table>
<thead>
<tr>
<th>Contract date</th>
<th>Settlement date</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Term</th>
<th>Maturity date</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 Aug 2017</td>
<td>4 Aug 2017</td>
<td>Bankwest</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.25%</td>
<td>49 days</td>
<td>22 Sep 2017</td>
</tr>
<tr>
<td>21 Aug 2017</td>
<td>21 Aug 2017</td>
<td>ME Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$4,000,000</td>
<td>2.52%</td>
<td>145 days</td>
<td>9 Jan 2018</td>
</tr>
<tr>
<td>11 Aug 2017</td>
<td>11 Aug 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.46%</td>
<td>126 days</td>
<td>15 Dec 2017</td>
</tr>
<tr>
<td>30 Aug 2017</td>
<td>30 Aug 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.52%</td>
<td>140 days</td>
<td>16 Jan 2018</td>
</tr>
<tr>
<td>21 Aug 2017</td>
<td>21 Aug 2017</td>
<td>Bankwest</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.25%</td>
<td>67 days</td>
<td>27 Oct 2022</td>
</tr>
<tr>
<td>24 Aug 2017</td>
<td>24 Aug 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$4,000,000</td>
<td>2.50%</td>
<td>141 days</td>
<td>12 Jan 2018</td>
</tr>
<tr>
<td>29 Aug 2017</td>
<td>29 Aug 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.52%</td>
<td>140 days</td>
<td>16 Jan 2018</td>
</tr>
<tr>
<td>30 Aug 2017</td>
<td>30 Aug 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$4,000,000</td>
<td>2.55%</td>
<td>195 days</td>
<td>13 Mar 2018</td>
</tr>
<tr>
<td>29 Aug 2017</td>
<td>31 Aug 2017</td>
<td>ME Bank</td>
<td>Floating Rate Note</td>
<td>$3,000,000</td>
<td>90d b Osw + 1.10%</td>
<td>1.9 yrs</td>
<td>18 Jul 2019</td>
</tr>
<tr>
<td>31 Aug 2017</td>
<td>31 Aug 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.56%</td>
<td>294 days</td>
<td>3 Mar 2018</td>
</tr>
</tbody>
</table>

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

Andrew Glauser  
Responsible Accounting Officer
# Investment Policy compliance report

**31 July 2017**

## New and matured Investments:

### Matured Investments:

<table>
<thead>
<tr>
<th>Date matured</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Original Term</th>
<th>Original date invested</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 July 2017</td>
<td>NA8</td>
<td>Term Deposit:</td>
<td>$3,000,000</td>
<td>2.57%</td>
<td>126 days</td>
<td>28 Feb 2017</td>
</tr>
<tr>
<td>6 July 2017</td>
<td>NA8</td>
<td>Fixed Rate</td>
<td>$639,424</td>
<td>3.05%</td>
<td>2 yrs</td>
<td>6 July 2015</td>
</tr>
<tr>
<td>7 July 2017</td>
<td>IMB</td>
<td>Term Deposit:</td>
<td>$3,000,000</td>
<td>2.65%</td>
<td>155 days</td>
<td>7 Feb 2017</td>
</tr>
<tr>
<td>14 July 2017</td>
<td>Beyond Bank</td>
<td>Fixed Rate</td>
<td>$3,000,000</td>
<td>2.80%</td>
<td>154 days</td>
<td>10 Feb 2017</td>
</tr>
<tr>
<td>14 July 2017</td>
<td>NA8</td>
<td>Term Deposit:</td>
<td>$3,000,000</td>
<td>2.57%</td>
<td>135 days</td>
<td>05 Mar 2017</td>
</tr>
<tr>
<td>14 July 2017</td>
<td>BankWest</td>
<td>Fixed Rate</td>
<td>$3,000,000</td>
<td>2.30%</td>
<td>45 days</td>
<td>30 May 2017</td>
</tr>
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<td>18 July 2017</td>
<td>Beyond Bank</td>
<td>Term Deposit:</td>
<td>$3,000,000</td>
<td>2.55%</td>
<td>70 days</td>
<td>09 May 2017</td>
</tr>
<tr>
<td>21 July 2017</td>
<td>CBA</td>
<td>Fixed Rate</td>
<td>$3,000,000</td>
<td>2.60%</td>
<td>155 days</td>
<td>16 Feb 2017</td>
</tr>
<tr>
<td>28 July 2017</td>
<td>IMB</td>
<td>Term Deposit:</td>
<td>$3,000,000</td>
<td>2.55%</td>
<td>115 days</td>
<td>04 Apr 2017</td>
</tr>
<tr>
<td>31 July 2017</td>
<td>CBA</td>
<td>Fixed Rate</td>
<td>$1,000,000</td>
<td>5.15%</td>
<td>5 yrs</td>
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</table>

### New Investments:

<table>
<thead>
<tr>
<th>Contract date</th>
<th>Settlement date</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Term</th>
<th>Maturity date</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 July 2017</td>
<td>6 July 2017</td>
<td>BoC</td>
<td>Term Deposit:</td>
<td>$639,424</td>
<td>2.65%</td>
<td>215 days</td>
<td>06 Feb 2018</td>
</tr>
<tr>
<td>31 July 2017</td>
<td>31 July 2017</td>
<td>NA8</td>
<td>Term Deposit:</td>
<td>$3,000,000</td>
<td>2.38%</td>
<td>81 days</td>
<td>20 Oct 2017</td>
</tr>
</tbody>
</table>

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

Andrew Glauser  
Responsible Accounting Officer
Customer Service

Monthly Performance Report

September 2017

Monthly Overview

Highlights

- Counter and back office areas processed 1,100 payments in September, totalling nearly $1.2 million in revenue for Council.
- For the second month in a row the Customer Contact Centre (CCC) answered 70% of calls within 30 seconds. The 80% service level target was achieved several times across the month.
- Customer wait times for phone calls were 42 seconds (on average), maintaining the improved August result. Wait times for front counter enquiries were 1:30 minutes on average, a great result against August's average wait times result of 2:00 minutes.
- Phone quality scores were 61.5%, a 6% improvement on August's result.
- In Records, the incoming correspondence for September was 5,388 being 10.2% less than August 2017 (5,995) and 34.3% more than the same month last year (4,012).

Opportunities to Improve

- Counter enquiries were 18:40 minutes per transaction, up from the 16:45 result achieved in August. Long Development Application lodgement and Companion Animal enquiries were the main drivers for the increase in service times.
- There was a spike in calls across the month due to Rates payment reminders, which impacted service level. The volumes of these calls were higher than normal as there was a BPAY error causing customers to get rates reminder notices even though they had paid. There was also an increase in election related calls leading up to the council election; however these were handled without impacts to service level.
- The Back Office area continued to experience reduced staffing as some were reallocated to help support phone and counter customers across the month. With 520 applications received and 515 applications processed, the end of month ‘on hand’ application figure was 59, up from 53 at the end of August.

www.newcastle.nsw.gov.au
Communications and Engagement
Monthly Performance Report

September 2017

Key focus areas in September included the public exhibition of the rail corridor rezoning proposal, Supercars Newcastle 500 and local government elections.

A communications campaign about the public exhibition of the rail corridor rezoning launched on Monday 11 September. This coincided with the launch of our new engagement platform at a dedicated rail corridor rezoning public exhibition page to enable online feedback. The site included an interactive map providing the opportunity for the public to add comments about individual parcels of land. In addition to the interactive site, two community information drop-in sessions were held, with strategic planning staff providing detailed information about the draft proposal and related documents. The public exhibition period continues throughout October with a Public Vote session scheduled for Wednesday 18 October 2017.

Communications activities for Supercars Newcastle 500 were focused on the growing excitement about the city’s biggest ever event. This included the distribution of a four page newsletter to all letterboxes in the Newcastle local government area describing the region as it prepares for the event and to provide an update on the progress of civil works. The newsletters will reach letterboxes in mid to late October. The newsletter will be supported by billboards with the same theme of the city gearing up for the Newcastle 500 booked for late October. Two editions of Council’s e-newsletter Newcastle 500 were produced to a subscriber list of more than 1800. Positive media was generated around the reopening of Watt St and the Shortland Esplanade section of the Barabara Way project. The designated SuperCars page on Council’s website was refreshed to enable more focus on Council’s role in the event and the achievements that have been made to date. There was also ongoing liaison with residents and businesses through the management and implementation of MERTWG actions including the implementation of a Newcastle East Traffic working group.

Communications and Engagement coordinated several major infrastructure announcements including: State Government funding for the Stockton Action Hub with an event on site with the Parliamentary Secretary for the Hunter, Hunter Development Corporation and Council, a successful announcement and media event to mark the opening of Cess 9 at Summerhill Waste Management Centre and an event at the Newcastle Ocean Baths.

Promotional campaigns were undertaken ahead of the school holidays on the following topics: What’s on in the school holidays, Council’s presence on duty at all beaches, launch of a multilingual water safety booklet and activities for Bike Week 2017.

The Unit also commenced a communications campaign to reaffirm Council’s support for Marriage Equality.

The City of Newcastle
Communications and Engagement

**Facebook**

- Facebook page: Newcastle City Council
- 11,835 likes
- 304 responses, 11,109 shares
- 487 photos

**Twitter**

- Impressions: 4,361
- Total engagements: 173
- Media engagements: 55
- Likes: 33
- Retweets: 9
- Listed: 9
- Profile: 9
- Mentions: 2

**Instagram**

- 106 likes

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We managed 4 projects through our dedicated engagement hub during September, following is a summary of the visitors to the site and their level of engagement with these projects.

**Open and Transparent Governance Strategy**

- Visitors Summary: 146
- Visitors per day: 22
- Engaged visitors: 16
- Informed visitors: 20
- Aware visitors: 124

**Rail corridor and adjacent land rezoning, Development Control Plan and Planning Agreement**

- Visitors Summary: 2,551
- Visitors per day: 703
- Engaged visitors: 96
- Informed visitors: 12
- Aware visitors: 2,065

**Better Together - Our 2030 Plan**

- Visitors Summary: 39,698
- Visitors per day: 42
- Engaged visitors: 0
- Informed visitors: 49
- Aware visitors: 459

(No opportunities for engagement this month as a result number is nil)
Communications and Engagement

Newcastle 500: Published two editions of e-newsletter, four-page brochure for all Newcastle residents and businesses, generated positive media and social media coverage, designed billboards, refreshed the event website. We continued to liaise with residents and businesses through the MERWG.

Community Strategic Plan: First round of consultation complete. Data analysis underway. Planning for second round to occur in October/November, still in train, including survey development and summit workshop planning.

Open and Transparent Governance Strategy: Communication and engagement plans implemented to promote the public exhibition of the strategy including display and online advertising, posters, flyers, a dedicated engagement page and promotion of the community workshop to be held Wednesday 4 October.

Rail corridor rezoning: Communication and engagement plans implemented to encourage participation and feedback in the public exhibition. In addition to lodging formal submissions, residents can complete brief surveys on each aspect of the proposal via an online interactive map and two community information sessions were also held in September.

Copper Street bridge lights: Residents can provide feedback on bridge light options in hard copy forms that were letterbox dropped or via online forms. Supporting communications material was created and two community information sessions were held in September.

Bike week: Event to engage with local cyclists and promote Council’s cycleways priority project. Communications support for event promotion and on the day participation.

Cycleways priority project: Creation of cycleways promotional material including – cycleways guide and map and video to promote the benefits of cycling.

Council Street renewal project: Preparation of communication material for community information session with residents.

Anderson Drive watermain replacement, road resurfacing and footpath construction: Preparation of communication material to support an information session with residents.

Annual fire safety statements: Implementation of a communications plan to encourage properties to submit their fire statements before 30 September 2017.

Communications support is being provided for the following projects:
- Pedestrian safety upgrades - completed Grouse Road and Cardiff Road communications
- Newcastle Ocean Baths northern pavement stabilisation - preparatory work ahead of proposed upgrade
- Natural Connection environmental education - National Water Week activities
- Helen Street, Merewether, road and footpath maintenance
- Bathers Way - Shortland Esplanade South, Newcastle
- Garage Sale Trail
- Graffiti Removal Day
- Playground renewal - Graham Park, Carrington concept design
- Start of beach season and international water safety education flyers

Museum Visitor Survey: Intercept survey with visitors to gauge satisfaction, infographic developed to illustrate survey results.

Library satisfaction survey: Online survey conducted, report and associated infographic produced.

Enterprise Agreement survey: Online and hard copy survey implemented, data analysis and report and associated infographic produced.

McCafferty Drive upgrades and several Water Safety campaigns including a campaign aimed at international visitors.

Beresfield Child Care Centre Survey: Annual survey of parents of children at the centre to gauge levels of satisfaction with the service.

Communications planning is under way for:
- Garage Sale Trail
- Graffiti Removal Day
- Playground renewal - Graham Park, Carrington concept design
- Kemp Street, Hamilton South (kerb ramps)
ITEM-103 CCL 24/10/17 - TABLING OF ANNUAL PECUNIARY INTEREST RETURNS

REPORT BY: CORPORATE SERVICES
CONTACT: INTERIM DIRECTOR CORPORATE SERVICES / INTERIM MANAGER LEGAL AND GOVERNANCE

PURPOSE

For the Interim Chief Executive Officer to table the register of pecuniary interest returns received from designated persons for the period from 1 July 2016 to 30 June 2017.

RECOMMENDATION

1 Note the tabling of the register pecuniary interest returns (for the period 1 July 2016 to 30 June 2017) by the Interim Chief Executive Officer in accordance with s. 450A of the Local Government Act 1993 (NSW).

KEY ISSUES

2 Sections 449(3) and 450A of the Local Government Act 1993 (NSW) (Act) require:

   (a) councillors and designated persons to lodge a pecuniary interest return in the form prescribed by the Local Government (General) Regulation 2005 (NSW) within three months of the end of each financial year disclosing interests for the previous financial year;

   (b) the general manager to table the pecuniary interest returns lodged in accordance with s449(3) of the Act at the first Ordinary Council Meeting held in October each year; and

   (c) the general manager to keep a register of returns lodged which may be accessed in accordance with the Government Information (Public Access) Act 2009 (GIPA Act).

3 Section 441 of the Act provides that designated persons are:

   (a) general manager;
   (b) senior staff;
   (c) council officers designated because of the exercise of council functions; and
   (d) committee members because of the exercise of Council functions.
In accordance with s739 of the Act, Council has amended the register of pecuniary interest returns to omit information that discloses a designated person’s place of living where:

(a) the designated person requested that such information be deleted on the grounds that it would place their personal safety or their family’s safety at risk; and
(b) the general manager was satisfied that disclosing the information would place the designated person’s safety or their family’s safety at risk.

FINANCIAL IMPACT

Not applicable.

COMMUNITY STRATEGIC PLAN ALIGNMENT

Open and collaborative leadership.

IMPLEMENTATION PLAN/IMPLICATIONS

On the day following the meeting, the register of pecuniary interest returns may be accessed by members of the public (at Council’s City Administration Centre) during business hours without an appointment.

At all other times, the register of pecuniary interest returns is available for inspection in accordance with the GIPA Act. Council’s procedure requires a person to make an appointment to view the register during business hours.

RISK ASSESSMENT AND MITIGATION

Not applicable.

RELATED PREVIOUS DECISIONS

Pecuniary interest returns were last tabled at Council’s meeting on 25 July 2017 for designated persons who commenced with Council between 1 March and 1 June 2017.

CONSULTATION

Not applicable.

OPTIONS

Option 1

The recommendation as at Paragraph 1. This is the recommended option.
Option 2

13 Council does not adopt the recommendation. This is not recommended because the Act requires the pecuniary interest returns to be tabled at a Council meeting. Failure to do so would constitute a breach of s450A of the Act.

BACKGROUND

14 Not Applicable.

REFERENCES

ATTACHMENTS

Nil.
ITEM-104  CCL 24/10/17 - APPOINTMENT OF COUNCILLOR REPRESENTATIVES TO EXTERNAL COMMITTEES

REPORT BY: CORPORATE SERVICES
CONTACT: INTERIM DIRECTOR CORPORATE SERVICES / INTERIM MANAGER LEGAL AND GOVERNANCE

PURPOSE

To appoint Councillor representatives to a number of external committees.

RECOMMENDATION

1 That Council appoints representatives as follows:

<table>
<thead>
<tr>
<th>Councillor/s appointed</th>
<th>External Committee</th>
<th>Term of membership</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Insert name of up to three Councillor(s)]</td>
<td>Building Better Cities Housing Management and Development Committee</td>
<td>25 October 2017 to 11 September 2020</td>
</tr>
<tr>
<td>[Insert name of one Councillor]</td>
<td>Fort Scratchley Historical Society Incorporated</td>
<td>25 October 2017 to 11 September 2020</td>
</tr>
<tr>
<td>[Insert name of up to two Councillor(s)]</td>
<td>Hunter and Central Coast Joint Regional Planning Panel</td>
<td>25 October 2017 to 11 September 2020</td>
</tr>
<tr>
<td>[Insert name of one Councillor and one alternate Councillor]</td>
<td>Hunter Water Corporation Consultative Forum</td>
<td>25 October 2017 to 11 September 2019</td>
</tr>
<tr>
<td>[Insert name of one Councillor]</td>
<td>Newcastle Art Gallery Foundation Board</td>
<td>25 October 2017 to 11 September 2020</td>
</tr>
<tr>
<td>[Insert name of one Councillor]</td>
<td>Newcastle City Traffic Committee</td>
<td>25 October 2017 to 11 September 2020</td>
</tr>
<tr>
<td>[Insert name of one Councillor and one alternate Councillor]</td>
<td>Northern Settlement Services Management Committee</td>
<td>25 October 2017 to 11 September 2020</td>
</tr>
<tr>
<td>[Insert name of one Councillor]</td>
<td>NSW Public Libraries Association</td>
<td>25 October 2017 to 11 September 2020</td>
</tr>
</tbody>
</table>

2 Council staff write to the chairperson of each of the above advising of the new Councillor members/representative(s) and the term of their membership.

KEY ISSUES

3 Detailed information about each of the external committees is set out at Attachment A.
4 Council staff are continuing to gather information in respect of the following committees and further information will be presented to Councillors at future meeting(s):
   a) Hexham and Kooragang Project Steering Committee
   b) Fort Scratchley Historical Society Incorporated
   c) Hunter Community Reference Group of the Hunter Central Rivers Catchment Management Authority
   d) Hunter Sports Centre Inc
   e) Lower Hunter Councils Transport Group
   f) Newcastle Catchment Committee Management Forum
   g) Newcastle Maritime Museum Society
   h) NSW Association of Mining Related Councils.

5 Currently, the Cooperative Library Committee is inactive and meetings have not been conducted since 2011. Due to the merger of a member council and certain changes within Newcastle, meetings have been put on hold however it is anticipated that they will resume on or before 30 June 2018. Councillors will be informed of nominations to this external committee once there is further information available.

6 The Newcastle Bushfire Management Committee, which previously included Councillor representation, has been disbanded. Therefore, Councillor representation is no longer required.

7 The Lord Mayor, Councillor Nelmes, was nominated by Council and subsequently appointed to the Hunter Region SLSA Helicopter Rescue Service Limited Board on 24 February 2015. The Board itself specified this was to be a four year appointment provided the Councillor was re-elected. As such, the Lord Mayor, Councillor Nelmes’ appointment continues.

FINANCIAL IMPACT

8 Council is required to pay a membership fee in relation to its involvement with some of the external committees as detailed in Attachment A.

9 Councillor attendance at some committee meetings may also involve expenses (such as travel and accommodation). Such expenses are covered by Council’s Payment of Expenses and Provision of Facilities Policy and will be deducted from the individual Councillor’s budget.

COMMUNITY STRATEGIC PLAN ALIGNMENT

10 Open and Collaborative Leadership:
   a) Considered decision-making based on collaborative, transparent and accountable leadership.
   b) Active citizen engagement in local planning and decision-making processes and a shared responsibility for achieving our goals.
IMPLEMENTATION PLAN/IMPLICATIONS

11 Councillor membership on most external committees will cease on 11 September 2020, being the day before the scheduled local government election of the current term (or any such later date as determined by the Minister for Local Government) or if a Councillor resigns or otherwise ceases to be a Councillor. Council will appoint new members as soon as possible in or around October. In addition, Councillor membership is subject to the terms of each external committee's constituting/governing document.

12 The constitution for the Hunter Water Corporation Consultative Forum provides for a two year term only and therefore Councillor membership on this committee will cease by the elected council on 25 October 2019 at which point membership will need to be re-determined.

RISK ASSESSMENT AND MITIGATION

13 Council's representation on external committees fosters relationships with stakeholders as well as being a means of consultation with the community.

RELATED PREVIOUS DECISIONS

14 On 27 November 2012, Council appointed Councillor representatives to committees and boards that did not receive Councillor representatives on 9 October 2012.

15 Following the 2012 election, on 9 October 2012, Council appointed its Councillor representatives to various committees.

CONSULTATION

16 N/A.

OPTIONS

Option 1

17 The recommendations at paragraphs 1-2. This is the recommended option.

Option 2

18 Councillors resolve to not continue membership of some or all of the external committees listed at Attachment A. This is not the recommended option as Council will not be represented on these committees.

BACKGROUND

19 Nil.
REFERENCES

ATTACHMENTS

Attachment A: Summary of information relating to external committees
Committee List

- Building Better Cities Housing Management and Development Committee
- Fort Scratchley Historical Society Incorporated
- Hunter and Central Coast Joint Regional Planning Panel
- Hunter Water Corporation Consultative Forum
- Newcastle Art Gallery Foundation Board
- Newcastle City Traffic Committee
- Northern Settlement Services Management Committee
- NSW Public Libraries Association
BUILDING BETTER CITIES HOUSING MANAGEMENT AND DEVELOPMENT COMMITTEE

Purpose:
The initial purpose of the Committee was to explore ways to regenerate development in the inner city. However, the focus of the Committee has shifted to strategies that encourage housing that meets the needs of residents, in particular, the provision of affordable and adaptable housing.

Meeting Cycle:
The Committee meets as required.

Next meeting: 26 October 2017

Councillor representation:
• Up to three Councillors.

Relevant Council area:
Strategic Planning Services
FORT SCRATCHLEY HISTORICAL SOCIETY INCORPORATED

Purpose:
To facilitate the management of a Museum and research library, and the site of Fort Scratchley.

Meeting Cycle:
The committee meets every third Monday of each Month

Next meeting: 20 November 2017

Councillor Representation:
• One Councillor.

Relevant Council area:
Cultural Facilities
HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

Purpose:
The Panel considers and determines development applications for projects generally over $20 million and other matters relevant to the Newcastle local government area including advice to the Minister for Planning on planning, development or environmental planning instruments.

Meeting Cycle:
The Panel generally meets once per month, on a Thursday, or as required.

Next meeting date: 16 November 2017.
(note: as the Panel relates to the Hunter and Central Coast Region, the Panel meets on different days in the location relevant to the application)

Councillor representation:
- Two Councillors.

Note: Council's representatives on the Hunter and Central Coast Joint Regional Planning Panel can be Councillors or members of the general community or a combination or both.

Relevant Council area:
Development and Building Services
HUNTER WATER CORPORATION CONSULTATIVE FORUM

Purpose:
The Forum was established in 1989 to provide community involvement in environmental and other issues relevant to the exercise of the Hunter Water Corporation’s functions.

Meeting Cycle:
The Forum meets quarterly on the third Tuesday of the month.

Next meeting date: February, May and September 2018.

Councillor representation:
- One Councillor.
- Membership is for the term of two years and will cease on 25 October 2019.

Membership fees:
A sitting fee will be paid to members of the Forum in accordance with the fees and charges set for Advisory Boards and Committees in the NSW Premier's Memorandum No. 99-3, Guidelines for Government Boards and Committees, as amended from time to time. This includes reimbursement of any out-of-pocket expenses incurred by a member in fulfilling their duties to the Forum.

Relevant Council area:
Legal and Governance
NEWCASTLE ART GALLERY FOUNDATION BOARD

Purpose:
The Foundation was incorporated in 1978 to support organisation for the Art Gallery. Since this time it has become a significant fundraising and profile building organisation. The Foundation manages over half a million dollars in invested funds and has donated works of art to the Gallery with a current value of over $5 million. The Foundation is governed by an elected Board of Directors. The Council is the Corporate Member of the Foundation and is represented on the Board by a Councillor representative.

Meeting Cycle:
The Board meets monthly on the first Monday of each month at 5.30pm.

Next meeting date: 6 November 2017 (to be confirmed).

Councillor representation:
- One Councillor.

Relevant Council area:
Cultural Facilities
NEWCASTLE CITY TRAFFIC COMMITTEE

Purpose:
The Committee provides technical advice to Council in the exercise of its regulation of traffic functions delegated by the Roads and Maritime Services. These include all traffic and parking related issues in the local government area.

Meeting Cycle:
The Committee meets monthly (except January) on the third Monday of the month from 9am to 11:00am.

Next meeting date: 20 November 2017 (to be confirmed).

Councillor representation:
• One Councillor.

Relevant Council area:
Infrastructure Planning
NORTHERN SETTLEMENT SERVICES MANAGEMENT COMMITTEE

Purpose:
The Committee is an independent not for profit entity delivering settlement services and is strategically placed to develop new services in response to local needs in the Hunter, Central Coast, and Northern Tablelands of NSW. The Committee’s primary purpose and principal object is to directly deliver services to ensure the relief from poverty, distress and misfortune of those settling into the Committee’s catchment area as refugees and migrants, working towards the successful settlement and long-term welfare of such refugees and migrants.

Council will need to apply for membership by writing to the Secretary stating that Council:

- wants to become a member;
- supports the purpose(s) of the company, and
- agrees to comply with the company’s constitution, including paying the guaranteed of not more than $10 to the property of the company, pursuant to clause 4 of the constitution.

Meeting Cycle:
The Committee meets monthly on the third Wednesday of the month from 5.15pm to 7.00pm in addition to an annual general meeting.

Next meeting date: 15 November 2017.

Councillor representation:
- One Councillor.

Relevant Council area:
Legal and Governance
NSW PUBLIC LIBRARIES ASSOCIATION

Purpose:
The Association is a sub-committee of the Library Council of NSW which provides policy advice to the Library Council and acts as a consultative framework for key public library stakeholders in NSW. The Library Council of NSW also advises the Minister of Arts on vital issues to public libraries and Councils. This is also an opportunity to meet and network with Councillors from metropolitan NSW.

Meeting Cycle:
The Committee meets on a quarterly basis.

Next meeting date: November (to be confirmed).

Councillor representation:
• One Councillor for the term of council

Membership Fees applicable:
$2,000 per annum (GST exclusive) and such fees have been accounted for the Business Unit's Operational Budget.

Relevant Council area:
Libraries
ITEM-105 CCL 24/10/17 - APPOINTMENT OF COUNCILLOR REPRESENTATIVES TO ADVISORY COMMITTEES AND PANEL

REPORT BY: CORPORATE SERVICES
CONTACT: INTERIM DIRECTOR CORPORATE SERVICES / INTERIM MANAGER LEGAL AND GOVERNANCE

PURPOSE
To appoint Councillor representatives to advisory committees and a Council Panel.

RECOMMENDATION
1 That Council appoints representatives as follows:

<table>
<thead>
<tr>
<th>Councillor/s appointed</th>
<th>Advisory Committee</th>
<th>Term of membership</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Insert name of three Councillors]</td>
<td>Coastal Revitalisation Consultative Committee</td>
<td>25 October 2017 to 11 September 2020</td>
</tr>
<tr>
<td>[Insert name of three Councillors]</td>
<td>Environmental Advisory Committee</td>
<td>25 October 2017 to 11 September 2020</td>
</tr>
<tr>
<td>[Insert name of three Councillors]</td>
<td>Guraki Aboriginal Advisory Committee</td>
<td>25 October 2017 to 11 September 2020</td>
</tr>
<tr>
<td>[Insert name of one Councillor]</td>
<td>Newcastle Floodplain Risk Management Advisory Committee</td>
<td>25 October 2017 to 11 September 2020</td>
</tr>
<tr>
<td>[Insert name of one Councillor]</td>
<td>Newcastle Cycling Advisory Committee</td>
<td>25 October 2017 to 11 September 2020</td>
</tr>
<tr>
<td>[Insert name of three Councillors]</td>
<td>Newcastle Youth Council Committee</td>
<td>25 October 2017 to 11 September 2020</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Councillors appointed</th>
<th>Panel</th>
<th>Term of membership</th>
</tr>
</thead>
<tbody>
<tr>
<td>[insert name of four Councillors]</td>
<td>Review Panel</td>
<td>25 October 2017 to 11 September 2020</td>
</tr>
</tbody>
</table>

2 Committee facilitators will contact nominated Councillors and advise of the next meeting dates for each committee.

KEY ISSUES
3 Detailed information about each of the advisory committees and panel are set out at Attachment A and Attachment B.

FINANCIAL IMPACT
4 There is no financial impact associated with Councillor representation on the advisory committees or panel.
COMMUNITY STRATEGIC PLAN ALIGNMENT

5 Open and Collaborative Leadership:
   a) Considered decision-making based on collaborative, transparent and accountable leadership.
   b) Active citizen engagement in local planning and decision-making processes and a shared responsibility for achieving our goals.

IMPLEMENTATION PLAN/IMPLICATIONS

6 Councillor membership on advisory committees and panel will cease on 11 September 2020, being the day before the scheduled local government election of the current term (or any such later date as determined by the Minister for Local Government), or if a Councillor resigns or otherwise ceases to be a Councillor. Council will appoint new members at the first Council meeting in the month of October 2020. In addition, Councillor membership is subject to the terms of each committee’s constituting/governing document.

RISK ASSESSMENT AND MITIGATION

7 Council's representation on advisory committees fosters relationships with stakeholders as well as being a means of consultation with the community.

RELATED PREVIOUS DECISIONS

8 On 4 December 2012, Council appointed its Councillor representatives to various advisory committees.

CONSULTATION

9 N/A.

OPTIONS

Option 1

10 The recommendations as at paragraphs 1-2. This is the recommended option.

Option 2

11 Councillors resolve to not continue membership of some or all of the advisory committees listed at Attachment A and the panel listed at Attachment B. This is not the recommended option as Council will not be represented on the committees and panel.

BACKGROUND

Nil.
REFERENCES

ATTACHMENTS

Attachment A - Summary of information relating to advisory committees.
Attachment B - Summary information relating to Council's Review Panel
Attachment A - Summary of information relating to advisory committees

LIST OF COMMITTEES

- Coastal Revitalisation Consultative Committee
- Environmental Advisory Committee
- Guraki Aboriginal Advisory Committee
- Newcastle Cycling Advisory Committee
- Newcastle Floodplain Risk Management Advisory Committee
- Newcastle Youth Council Committee
COMMITTEE NAME: Coastal Revitalisation Consultative Committee

Purpose:

The Coastal Revitalisation Consultative Committee has been established to increase consultation and liaison with key user groups on our coast.

The Committee has four objectives:

1. Provide strategic guidance for the implementation of the Coastal Revitalisation Program.

2. Provide an ongoing forum for Newcastle City Council, Catchment & Lands, NSW Trade & Investment and Hunter Surf Life Saving to provide consultation in the delivery of the Coastal Revitalisation Program.

3. To provide liaison between Council and stakeholders on the program status, including budget and milestones and assist in resolving inhibitors to the meeting of program milestones.

4. To be the advisory body for The Coastal Reserve Trust, including consulting on the distribution of coastal facilities income (Reserves Trust).

Meeting Cycle:
The Committee meets quarterly, or as required.

Next meeting: December 2017

Councillor representation:

• Up to three Councillors.

Relevant Council area:
Infrastructure Planning
COMMITTEE NAME: Environment Advisory Committee

Purpose:
To provide strategic advice and guidance on, and assist in the development of environmental strategies for, the City of Newcastle. This will relate to climate change, biodiversity, air, coast, estuary, water and waste.

Meeting Cycle:
The Committee used to meet quarterly (but can be changed with new constitution).

Next meeting: yet to be determined, anticipated to be held in 2018.

Councillor representation:
- Up to three Councillors.

Relevant Council area:
Infrastructure Planning
COMMITTEE NAME: Guraki Aboriginal Advisory Committee

Purpose:
The Committee seeks to build relationships between relevant Council staff, Aboriginal organisations and government agencies leading to improved reconciliation outcomes.

The primary functions of the committee are:

- To give life to Council's commitment to the Aboriginal and Torres Strait Islander people of the City of Newcastle.
- To provide strategic advice and guidance with relation to Aboriginal and Torres Strait Islander issues.
- To engage Aboriginal and Torres Strait Islander people in Local Government.
- To raise local awareness of Aboriginal and Torres Strait Islander issues.
- To provide a united voice for the Aboriginal and Torres Strait Islander people of the City of Newcastle.
- To investigate, consider and prepare applications for federal and state government funding, grants and sponsorships.

Meeting Cycle:
The Committee meets bi-monthly.

Next meeting: February 2018.

Councillor representation:
- Up to three Councillors.

Relevant Council area:
Strategic Planning
COMMITTEE NAME: Newcastle Cycling Advisory Committee

Purpose:
The purpose of the Newcastle Cycling Advisory Committee is to monitor and assist in implementing the Newcastle Cycling Strategy and Action Plan.

The functions of the committee include, but are not limited to:

   a) nomination and review of projects for submission to Council’s Delivery Program and Operational Plan;

   b) preparation of progress reports on implementation of the Newcastle Cycling Strategy and Action Plan;

   c) contribution to completion of actions listed in the Newcastle Cycling Strategy and Action Plan; and

   d) information sharing and networking, relating to cycling issues.

Meeting Cycle:
The Committee meets as required.

Next meeting: yet to be determined, anticipated to be held in 2018.

Councillor representation:

   • One Councillor who will be chair.

Relevant Council area:
Infrastructure Planning
COMMITTEE NAME: Newcastle Floodplain Risk Management Committee

Purpose:
The primary functions of the Committee are to:

- Fulfil Council's obligation to manage flood risk in the Newcastle LGA in accordance with the principles of the NSW Floodplain Development Manual.
- Assist the elected Council with the implementation of the Newcastle City Wide Floodplain Risk Management Plan and the Wallsend Floodplain Risk Management Plan for the Newcastle Local Government Area (LGA).
- Provide a link between the local community and Council.
- Act as both a focus and a forum for the discussion of social, economic, environmental implications of flooding, as well as risk to life and property issues.
- Ensure that all stakeholders (often with competing desires) are equally represented.
- Consider and make recommendations to Council on appropriate development controls to reduce flood risk.
- Supervise the collection of data and monitor the progress and findings of studies being undertaken for flood risk management.
- Provide input into known flood behaviour as part of any flood study.
- Identify management options and provide input into their consideration as part of the implementation projects.
- Identify implementation strategies for the Management plan.
- Monitor and assess the effectiveness of the Management plan during and after its implementation.
- Coordinate and monitor the public education programs essential to the long term viability of the Management plan.
- Coordinate with catchment management boards, emergency management planning and other advisory bodies.

Meeting Cycle:
The Committee meets twice annually as a minimum or more frequently as required.

Next meeting: November 2017.

Councillor representation:
- One Councillor.

Relevant Council area:
Infrastructure Planning
COMMITTEE NAME: Newcastle Youth Council

Purpose:

The objective of the Committee is to engage young people in Local Government and to provide advice to Council regarding youth issues in Newcastle’s LGA.

The responsibilities of the Committee are to:

- aim to engage young people in Local Government;
- raise awareness of youth issues;
- allocate Youth Week grants as per Council's Youth Week Grant Policy;
- guide implementation of the Newcastle 2030 Community Strategic Plan;
- assist in the development and implementation of social strategies for Newcastle City Council;
- assist Council to prepare applications for youth related grants; and
- support Council in a manner that is consistent with Council values and decisions of Council.

Meeting Cycle:
The Committee meets monthly or bi-monthly as required by members.

Next meeting: November 2017.

Councillor representation:
- Up to three Councillors.

Relevant Council area:
Strategic Planning
Attachment B - Summary information relating to Council's Review Panel

REVIEW PANEL

Purpose:
To assess and select successful Expression of Interest applications with respect to Council's policy for a cultural funding program, Council Support for Arts and Cultural Organisations in Newcastle. The policy was adopted in March 2017 and the funding program is targeted to Newcastle local government area (LGA) resident not-for-profit arts and cultural organisations whose core purpose is producing arts and cultural programming and are interested in collaborating with Council to present programming in the city in alignment with the priorities and strategic objectives as stated in the Cultural Strategy 2016-2019.

Meeting Cycle:
The Panel meets on an annual basis.

Next meeting date: the week of 13 November 2017.

Councillor representation:
- Four Councillors;

Relevant Council Area:
Cultural Facilities
ITEM-106 CCL 24/10/17 - NEWCASTLE AIRPORT PTY LIMITED - APPOINTMENT OF COUNCIL’S SHAREHOLDER REPRESENTATIVES

REPORT BY: CORPORATE SERVICES
CONTACT: INTERIM DIRECTOR CORPORATE SERVICES / INTERIM MANAGER LEGAL AND GOVERNANCE

PURPOSE

To approve Council's Shareholder Representatives in respect of Newcastle Airport Pty Ltd (NAPL).

RECOMMENDATION

1 In accordance with section 250D of the Corporations Act 2001 (Cth) and clauses 1.1 and 1.2(c) of the Constitution of Newcastle Airport Pty Ltd, Council, in its capacity as one of the two shareholders of Newcastle Airport Pty Ltd, approves and appoints Shareholder Representatives as follows:

(a) Nuatali Nelmes, Lord Mayor of Newcastle City Council, and
(b) Jeremy Bath, Interim Chief Executive Officer of Newcastle City Council.

2 In accordance with Clause 400(4) of the Local Government (General) Regulation 2015 (NSW), Council approves and authorises Council's seal to be affixed to the Appointment of Shareholder Representative form on the grounds that such appointment relates to the business of Council.

KEY ISSUES

3 The Annual General Meeting (AGM) of NAPL has been scheduled for 27 October 2017.

4 Council is one of two shareholders along with Port Stephens Council (PSC).

5 PSC appointed their Shareholder Representative at an Ordinary Council Meeting held on 26 September 2017.

6 Council is also entitled to attend and vote at this meeting by way of appointed Shareholder Representative.
FINANCIAL IMPACT

7 There is no financial impact in authorising and appointing the Shareholder Representatives.

COMMUNITY STRATEGIC PLAN ALIGNMENT

8 Open and Collaborative Leadership.

IMPLEMENTATION PLAN/IMPLICATIONS

9 Council staff will provide NAPL with an instrument appointing its Shareholder Representatives.

RISK ASSESSMENT AND MITIGATION

10 Not attending the AGM will prevent Council from being involved in decision-making with respect to NAPL's AGM.

RELATED PREVIOUS DECISIONS

11 Nil.

CONSULTATION

12 Nil.

OPTIONS

Option 1

13 The recommendations as at Paragraph 1-3. This is the recommended option.

Option 2

14 Council does not adopt the recommendation as at paragraph 1-3. This is not the recommended option because it prevents Council from the opportunity to be involved in decision-making with respect to NAPL's operations which in turn may have a negative impact on Council as a shareholder.
BACKGROUND

15 Council is a 50% shareholder of NAPL, the other 50% shareholder being PSC.

REFERENCES

ATTACHMENTS

Nil.
ITEM-107 CCL 24/10/17 - ADOPTION OF 2016/17 ANNUAL FINANCIAL STATEMENTS

REPORT BY: CORPORATE SERVICES
CONTACT: INTERIM DIRECTOR CORPORATE SERVICES / MANAGER FINANCE

PURPOSE

In accordance with the provisions of Sections 418 and 419 of the Local Government Act 1993 (as amended), Council's Audited Annual Financial Statements in respect of the year ended 30 June 2017 (Financial Statements) are tabled for presentation to Council.

RECOMMENDATION

1 Council receives and adopts Council's Financial Statements and accompanying notes, in respect of the year ended 30 June 2017, together with the Auditor's Report (Attachment A).

KEY ISSUES

2 Council's external Audit Report is unqualified.

3 Council's financial position as at 30 June 2017 shows sound liquidity with Net Assets of $1,536m.

4 Council's Operating Result (before Grants and Contributions for Capital Purposes) for 2016/17 was a surplus of $2.9m against a $6.1m surplus in 2015/16. Operating Expenditure has increased more than operating revenue from 2015/16 to 2016/17. A key factor in this increased expenditure has been an increased focus for Council on improving the condition of Council assets and, in the process, addressing Council's infrastructure backlog. This is a key strategic objective of Council and is aligned to Council achieving all sustainability objectives. Council has applied more Council resources to asset maintenance and renewal, which is reflected in an additional operational expenditure impact (approximately $13m).

5 Increased revenue assisted in funding increased focus on Council assets. This was primarily through:
   - higher rates and charges (2015 Special Rate Variation (SRV) was a large contributor to the $9.7m increase in rates and annual charges);
   - the advanced payment of the 2017/18 Financial Assistance Grant (1st and 2nd quarter payment) of $6.1m,
   - Summerhill Waste Management Centre receiving an additional $4.4m in tipping fees compared to 2015/16; and
   - Newcastle Airport additional income of $1.8m.
Council also received $21.4m in Grants and Contributions for Capital Purposes in 2016/17 compared to $22.9m in the prior year. The Operating Result, including these Grants and Contributions resulted in Community Equity increasing by $24.3m in 2016/17 compared to an increase of $29.0m reported in 2015/16.

Increases in the backlog of stormwater drainage of $8.6m, swimming pools of $2.3m and other structures of $2.0m have been offset by a decrease in buildings of $13.0m. Council has made progress on the Infrastructure ratios over the past two years but still remains below the NSW Treasury Corporation (TCorp) benchmarks. Council has significantly increased capital expenditure, in relation to existing assets not in a satisfactory condition, in order to reach a sustainable level of annual asset renewal which will address the current asset backlog of $100.2m. This increased expenditure has resulted in an Infrastructure renewal ratio of 94.90% (2015/16 - 68.86%).

Through prudent and rigorous financial management, consistent with the Budget Principles adopted by Council in April 2013, Council has delivered an Operating Result which exceeds budget expectations. Council maintains its focus on financial sustainability and as a result Newcastle City Council (NCC) is now deemed financially fit. However, this assessment is made based on Council achieving key sustainability targets within agreed timeframes.

Council, for example, is still building its reserves position to support future commitments and is also expanding the capital works program to achieve sustainable levels of asset renewal and reduce the infrastructure backlog. To help assess Council's progress towards these goals Council reviews whether its operational expenditure is sustainable based on recurring revenue for operational purposes being sufficient.

The 2016/17 result demonstrates that Council has made significant progress in recent times. Just four years ago (2012/13) Council had an operating deficit of $22.8m after adjustments. This position did not reflect the significant shortfall in asset maintenance and renewal. If adjustments were made for these shortfalls in expenditure the position would be substantially worse (previously calculated as closer to $40m deficit).

A sustainable position is assessed by deducting all revenue which is reserved for capital purposes or not received by Council and excluding all one-time (non-recurring) items. Key items excluded for 2016/17 include:

- capital related items such as the 2012 SRV, the stormwater service charge, and Financial Assistance Grant for roads;
- the 2017/18 financial assistance grant received in advance;
- NCC share of Newcastle Airport surplus not received as a dividend;
- one-time items such as loss on surrender of Queens Wharf lease, and repayment of unused waste grants; and
- the gap between actual asset renewal and sustainable asset renewal.
Based on these adjustments Council still has an operating deficit. Council's sustainable operating result however compares favourably with 2015/16. After adjusting for these items the sustainable underlying operating result for the 2016/17 Financial Year is a deficit of $8.4m compared to a deficit of $13.1m in the prior year (refer paragraph 27 below for further detail).

FINANCIAL IMPACT

Operating Result

The Operating Result is calculated on a full accruals basis which means that all costs/income which relate to the current financial year are included irrespective of whether a cash inflow/outflow has been made or not.

To facilitate comparison, the Income Statement from the Financial Statements is reformatted and summarised below:

<table>
<thead>
<tr>
<th>Line No</th>
<th>2016/17 Actual ($'000)</th>
<th>2015/16 Actual ($'000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>i)</td>
<td>Operating Income before Capital Amounts</td>
<td>267,564</td>
</tr>
<tr>
<td>ii)</td>
<td>Operating Expenditure before Depreciation</td>
<td>(222,372)</td>
</tr>
<tr>
<td>iii)</td>
<td>Operating Result before Depreciation/Capital Amounts</td>
<td>45,192</td>
</tr>
<tr>
<td>iv)</td>
<td>Depreciation</td>
<td>(42,252)</td>
</tr>
<tr>
<td>v)</td>
<td>Operating Surplus/(Deficit) before Capital Amounts</td>
<td>2,940</td>
</tr>
<tr>
<td>vi)</td>
<td>Capital Amounts (Grants and Contributions)</td>
<td>21,371</td>
</tr>
<tr>
<td>vii)</td>
<td>Net Operating Result for the Year (as reported in the Income Statement)</td>
<td>24,311</td>
</tr>
</tbody>
</table>

Analysis of the movement of individual line items from the table above are:

Line (i): Operating Income before Capital Grants

Represents an increase of $17.8m on the 2015/16 Revenue. Rates and Annual Charges income increased by $9.7m arising from the Independent Pricing and Regulatory Tribunal (IPART) approved rate increase of 1.8% and SRV of 6.2%. User Charges and Fees has increased by $9.9m largely due to increases in tipping fees, Newcastle Airport and parking meter fees. Other Revenues decreased by $5.7m due to the prior year recovery of a portion of Council's investment portfolio which had previously been written-off. Operating Grants and Contributions increased by $4.5m due to payment in advance of 50% of 2017/18 Financial Assistance Grant.

Line (ii): Operating Expenditure before Depreciation

The 2016/17 expenditure represents an increase of $20.9m on the 2015/16 result. Employee Benefits and On-costs have increased by $2.3m due to natural inflation of wage costs. Materials & Contracts increased by $13.5m due to increased maintenance and capital works and expense of project related works. Net loss from the disposal of assets increased by $3.7m due to the surrender of the lease of Queens Wharf.
18 Line (iii): Operating Surplus/(Deficit) before Depreciation/Capital Amounts

This line reflects the underlying Operating Result for the year prior to allow for depreciation and shows a decrease of approximately $3.1m on the equivalent 2015/16 result. This was due to an increase in income of $17.8m as outlined in paragraph 5 and an increase in expenditure of $20.9m as outlined in paragraph 11 above.

19 Line (iv): Depreciation

Infrastructure depreciation continues to have a significant impact on the Operating Result and depreciation has increased slightly by $0.1m. Under the Office of Local Government and Accounting Standard requirements Council is required to revalue its Infrastructure, Property, Plant and Equipment every five years. It is important to note that depreciation variations may occur in future reporting periods due to this revaluation regime.

20 Line (v): Operating Surplus/(Deficit) before Capital Amounts

Council's Operating Result before Capital Amounts shows an operating surplus of $2.9m, this is a decrease of $3.2m from 2015/16. The items giving rise to this variance are outlined in paragraphs 10, 11 and 13 above.

21 Line (vi): Capital Grants & Contributions

In the 2016/17 year capital grants & contributions has decreased by $1.5m. This includes subdivision roads and drainage contributions to the value of $5.5m compared with $6.2m in 2015/16. This represents the value of the community land and building dedications, roads, land beneath roads and drains in new sub-divisions that are handed over to Council to maintain in perpetuity. Accounting standards require this value to be shown as income despite it being received as a non-cash asset. In addition, the accounting standards do not permit the future maintenance liability to be recognised in the Financial Statements. Further, the Resources for Regions capital grant was not received in 2016/17 which totalled $3.4m in 2015/16.

22 Line (vii): Net Operating Result for the Year (as reported in the Income Statement)

This represents the net impact of all of the above line items. This amount is transferred to retained earnings and reflects an increase in Net Assets. The net operating result of $24.3m is a decrease of $4.7m against the 2015/16 net operating result of $29.0m.
23 **Budget to Actual Comparison (Page 3 of the Financial Statements)**

The budget disclosed at Page 3 of Financial Statements is the original budget detailed in the 2016/17 Operational Plan adopted at the Ordinary Council Meeting of 28 June 2016 and does not include the budgets for capital work in progress carried forward from 2015/16 or any other budget adjustments approved by Council at the quarterly budget reviews. The actual result shows a net surplus of $2.9m against an original budget surplus of $5.4m.

24 The explanation of the key variances between actual and budget results is as follows:

- Materials & Contracts expenditure related to infrastructure projects exceeded budget by **$13.2m** primarily due to increased maintenance and capital works and expense of project related works as outlined in paragraph 17 above.
- Actual Revenue from Grants and Contributions for capital purposes exceeded budget by **$9.6m** (actual $21.4m compared to budget $11.8m). This was due primarily to greater than forecast s94 developer contributions of $6.5m, and dedications of infrastructure as outlined in paragraph 21 above ($4.6m in excess of budget).
- Payment in advance of 50% of the 2017/18 Financial Assistance Grant (**$6.1m**) was received in 2016/17.
- The surrender of the lease of Queens Wharf has resulted in a net loss on disposal in excess of budget of **$4.4m**.

25 A high level analysis of material budget variations (above 10%) is shown in Note 16 of the Financial Statements.

26 Broadly, financial sustainability of Council operations requires that there is sufficient operational revenue to cover operational expenses in the long term. To build an accurate picture of Council’s future financial sustainability all revenue that cannot be applied to cover normal day to day operational costs should be excluded. Council Revenue, as reported in the Financial Statements, includes some items which cannot be applied to cover normal operating costs. After adjusting for these items, detailed below, the sustainable underlying operating result for the 2016/17 Financial Year is a deficit of $8.4m, compared to a deficit of $13.1m for the prior year. Key adjustments were as follows:

- **Add-back:**
  - Loss incurred on the surrender of the lease of Queens Wharf of **$4.4m**;
  - One-off repayment of unused grants of **$1.7m**.

- **Deductions for:**
  - 2017/18 Financial assistance grant received in advance of **$6.1m**
  - NCC’s share of profit from Newcastle Airport that was not paid as a dividend is **$2.2m**.
  - Operating Revenue has included funding generated from the 2012 capital restricted SRV which amounts to approximately **$4.6m per annum**.
o A number of other revenue items which are either non-recurring or restricted in application: Stormwater management service charge ($1.3m), Financial Assistance Grant - Roads ($1.2m).

o The gap between sustainable asset renewal and actual asset renewal of $0.7m.

27 Financial Performance Measures

Note 13 on Page 47 of the Financial Statements details Council's key financial performance measures. Key variances are discussed below.

28 Operating Performance Ratio 3.46%

This ratio measures a council’s achievement of containing operating expenditure within operating revenue. It is important to distinguish that this ratio focusses on operating performance. Capital grants and contributions, fair value adjustments and reversal of revaluation decrements are excluded. The benchmark is greater than 0%. Accordingly Council’s performance in 2016/17 is above the benchmark ratio.

29 Own Source Operating Revenue Ratio 84.34%

This ratio measures fiscal flexibility and the degree of reliance on external funding sources such as operating grants and contributions. Council’s financial flexibility improves the higher the level of its own source revenue. The benchmark is greater than 60% and Council has exceeded this benchmark.

30 Unrestricted Current Ratio 2.49:1

The unrestricted current ratio measures Council's ability to meet its obligations (current liabilities) using current assets. The benchmark is greater than 1.5:1 and Council has exceeded this benchmark.

31 Debt Service Cover Ratio 7.44 x

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments. The benchmark is greater than 2 and Council has exceeded this benchmark.

32 Rates and Annual Charges Outstanding Ratio 4.16%

This ratio assesses the impact of uncollected rates and annual charges on liquidity and the adequacy of recovery efforts. The Rates and Annual Charges Outstanding Ratio of 4.16% has decreased from 4.33% in 2015/16. This represents a decrease of 0.17%. This result is due to the proactive approach with Council’s mercantile agent. The benchmark is less than 5% and Council has achieved this benchmark.
33 Cash expense cover ratio 8.66 months

This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow. The benchmark is greater than three months and Council has exceeded this benchmark.

34 Special Schedule No. 7 covers another important area in the assessment of financial sustainability. The schedule addresses the condition of public works and the estimated cost to bring assets up to a satisfactory standard.

35 The cost to bring assets to an agreed service level as set by Council has increased from $99.0m to $100.2m over the last financial year. The overall increase in the backlog of $1.2m is detailed below.

36 The reduction in Buildings of $13.0m has been offset by the increase in Stormwater Drainage of $8.6m, the increase in Swimming Pools of $2.3m and the increase in Other Structures of $2.0m resulting in a net movement of $1.2m. The capital work completed during the year at City Hall has been offset by improved data recording for Stormwater Drainage and the deterioration of swimming pools and other structures.

37 Roads and Other Infrastructure asset classes reflect a deteriorating position in regard to the asset maintenance and renewal backlog position however Open Space and Recreational asset works have stabilised backlog figures during 2016/17 decreasing by $0.3m. Specifically, the backlog has moved in the following areas:
   - Roads have increased by $1.0m from $23.2m to $24.2m.
   - Other Open Space/Recreational assets have decreased by $0.3m from $1.0m to $0.7m.
   - Other Infrastructure assets have increased by $0.5m from $15.2m to $15.7m.

38 Whilst the asset maintenance and renewal backlog has grown Council continues to increase budgeted capital expenditure on the asset maintenance and the renewal program. The actual value of works delivered during the financial year 2016/17, inclusive of capital and operational expenditure, is $86.7m. This represents an increase of $21.3m or 33% on the value of work completed in 2015/16. The 2015 approved SRV will continue to provide the additional revenue necessary to fund the increased capital expenditure until the backlog is reduced to a sustainable position. This situation is highlighted in the ratios noted below.

39 Infrastructure Asset Performance Indicators Special Schedule 7 Page 7 of the Special Schedules details Council's Consolidated ratios. Key ratios are discussed below.
This ratio compares the proportion spent on infrastructure asset renewals and the asset’s deterioration measured by its accounting depreciation. Asset renewal represents the replacement or refurbishment of existing assets to an equivalent capacity or performance as opposed to the acquisition of new assets or the refurbishment of old assets that increase capacity or performance. Council have significantly improved this ratio from 68.86% in 2015/16 to 94.90% in 2016/17. NSW TCorp benchmark is greater than 100% and Council does not yet meet this benchmark but is working towards it.

This ratio shows the estimated cost to bring Council’s Infrastructure assets to a satisfactory standard compared to the total written down value of Council’s infrastructure. NSW TCorp benchmark is less than 2% and Council does not yet meet this benchmark, but is working towards it.

This ratio compares actual versus required annual asset maintenance, as detailed in Special Schedule 7. A ratio of above 1.0 indicates that the Council is investing enough funds within the year to stop the infrastructure backlog from growing. NSW TCorp benchmark is greater than 1.0 and Council has achieved this benchmark again in 2016/17.

This ratio shows what proportion the value of the backlog is compared to the total replacement cost of Council’s infrastructure. NSW TCorp has no benchmark for this ratio. Council's ratio has increased slightly by 0.05% due to the factors outlined in paragraphs 35, 36 and 37.

Council continues to make progress towards each of the Infrastructure ratios. Council is still below the benchmark for ratios that measure the backlog of works to be completed. However, Council has achieved the benchmark for asset maintenance and has made significant progress towards the benchmark for asset renewal. A sustained maintenance and renewal program will reduce the backlog measures towards the benchmarks over time. As previously noted the 2015 SRV recently approved by IPART will provide the additional funding required to address Council's Infrastructure backlog. The target is to have sufficient funds accumulated or spent by 2020.

The Audit Committee have continued to be proactive in reviewing Council's financial position and commitment towards financial sustainability and supported NSW TCorp Financial Assessment and Benchmarking Report (October 2012) on Council's financial health.
46 At that time the independent members of the Audit Committee specifically stated that:
- Council’s future financial position was deteriorating and unsustainable.
- The situation required immediate and decisive action.
- Decisions must be made based on current, reliable, independently tested information and be free from political influence.
- Council needed to avoid the projected ongoing future financial difficulties. Significant progress has been made on Council's primary financial objective of achieving "financial sustainability".

47 Ensuring Council reached a position of financial sustainability has remained a priority over the last three years. The audited financial results for 30 June 2017 show that Council has achieved an operating surplus for the fourth year, however it has decreased due to an increased focus on asset renewal expenditure.

48 The 30 June 2017 operating surplus is recorded at $2.9m.

49 The operating surpluses in the last two financial years have contributed towards an increase in Council’s Total Equity.

50 The TCorp Newcastle Report (2012) was reviewed by the Audit Committee. Projections in that report indicated Council could become insolvent by 2017. Council's net position (cash and investments less borrowings) has been stabilised and projections indicated Council will now have sufficient funds to address the infrastructure backlog and other obligations.

51 Over the last three years Council has prudently managed its long term financial sustainability by:
- Undertaking a significant program of initiatives to reduce operating expenses
- Increasing revenues
- Implementing a disciplined and measured capital works program
- Extensively reviewing the Long Term Financial Plan to reflect Fit for the Future goals.
These results can be evidenced by the trends in Council's Income Statement and Balance Sheet for 30 June 2017 as detailed below.

**Income Statement**

**Operating Surplus (excluding capital grants & contributions)**

 Council's trend towards achieving an operating surplus reflects the significant program of initiatives that Council has achieved to manage its long term financial sustainability. Prudent financial management has produced a sustainable Operating Surplus for 30 June 2017.

**Total Income**

 Council's income from operating activities (excluding capital grants and contributions) represents an increase of $17.8m (or approximately 7%) from 30 June 2016. This is primarily driven by Rates and Annual Charge and User Charges and Fee's.
Operating Expenditure represents an increase of $20.9m on the 2015/16 result. This is primarily driven by Materials & Contracts and Loss on disposal of assets.

Council's Employee Benefit & On-cost has remained broadly in line with prior year expenses during 2016/17 whilst providing for the annual increase of 2.7% in Award based pay entitlements.
Council’s cash levels have increased in the current year due to positive cash flows from operating activities.

Council’s operating result has translated to an increase in Equity. Retained earnings have increased by the operating surplus for 30 June 2017, notwithstanding the impact the revision of the NSW OLG Code of Accounting Practice which has required an adjustment to the value of donated land under roads.

COMMUNITY STRATEGIC PLAN ALIGNMENT

This report aligns to the Community Strategic Plan under the strategic direction of ‘Open and collaborative leadership’ action 7.4b ‘ensure the management of Council’s budget allocations and funding alternatives are compliant with Council policy and relevant legislation to ensure the long term financial sustainability of the organisation.’
IMPLEMENTATION PLAN/IMPLICATIONS

54 The Financial Statements reflect the outcomes of actions, activities and projects contained in the 2016/17 Operational Plan and subsequent Quarterly Reviews which have been approved by Council.

RISK ASSESSMENT AND MITIGATION

55 Risk and mitigation of such risk is achieved through:

a) The Local Government Act 1993 (as amended) requires the Financial Statements to be externally audited. This audit has been completed by the NSW Audit Office, who has issued an Unqualified Audit opinion for the 2016/17 financial year.

b) Director, Financial Audit, the Audit Office of New South Wales has provided a Client Service report to members of Council’s Audit Committee held on 12 October 2017. A presentation on the financial statements was held during a workshop to Council on 17 October 2017.

RELATED PREVIOUS DECISIONS

56 The actual revenue and expenditure classifications and movements in assets and liabilities detailed in the Financial Statements are the outcomes of the strategic actions, activities and projects contained in the 2016/17 Operational Plan. These actions, activities and projects contributed to the delivery of Council’s social, environmental and economic objectives.

57 Councillors resolved the following at the Council Meeting held on 22 August 2017:

1 That Council notes the preparation of its Financial Statements for the year ended 30 June 2017 are underway and upon completion they will be referred for audit in accordance with the requirements of s. 413 (1) of the Act.

2 Council authorises the Lord Mayor, a Councillor, the Interim Chief Executive Officer and the Responsible Accounting Officer to sign the relevant statements in accordance with s. 413 (2) of the Act at the conclusion of the external audit (Attachments A and B). In the event that the Lord Mayor and a Councillor are no longer in Office post the appointment of an Administrator, Council authorises the Administrator in their stead to sign the relevant statements.
CONSULTATION

58 Director, Financial Audit, the Audit Office of New South Wales has provided a Client Service report to members of Council’s Audit Committee held on 12 October 2017. A presentation on the financial statements was held during a workshop to Council on 17 October 2017 presented by Council Management with Director, Financial Audit, and the Audit Office of New South Wales in attendance. In accordance with the provisions of s. 418, of the Local Government Act 1993 (as amended), public notice of the meeting date at which the Council's Financial Statements will be presented was advertised in The Newcastle Herald on 17 October 2017.

OPTIONS

Option 1

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

Option 2

60 Council resolves not to receive and adopt the presentation of Council’s Financial Statements and Accompanying Notes, in respect of the year ended 30 June 2017, together with the Auditor’s Report. This would result in Council not complying with the requirements of the Local Government Act 1993 (as amended). This is not the recommended option.

BACKGROUND

61 Council's Financial Statements in respect of the year ended 30 June 2017 have been prepared in accordance with:

- The Local Government Act 1993 (as amended) and the Local Government (General) Regulations 2005;
- Australian Accounting Standards and professional pronouncements;
- The Local Government Code of Accounting Practice and Financial Reporting (Guidelines); and

62 In accordance with the provisions of s. 418, 419 and 420 of the Local Government Act 1993 (as amended), public notice of the meeting date at which the Council's Financial Statements will be presented was advertised in The Newcastle Herald on 17 October 2017. Copies of Council's Financial Statements, together with the Auditor’s Report, were available for inspection by members of the public from 17 October to 5pm 24 October 2017 at the Customer Enquiry Centre of the City Administration Centre. Written submissions can be lodged by 5pm close of business on 24 October 2017.

63 Following presentation of the Financial Statements to Council, copies will be available from the City Administration Centre or Council’s website.
REFERENCES

ATTACHMENTS

Attachment A: 2016/17 Financial Statements
Distributed under separate cover
ITEM-108  CCL 24/10/17 - YOUNG STREET CARRINGTON PROPOSED UPGRADE TO ZEBRA CROSSING

REPORT BY:  INFRASTRUCTURE
CONTACT:  ACTING DIRECTOR INFRASTRUCTURE / ACTING MANAGER INFRASTRUCTURE PLANNING

PURPOSE

To approve the proposed upgrade to existing zebra crossing on Young Street, Carrington, outside Carrington Public School.

RECOMMENDATION

1 Approve the proposed upgrade to existing zebra crossing on Young Street, Carrington, as shown at Attachment A.

KEY ISSUES

2 Young Street is a two lane two-way road with parking permitted on both sides of the road. It functions as a collector road with a posted speed limit of 50km/h.

3 There is an existing zebra crossing on Young Street located approximately 40 metres south of Robertson Street outside Carrington Public School. The crossing has approximately 4 metres wide splinter islands on both sides and is supervised by a Roads and Maritime Services (RMS) school crossing supervisor during the school peak hours.

4 Council undertook a manual traffic and pedestrian survey at the crossing in March 2016. The survey result indicated two-way traffic volumes in the range of 300-360 vehicles and 60-90 pedestrians using the crossing during the school peak hours.

5 The existing crossing is non-compliant to the current RMS guidelines. It poses a safety risk for pedestrians and cyclists due to motorists frequently travelling at speeds greater than the school zone speed limit of 40km/h, non-standard No Stopping restrictions and due to the lack of appropriate street lighting.

6 The proposal includes the following key works:
   i) a 75mm high raised threshold zebra crossing,
   ii) kerb extensions on both sides of the road to narrow carriageway width,
   iii) street lighting and drainage improvements.

7 The work also involves minor alterations to existing No Stopping restrictions at the kerb extensions in accordance with RMS guidelines.
8 The signposting and linemarking plan for the proposed upgrade to the existing crossing was tabled at the Newcastle City Traffic Committee (NCTC) meeting on 21 August 2017 (Item 176). The Committee endorsed the proposal for referral to Council for final determination.

FINANCIAL IMPACT

9 The project design has been part-funded with a grant of $50,000 from the NSW Government's Pedestrian Infrastructure Around Schools program. The estimated construction cost of the project is $259,530.

COMMUNITY STRATEGIC PLAN ALIGNMENT

10 The project is aligned with the strategic direction of 'Connected City' whereby "transport networks and services will be well connected and convenient. Walking, cycling and public transport will be viable options for the majority of our trips." The project delivers the objective of "linked networks of cycle and pedestrian paths".

IMPLEMENTATION PLAN/IMPLICATIONS

11 The project is anticipated to be delivered with the grant funding and Council's operational budget in financial year 2017-18 along with the reconstruction works on Young Street.

RISK ASSESSMENT AND MITIGATION

12 The project will provide improved pedestrian and cyclist accessibility, amenity and safety. The work will be undertaken in accordance with the relevant Austroads and RMS guidelines.

RELATED PREVIOUS DECISIONS

13 Council endorsed the reconstruction works for the Young Street Carrington local centre at the ordinary council meeting on 25 October 2016 (Item 89). It also endorsed the provision of angle parking on the eastern side of Young Street between Victoria Street and the threshold north of Hargrave Street, in conjunction with on-road cycle lanes.

CONSULTATION

14 A public exhibition was conducted from 25 July 2016 to 22 August 2016. All residents and businesses in Carrington were letterbox dropped to inform them of the exhibition. The proposal was exhibited at Council, Newcastle Library, Carrington Post Office and on Council's website. Corflute posters were also placed in the street.
OPTIONS

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

Option 2
16 The recommendation for the proposed upgrade to the crossing is not adopted by Council. No action to be taken. This is not the recommended option.

BACKGROUND
17 Background information is presented in the Key Issues sections 2 to 8 of this report.

REFERENCES

ATTACHMENTS
Attachment A: Signposting and linemarking plan
Attachment B: Location - Young St, Carrington
ITEM-109 CCL 24/10/17 - LAMBTON PARK FENCED OFF LEASH DOG AREA

REPORT BY: INFRASTRUCTURE
CONTACT: DIRECTOR INFRASTRUCTURE / MANAGER FACILITIES AND RECREATION

PURPOSE

Report on the outcome of investigations into establishment of a fenced dog off leash area at Lambton Park and other locations including the development of a Dog Off-Leash Strategy.

RECOMMENDATION

1 Council endorse the processes being undertaken in reviewing dog off leash provision.

2 Council endorse the establishment of four fenced dog parks within the Newcastle Local Government Area (LGA).

KEY ISSUES

City Wide Review

3 Council has engaged a consultant to undertake a city wide review of dog off leash opportunities within the LGA. The existing 17 areas, detailed at Attachment A, were established in 2001. The review will assess current supply and demand for Dog Park areas given the need to balance competing interests such as sports fields.

4 Community and stakeholder engagement is scheduled for November 2017. The review is expected to be finalised by April 2018.

Fenced Dog Parks

5 Council is seeking to develop a number of fenced, purpose built dog parks strategically located throughout the city.

6 To meet the current expectations of dog owners, there is a need to upgrade and provide new facilities for dog owners within the community. Purpose built dog parks provide the opportunity for spaces to be formalised for this activity. Given the high level of community interest in open space, and the potential for localised impacts, community engagement is a critical part of the process. It is proposed to consult with the community on the potential fenced sites to gauge community and stakeholder support.
7 A comprehensive evaluation of a number of sites, detailed at Attachment B, has been undertaken. Sites assessed include:

- the existing 17 off leash areas,
- three potential locations within Lambton Park in response to high levels of community interest demonstrated, and
- Rowland Reserve which was included following the existing off leash opportunities in Ward 2 being assessed as unsuitable for fencing.

8 Sites were assessed against three criteria:

The site Location:
- The profile of the site including the hierarchy of connected roads and visual exposure,
- The position of the site in relation to population and the potential size of catchments, and
- The accessibility of the site for vehicle access and walkability.

Potential impacts on people:
- The potential impact on surrounding residents (traffic, noise, quality of life), and
- The potential impact on existing and future users of the site (sports, recreation users).

Site impacts and site suitability:
- Potential impacts on the natural environment,
- Potential impacts on the site character or function,
- The suitability of the site for a fenced dog off leash area,
- The appropriateness of excluding all or part of the site for people with dogs, and
- The zoning and Plan of Management.

Each site assessment criteria was considered to be equally important

9 Preliminary assessment has shortlisted 8 sites for further consideration. The sites are:

<table>
<thead>
<tr>
<th>Site</th>
<th>Area</th>
<th>Council Ward</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acacia Avenue Reserve</td>
<td>Waratah, North Lambton</td>
<td>3</td>
<td>A facility could be in the upper or lower part of the park. Ideally would retain some open space for broader community use</td>
</tr>
<tr>
<td>Ballast Ground</td>
<td>Stockton, Fullerton</td>
<td>1</td>
<td>Could consider the northern end of the reserve if a site is required in Stockton due to the area's relative isolation</td>
</tr>
<tr>
<td>Islington Park</td>
<td>Wickham, Tighes Hill, Carrington</td>
<td>1</td>
<td>Whilst ideally the open space would remain unfenced due to the site character, the site is well positioned and has good space and access, and would support people living in the area</td>
</tr>
</tbody>
</table>
10 Once the sites are selected it is proposed to develop the fenced dog parks in two stages:

Stage 1:
- Fencing
- Bubblers
- Seating
- Bins
- Signage
- Accessible pathways to the site

Stage 2:
- Landscaping
- Accessible internal pathways
- Accessible furniture
- Dog exercise equipment
- Internal fencing to establish large and small dog zones
- Formalise car parking

11 Stage 1 work is likely to commence late in 2017/18 pending the outcome of community consultation. Stage 2 works will be fully developed as part of the 2018/19 operational plan. To facilitate discussion with the community, Council will prepare preliminary concept plans for the shortlisted locations in conjunction with the planned community engagement.
Under Part 5 of the Environment Planning and Assessment Act, 1979 an environmental assessment is required for any change of use relating to council activities. Development of a fenced dog park would constitute a change of use therefore a Review of Environmental Factors (REF) will be required prior to works commencing.

Lambton Park

Three locations were identified for investigation at Lambton Park, Lambton Park East, Lambton Park North, and Lambton Park West (details at Attachment C).

Lambton Park is not currently an approved off leash area and any change of use is subject to consultation with the land owner, NSW Department of Industry- Crown Lands, engagement with the community, park users and stakeholders, and completion of a REF.

Assessment of the Lambton Park East site has identified a number of matters that would preclude its development as a fenced dog park including:

- Lambton Pool is Newcastle's Regional aquatic venue. Council has recently undertaken an aquatic centres condition and planning assessment. This body of work references redevelopment of the Lambton Pool complex, beyond its current footprint, constraining the majority of the proposed off leash area. Redevelopment of the Lambton Pool complex will be the subject of further investigations.
- The suggested off leash site is currently used by the pool service delivery trucks. Dog off leash fencing would inhibit this access.
- Poor compatibility of use with adjoining activities/users - sporting, bowling club and pool complex.
- The carpark adjacent to the bowling club is leased to the bowling club and is not a public carpark. This raises concerns regarding "wear and tear" from non-club related use and the financial cost to the club.
- The swimming pool carpark is primarily for use by pool patrons and during the pool season reaches capacity. There is risk of parking conflicts/congestion on local streets.
- Capacity of the proposed site to cater for the projected usage given its likely popularity and limited opportunity for expansion.
- The site comprises a remnant Coastal Foothills Spotted Gum Ironbark Forest and contains mapped habitat trees. Concentration of dog and foot traffic may impact on the viability of this vegetation community. This will also need to be considered in relation to any redevelopment of the Pool complex.
16 As a result of the above constraints Council identified and assessed two alternate sites at Lambton Park for consideration as a fenced dog park. Lambton Park west has been shortlisted for further consideration.

Community Land Plans of Management

17 The draft Plan of Management Community Land (PoM) has been exhibited for the statutory period and submissions have now closed. The draft PoM references the consideration of the use of sportsgrounds for off leash activity, subject to a separate approval process. Submissions were received both supporting and opposing the proposal. The outcome of the public exhibition will be reported to Council at the 28 November 2017 ordinary meeting.

18 Subject to Council adoption of the draft PoM and completion of an REF, a 12 month trial of timed off leash provision may be considered for areas such as Novocastrian Park, Waratah Park and Alder Park. Note that Council has previously tried to manage the Tighes Hill sportsground as both a sportsground and off leash area, however due to large amounts of dog faeces being left on the sportsground, the sporting club licenced to use the ground refused to play any further games. As a result Tighes Hill is no longer used as a sportsground and is now primarily used as an off leash area. This proposal will require further community and stakeholder engagement as well as consideration of future sporting needs, particularly for higher level grounds. This will be undertaken in conjunction with the city wide strategic review of off leash provision.

FINANCIAL IMPACT

19 The Strategic review of dog off leash areas is being undertaken within current budgets.

20 Stage 1 of up to four fenced dog park works are estimated to cost $440,000. The majority of these funds will be required and allocated in the 2018/19 budgets. It is anticipated that stage two works will require funding in the 2019/20 budgets. There is sufficient funding available within 2017/18 budgets to initiate development of the four dog parks following the expected completion of community consultation in April 2018.

COMMUNITY STRATEGIC PLAN ALIGNMENT

21 The review of off leash opportunities achieves the Vibrant and Activated Public Spaces, and Open and Collaborative Leadership strategic directions of the Newcastle 2030 Community Strategic Plan. Specifically, objectives:

3.1 Public places that provide for diverse activity and strengthen social connection

3.3 Safe and activated spaces that are used by people day and night

7.2 Considered decision making based on collaborative, transparent and accountable leadership
7.3 Active citizen engagement in local planning and decision making processes and a shared responsibility for achieving our goals.

IMPLEMENTATION PLAN/IMPLICATIONS

22 Completion of the city wide review, and development of the purpose built dog parks, will occur in the 2017/18 financial year.

RISK ASSESSMENT AND MITIGATION

23 Undertaking a strategic city wide review of off leash opportunities is not considered to present a risk to Council as the process will involve extensive community and stakeholder engagement and has no major financial implications.

24 Conversely, whilst petitions have been received in support of fencing an area of Lambton Park, and dedicating an area of Waratah Park, proceeding in the absence of broader consultation and demonstrated community support is considered to carry risk of being received negatively. This risk will be managed through community engagement as part of the strategic city wide review of off leash opportunities.

RELATED PREVIOUS DECISIONS

25 ITEM-6 NOM 24/05/16 - TIME RESTRICTED OFF LEASH AREA FOR NOVOCASTRIAN PARK, NEW LAMBTON

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.

26 ITEM-22 NOM 13/12/16 - INCREASING DOG LEASH FREE AREAS INCLUDING ENCLOSED AREAS

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

27 ITEM-45 CCL 26/04/17 - DRAFT COMMUNITY LAND PLAN OF MANAGEMENT PUBLIC EXHIBITION

At the Ordinary Council Meeting of April 26 2017 Council resolved:

That Council:

Change the first paragraph under section 3.10 page 17 to read:

Dogs are not permitted to be walked off leash unless they are within Council’s designated off leash areas. Locations of Council’s off leash areas can be found on the Newcastle City Council website, and within Council’s Off Leash Area Brochure. This plan of management allows off leash areas to be permitted on park and general community use categories of community land, subject to the appropriate separate approval process. This plan of management allows off leash areas to be permitted on sportsgrounds category of community land, as time-restricted Dog Leash Free Areas, subject to the appropriate separate approval process.

28 NOM 22/08/17 - LAMBTON PARK FENCED OFF LEASH DOG AREA

At the Ordinary Council Meeting of 22 August 2017 Council resolved:

Council:

1 Notes its previous resolution of 26 April 2017 requiring Council to investigate the development of a fenced dog park in Lambton Park. At the 26 April meeting, Council accepted a petition with more than 107 signatories calling for a fully fenced dog off leash area for play, exercise, socialisation and training in Lambton Park.

2 Notes that Council has made available funding in the current financial year (2017/18) to deliver new fenced dog off-leash facilities across the City.

3 Receives an update on the status of investigations at Lambton Park, and expected timeframes for the delivery of new fenced off-leash area.

4 Receives an additional petition with a further 124 signatories.

CONSULTATION

29 The Draft Community Lands Plan of Management was exhibited for 60 days with submissions closing August 30 2017. In relation to the proposed off leash use of sportsgrounds, submissions were received both supporting and opposing the proposal.
To date no site specific community consultation has occurred in relation to the proposal to fence dog parks. Extensive community and stakeholder engagement is planned as part of the strategic city wide review of off leash areas. Council's Communications and Engagement Unit will provide advice and assistance to this process as required.

OPTIONS

Option 1

The recommendation as at Paragraphs 1 and 2. This is the recommended option.

Option 2

Continue the strategic review of off leash areas scaling back the delivery of each dog park to fencing only, and/or reduce the number of dog parks delivered. This is not the preferred option as fencing would only provide a basic level of facility and not meet community expectations. This is not the recommended option.

BACKGROUND

Council manages 17 off leash dog areas throughout the city. A number of these locations are timed including:

- Braye Park, Waratah: Sunrise to 9am, 5pm to sunset;
- West End Park, Adamstown: Sunrise to 9am, 5pm to sunset;
- Elermore Vale Park, Elermore Vale: Sunrise to 9am, 5pm to sunset; and
- Dixon Park Reserve, Merewether: Sunrise to 9am, 5pm to sunset.

The areas were established in 2001. There has been no comprehensive review of provision since that time, however Council's adopted Parkland and Recreation Strategy notes that community surveys undertaken in 2011 identified high frequency of use and value of dog exercise areas, demand for additional leash free opportunities, strong demand for improvement to current facilities and demand for education campaigns to raise awareness of responsible pet ownership.

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.

In April 2017 Council received a petition from residents seeking establishment of a fenced dog park at Lambton Park on land between the bowling club and the pool.

At the Ordinary Meeting of 26 April 2017 Council resolved to amend Council's draft Community Lands Plan of Management as follows:
This plan of management allows off leash areas to be permitted on sportsgrounds category of community land, as time-restricted Dog Leash Free Areas, subject to the appropriate separate approval process.

38 The draft Plan was publically exhibited for 60 days and has been listed on the forward agenda for the 28 November 2017 meeting.

REFERENCES

ATTACHMENTS

Attachment A: Existing Off Leash Areas in Newcastle LGA
Attachment B: Dog Park Preliminary Assessment
Attachment C: Lambton Park Off Leash Options
### Table 1  List of Existing Off Leash Sites

<table>
<thead>
<tr>
<th>Reserve Name</th>
<th>Address</th>
<th>Map Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Islington Park</td>
<td>151A Maitland Road, Islington</td>
<td>10</td>
</tr>
<tr>
<td>Purdue Park</td>
<td>50 Scholey Street, Mayfield</td>
<td>9</td>
</tr>
<tr>
<td>Carrington Foreshore</td>
<td>6 Elizabeth Street, Carrington</td>
<td>11</td>
</tr>
<tr>
<td>Ballast Ground</td>
<td>72 Clyde St Stockton</td>
<td>12</td>
</tr>
<tr>
<td>Rawson Park</td>
<td>124 Mitchell St Stockton</td>
<td>13</td>
</tr>
<tr>
<td>Nesca Park</td>
<td>2 Nesca Pde, The Hill</td>
<td>16</td>
</tr>
<tr>
<td>King Edward Park</td>
<td>3 Ordnance Street The Hill</td>
<td>15</td>
</tr>
<tr>
<td>Horseshoe Beach</td>
<td>Horseshoe Beach Road</td>
<td>14</td>
</tr>
<tr>
<td>West End Park</td>
<td>1 Dora Rd Adamstown</td>
<td>8</td>
</tr>
<tr>
<td>Dixon Park Reserve</td>
<td>15 Ocean St Merewether</td>
<td>17</td>
</tr>
<tr>
<td>Michael Street Reserve</td>
<td>61 Fifth St North Lambton</td>
<td>5</td>
</tr>
<tr>
<td>Acacia Avenue Reserve</td>
<td>68 Acacia Av North Lambton</td>
<td>6</td>
</tr>
<tr>
<td>Braye Park (east and west</td>
<td>68 Clarence Rd Waratah</td>
<td>7</td>
</tr>
<tr>
<td>Elemore Vale Park</td>
<td>129 Croudace Rd Elermore Vale</td>
<td>4</td>
</tr>
<tr>
<td>Upper Reserve</td>
<td>47 Lake Rd Wallsend</td>
<td>3</td>
</tr>
<tr>
<td>Maryland Dr Reserve</td>
<td>58 Minmi Rd Maryland</td>
<td>2</td>
</tr>
<tr>
<td>Tarro Recreation Area</td>
<td>81 Anderson Drive Tarro</td>
<td>1</td>
</tr>
</tbody>
</table>
Map 1 Existing Off leash Areas
Attachment B

City of Newcastle
Analysis of Fenced Dog Park Options
Suter Planners, 19 September 2017

Background

An analysis of existing off leash dog areas and three other sites has been undertaken by Suzanne Suter of Suter Planners to assist Council in its assessment of options for some fenced dog parks. The analysis is based on three key criteria as follows:

Assessment Criteria

1. The Site Location:
   - The profile of the site including the hierarchy of connected roads and visual exposure
   - The position of the site in relation to population and the potential size of catchments
   - The accessibility of the site for vehicle access and walkability

2. Potential Impacts on People:
   - The potential impact on surrounding residents (traffic, noise, quality of life)
   - The potential impact on existing and future users of the site (sports, recreation users)

3. Site Impacts and Site Suitability:
   - Potential impacts on the natural environment
   - Potential impacts on the site character or function
   - The suitability of the site for a fenced dog off leash area
   - The appropriateness of excluding all or part of the site for people with dogs
   - Zoning and Plan of Management

Each site assessment criteria is considered to be equally important.

Report Focus

This report includes a detailed outline of the analysis findings and recommendations (Detailed Site Analysis).

The analysis is at a ‘desk top’ level and site visits and consultations will be required through Council to confirm the recommendations and further assist Council with its decision making.
## Detailed Site Analysis

<table>
<thead>
<tr>
<th>Site Information</th>
<th>Site Location (profile, connection to the population, accessibility)</th>
<th>Potential Impact on People (residents, existing or future users, noise, traffic)</th>
<th>Site Impacts and Suitability (site character, function, environment)</th>
<th>Recommendation</th>
</tr>
</thead>
</table>
| **Islington Park North East section (east of Throsby Creek)** | Wickham, Tighes Hill, Carrington | - Good profile site off Pacific Highway  
- Off street car park  
- Relatively good position in the City with surrounding population but also industrial and commercial  
- Link to TAFE NSW  
- Appealing site on Throsby Creek | - Park has potential recreation value beyond dogs off leash due to river setting although other recreation and sport areas are nearby  
- Site provides potential junior sports and sports training area and a defined dog area would impact on this  
- Potential impact on cricket pitch use if area is fenced (although cricket has shifted from the site) | - Fencing the reserve would impact on the recreation character and usability of the park  
- The site appears to be well contained for dogs off leash without fencing  
- The site is a good size and is likely to function well as a dog park | - Ideally would not fence the dog park due to the potential sport and recreation use of the site and the appealing setting. However, as other site options in the area are limited, the site should be considered |
| **Purdue Park** | Mayfield, Warabrook | 0.6 | - Local park behind housing  
- Poor access into the reserve (only from Scholey Street)  
- Lack of car parking  
- Good population catchment but railway line is a barrier | - Potential local use and off leash dogs could be the main activity due to relatively hidden site  
- However, the immediate area does not have much open space and dedicating for dogs only would result in a lack of provision in the area | - Could easily fence the entrance without impacting on the site character (most of the reserve is already fenced with backyard and drainage fences)  
- Cricket pitch use would be affected | - Dedicating to dogs off leash is not recommended due to the local setting and limited open space in the area for the local community |
| **Carrington Foreshore (Honey Suckle Reserve)** | Wickham, Tighes Hill, Carrington | 1.1 | - Relatively low profile behind industrial site  
- Relatively good access from Hannell Street through to Elizabeth Street  
- On eastern side of Newcastle and smaller population catchment | - Whilst the site is along Throsby Creek, the position is less valuable for recreation due to the industry around the site (the area to the south would have greater appeal)  
- The reserve would be used for walking along the creek and is an important connection to the recreation open space along the creek to the south. As such fencing the reserve is not recommended | - Waterfront open space should not be fenced  
- Fencing would be inconsistent with the natural character of the setting (creek, mangroves)  
- A small parcel along Young Street could be considered for fencing but it would only be around 0.2ha (which is too small for a dog park) | - Not recommended for fencing due to the waterfront location, natural character of the surrounds and the linear connection value of the reserve |
### Site Information

<table>
<thead>
<tr>
<th>Site</th>
<th>Precinct</th>
<th>Ha</th>
<th>Site Location (profile, connection to the population, accessibility)</th>
<th>Potential Impact on People (residents, existing or future users, noise, traffic)</th>
<th>Site Impacts and Suitability (site character, function, environment)</th>
<th>Recommendation</th>
</tr>
</thead>
</table>
| Ballast Ground       | Stockton, Fullerton | 10.3| - Difficult access with Hunter River crossings required                                                                               - Small immediate population catchment                                                                                                      - Behind housing but good profile due to river setting                                                                                   - On eastern edge of Newcastle which means most people would need to drive to the site | - The reserve is a sportsground and most of the reserve cannot be fenced for dogs. However, fencing a section could reduce the potential impact of dogs on sports. The reserve would be used for walking along the river edge and connects to boating activities to the north | - Waterfront open space should not be fenced                                                                                           - There is a section at the northern end east of the pathway that could be considered for a dedicated dogs area (around 0.48ha). However, this area is treed, near a boating area and could be of recreation value | - Not recommended for fencing due to the waterfront and linear park character of the reserve.  
- Could consider the northern section but potential impact on existing users and community resistance |
| Rawson Reserve (Pitt Street Reserve) | Stockton, Fullerton | 5.0 | - Difficult access with Hunter River crossings required                                                                               - Small immediate population catchment                                                                                                      - Near caravan park                                                                                                                  - On eastern edge of Newcastle which means most people would need to drive to the site | - Key waterfront site with 50m swimming pool facility                                                                                       - The reserve would be used for walking along the river edge with good connections to other open space  
- Potential impact on recreation users  
- Question the suitability for off leash at all (potential to be a key recreation space) | - A fenced dog area would not complement the site character and existing users                                                                - Potential for this site to be key recreation and boating area (particularly given link to tourism and pool)  
- Waterfront open space should not be fenced | - Not recommended for fencing due to the waterfront and linear park character of the reserve as well as the existing and potential recreation focus and activities |
| Nesca Park           | Newcastle, Cooks Hill | 2.1 | - Lower profile site accessed through local streets                                                                                          - Steep topography at eastern end (existing off leash area)                                                                                      - On eastern edge of Newcastle which means most people would need to drive to the site | - Local area could be impacted on by attracting more dogs to the reserve (increased traffic and noise)  
- Would abut backyards and there could be local community resistance  
- Dogs would need to remain at the eastern end (the current off leash area) as the western end has a good recreation space | - Fencing would divide the reserve into two unless an access route at the southern end of the existing off leash area is created. This would reduce the size of the dogs off leash area to around 0.8ha which is still a good size  
- Dog users could be satisfied with the existing open nature of the off leash area | - Not recommended due to the local setting of the reserve and the eastern position in Newcastle  
- Fencing would reduce the dog off leash area to enable a wide walkway along the southern end of the existing dog area. The dog users could consider this to be an issue and could be satisfied with the existing informal space |
### Site Information

<table>
<thead>
<tr>
<th>Site</th>
<th>Precinct</th>
<th>Ha</th>
</tr>
</thead>
<tbody>
<tr>
<td>King Edward Park</td>
<td>Newcastle, Cooks Hill</td>
<td>2.2</td>
</tr>
<tr>
<td>Horseshoe Beach</td>
<td>Newcastle, Cooks Hill</td>
<td>0.7</td>
</tr>
<tr>
<td>West End Park</td>
<td>Adamstown, Kotara</td>
<td>0.7</td>
</tr>
<tr>
<td>Claremont Park</td>
<td>Adamstown, Kotara</td>
<td>5.6</td>
</tr>
</tbody>
</table>

### Site Location (profile, connection to the population, accessibility)

- Key large site on ocean that would be high profile
- Steep topography
- Relatively good roadside parking but in busy times it could be difficult to park near the dog park
- On eastern edge of Newcastle which means most people would need to drive to the site
- Beach site on ocean that is high profile
- Good off road parking but likely to be well used
- On eastern edge of Newcastle which means most people would need to drive to the site
- Access by local roads
- Next to railway line and less appealing site
- Railway line is a key barrier to catchment
- The reserve is surrounded by local residential streets
- Car parking would need to be in the local street
- Suburban catchment

### Potential Impact on People (residents, existing or future users, noise, traffic)

- Already dog off leash and other recreation areas (not off leash) are provided in the park (question the need for such a large area to be allocated for dogs)
- Due to high profile location and connection to other open spaces, other people are likely to use the site for walking and viewing the ocean
- A fenced area would impact on broader community use
- The site will have high recreation value beyond people with dogs
- The recreation parks behind the beach will also have high recreation use and should not be allocated for dogs off leash
- Local resident area could be affected by additional traffic and noise
- Housing backs onto the reserve and immediate residents could resist a formalised dogs area
- The site lacks appeal and usage besides for dogs off leash could be limited. As such impacts on existing use could be limited
- Likely to be local community use as limited recreation parks in the area. Exclusivity of use to people with dogs would be an issue
- Potential impact on local residents (traffic, noise)
- Not an existing dog park and used for recreation
- Most of the reserve is treed (natural) and could not be fenced
- Potential impact on recreation use

### Site Impacts and Suitability (site character, function, environment)

- Fencing would be inconsistent with the site character and surrounds including the ocean setting and the natural area
- Fencing for exclusive dog use is not appropriate for a prime site along the ocean
- It is not appropriate to fence a beach
- The recreation character of the surrounding open space would not be suitable for fencing
- Due to the poor quality of the site, potential impacts on the site character and the environment are limited
- Trains passing the site would not be ideal for dogs
- Not an existing dog park and used for recreation
- Most of the reserve is treed (natural) and could not be fenced
- Potential impact on recreation use

### Recommendation

- Not recommended for fencing due to the ocean frontage and natural character of the site
- Not recommended for fencing due to the beach character
- The site is not ideal for dogs due to the local residential setting and the railway line. As such, investment in a dog park at the site is not recommended
- Could be defined as an off leash dog area but not suitable for fencing as this would take away a potentially valuable recreation resource from the community

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### Notes

- Horseshoe Beach is a beach site on ocean that is high profile. Good off road parking but likely to be well used. On eastern edge of Newcastle which means most people would need to drive to the site. The site will have high recreation value beyond people with dogs. The recreation parks behind the beach will also have high recreation use and should not be allocated for dogs off leash. It is not appropriate to fence a beach. The recreation character of the surrounding open space would not be suitable for fencing.

- West End Park is a site on ocean that is high profile. Good off road parking but likely to be well used. On eastern edge of Newcastle which means most people would need to drive to the site. The site lacks appeal and usage besides for dogs off leash could be limited. As such impacts on existing use could be limited.

- Claremont Park is a site on ocean that is high profile. Good off road parking but likely to be well used. On eastern edge of Newcastle which means most people would need to drive to the site. The site lacks appeal and usage besides for dogs off leash could be limited. As such impacts on existing use could be limited.
<table>
<thead>
<tr>
<th>Site Information</th>
<th>Site Location (profile, connection to the population, accessibility)</th>
<th>Potential Impact on People (residents, existing or future users, noise, traffic)</th>
<th>Site Impacts and Suitability (site character, function, environment)</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dixon Park Reserve</td>
<td>Merewether, The Junction</td>
<td>Beach site on ocean that would be high profile - Good off road parking but likely to be well used - On eastern edge of Newcastle which means most people would need to drive to the site</td>
<td>A defined dog area would impact on the recreation use of the park - Question the suitability for off leash at all (potential to be a key recreation space)</td>
<td>The park has a playground in the centre and is not overly large and excluding an area for dogs would not be appropriate - The site has the potential to be further enhanced for recreation - Fencing for exclusive dog use is not appropriate for a prime site along the ocean</td>
</tr>
<tr>
<td>Rowland Reserve</td>
<td>Merewether, The Junction</td>
<td>Connection to main roads (Glebe and Union) and good profile - Potential good catchment being surrounded by housing - Could consider angle parking along Railway Street - Linear path connection - Towards eastern edge of Newcastle in from the coast</td>
<td>Recreation value appears to be limited although toilet is located on the site (which could be good for a dog park) Could only require half of the park for a dog park</td>
<td>Open grassed area should be suitable for fenced off leash - No impacts on the natural character - Could exclude path and toilet from dog area</td>
</tr>
<tr>
<td>Pilkington Street Reserve</td>
<td>Waratah, North Lambton</td>
<td>Surrounded by residential streets but good access from main roads - Relatively central to suburban areas and potential wide residential catchment - On street car parking but wide streets</td>
<td>The reserve is a sportsground but it is not a good sportsground and there is no amenity. As such the reserve could be reallocated for recreation including dogs off leash (instead of sport) - The reserve is large enough for only part of the reserve to be dedicated to a fenced dog off leash area and it could still have a recreation focus - Due to the residential surrounds there could be community resistance with potential increased traffic, noise and dog incidents</td>
<td>There should be limited impact on the site character if the use can be changed from sport to recreation - Dogs off lease could be in the ‘pit area’ and recreation could still be catered for on the southern end and reserve edges - Council has advised there could be flooding issues with the site</td>
</tr>
</tbody>
</table>
### Site Information

<table>
<thead>
<tr>
<th>Site</th>
<th>Precinct</th>
<th>Ha</th>
<th>Site Location (profile, connection to the population, accessibility)</th>
<th>Potential Impact on People (residents, existing or future users, noise, traffic)</th>
<th>Site Impacts and Suitability (site character, function, environment)</th>
<th>Recommendation</th>
</tr>
</thead>
</table>
| Acacia Avenue Reserve       | Waratah, North Lambton       | 3.9| - Local residential streets but Acacia Road is a distributor road  
- Good location central to the population  
- Local street parking would be required  
- Close to Waratah (Braye Reserve) and Lambton (Michael Street Reserve) dog off leash areas | - Grassed area is used for sport although there is no amenity and this could be used for a defined dog off leash location  
- Due to the large size of the park a considerable amount could still be used for recreation (only around 0.5ha would be required for dogs)  
- Defining a dog area could reduce potential conflicts between dogs and other park users | - The site includes a grassed area that could be suitable for a defined dog area and most of the fencing could be along a bush edge and therefore have minimal visual impact  
- The dog area could be designed to protect the treed sections of the reserve  
- Existing trees would provide shade | - A good option for consideration due to the potential to support other activities as well as dogs and the potential low impact on the site |
| Braye Park                  | Waratah, North Lambton       | 11.8| - High profile site with connection to main roads and Edith Street along the reserve edge  
- Central to population catchment  
- Parking within the site is limited and local streets may need to be used | - The reserve is likely to be used for walking and recreation and a fenced dog area would impact on these activities and the general value of the site for recreation  
- A large part of the reserve is dedicated for dogs off leash and this could impact on other users. The dog off leash study could consider reducing the area for dogs off leash | - The reserve is predominantly a bushland setting and fencing an area for dogs off leash would not be appropriate  
- Question the suitability for off leash due to the treed setting | - Not recommended for a fenced dog park due to the natural character of the reserve |
| Elermore Vale Park          | Wallsend, Elermore Vale      | 0.8| - Would support people in the south west area  
- Link to main roads and good access but very suburban around the park  
- Car parking would need to be in local street (cul de sac) | - People with dogs could be a main existing user of the site and the impact could be limited  
- There is a good provision of other open space in the area that people could use | - The site is mainly a grassed area with trees around the edge which is ideal for dogs off leash. However, fencing the reserve could impact on the appeal and usability of the site and dog owners could prefer the existing openness of the site | - The site for a fenced dog park is not ideal due to a lack of parking and the local character of the surrounding area |
<table>
<thead>
<tr>
<th>Site Information</th>
<th>Site Location (profile, connection to the population, accessibility)</th>
<th>Potential Impact on People (residents, existing or future users, noise, traffic)</th>
<th>Site Impacts and Suitability (site character, function, environment)</th>
<th>Recommendation</th>
</tr>
</thead>
</table>
| Upper Reserve             | Wallsend, Elermore Vale                                               | - Would support people in the south west area  
- Link to main roads and good access  
- Good size site  
- Access is through a local road (which is not ideal)  
- Car parking could be provided within the site | - The site is relatively undeveloped and would have limited other recreation value  
- The site is next to a sportsground but divided by a creek  
- The site is away from housing  
- The site is large enough to have two fenced off leash areas (one for small dogs and puppies and one for larger dogs) | - The site includes trees that would provide shade for dogs but would not be impacted on by dogs off leash  
- The site character would not be affected | - Recommended as a potential site for consideration for dedicated (fenced) dog off leash due to the limited impacts on other users, residents and the site character |
| Maryland Drive Reserve    | Maryland, Fletcher, Minni                                             | - Would support people in the south west area  
- Link to main roads and good access  
- Access off a distributor road  
- Car parking provided in the central area | - Existing dog area is against backyards and potential perceived impact on local residents  
- The site is likely to have limited recreation appeal but could be upgraded in time | - Very baron site that would need additional trees (which are required for the open off leash area anyway)  
- The potential to impact on the site is limited due to its poor quality | - A fenced dog area could be considered (this would require tree planting)  
- A site immediately north of the car park away from housing could be best |
| Tarro Recreation Area     | Beresfield Hexham                                                     | - Main roads are nearby but local road access  
- Small population catchment out of the main part of Newcastle  
- Car park within the reserve but a little far from the off leash area | - Fencing part of the reserve for dogs could impact on the recreation use and value of the reserve | - The existing off leash area is newly treed and swampy and has a nature characteristic. It would not be appropriate to fence part of this | - A fenced dog park is not recommended as the population catchment does not justify this and the site character is not suitable |
| Lambton Park West         | Lambton, New Lambton                                                 | - Good distributor road connections  
- Good location central to the population  
- Car parking could be established along the southern edge of the reserve (to also cater for the aquatic centre) | - The space could be used by sports for training and its loss could impact on these groups  
If this land is taken for a dog park there will be limited open spaces for informal recreation | - The site is not an existing off leash dog park  
- The space could be required to expand the aquatic centre in the future  
- There is a risk that the reserve will become over developed | - The site is not ideal but could be considered for consultation with other users of the reserve and the community |
### Site Information

<table>
<thead>
<tr>
<th>Site</th>
<th>Precinct</th>
<th>Ha</th>
<th>Site Location (profile, connection to the population, accessibility)</th>
<th>Potential Impact on People (residents, existing or future users, noise, traffic)</th>
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<th>Recommendation</th>
</tr>
</thead>
</table>
| Lambton Park East  | Lambton, New Lambton      | 0.35 | - Good distributor road connections  
- Good location central to the population  
- The site is very small and would be hard up against the bowls car park  
- On site car parking is limited for the existing activities and size of the reserve                                                                                                                                                                                                 | - Use of the car park and dogs around the space could impact on the bowls club and other sports activities (potential for conflicts)  
- A walking ‘desire line’ goes through this site which suggests the community use it as a walk through area                                                                                                                                                                                                 | - The site is not an existing off leash dog area  
- The reserve already has high development with a range of activities. Adding a dog park will very likely create management issues  
- The site area could be required for other needs in the future (pool expansion, car parking, play)  
- There is a risk that the reserve will become over developed                                                                                                                                                                                                                      | - Not recommended for a fenced dog park due to the small size of the site and potential impacts on future needs for the site                                                                                                                                                                                                 |
| Lambton Park North | Lambton, New Lambton      | 0.5  | - Good distributor road connections  
- Good location central to the population  
- On street car parking would be required                                                                                                                                                                                                                       | - The northern part of the reserve is already highly developed and a dog park could create conflicts  
- If this land is taken for a dog park there will be limited open spaces for informal recreation                                                                                                                                                                                    | - The site is not an existing off leash dog park  
- There is a risk that the reserve will become over developed                                                                                                                                                                                                                                                                       | - A fenced dog park is not recommended due to a lack of car parking and already high use of this part of the reserve                                                                                                                                                                                                 |

Note that the site size sometimes only relates to the dog off leash area and the reserve could be larger
Attachment C  Additional Off Leash Options Reviewed

Map 1  Lambton Park, Lambton
Map 2  Rowland Park, The Junction
ITEM-110 CCL 24/10/17 - GLEBE ROAD, ADAMSTOWN - PROPOSED UPGRADE TO EXISTING ZEBRA CROSSING

REPORT BY: INFRASTRUCTURE
CONTACT: ACTING DIRECTOR / ACTING MANAGER INFRASTRUCTURE PLANNING

PURPOSE

To approve the proposed upgrade to existing zebra / children's crossing on Glebe Road, Adamstown, west of Bryant Street.

RECOMMENDATION

1 Approve the proposed upgrade to existing zebra / children's crossing on Glebe Road, Adamstown, as shown at Attachment A.

KEY ISSUES

2 The concerned section of Glebe Road is a two lane two-way road with parking lanes on both sides of the road. It is classified as a sub-arterial regional road with a posted speed limit of 60km/h.

3 There is an existing combined zebra and children's crossing on Glebe Road which is supervised by Roads and Maritime Services (RMS) school crossing supervisors during the school peak hours. The crossing is heavily used by school children going to and from Adamstown Public School and also by the residents/visitors accessing shops and recreational facilities in the vicinity.

4 Council undertook a manual traffic and pedestrian survey at the crossing in March 2016. The survey result indicated two-way traffic volumes in the range of 1,100-1,300 vehicles and 55-75 pedestrians using the crossing during the school peak hours.

5 The existing crossing is non-compliant to the current RMS guidelines. It poses a safety risk for pedestrians and cyclists due to high traffic speed and the lack of appropriate street lighting.

6 Safety at the crossing is also compromised when westbound through traffic overtake vehicle/s waiting to turn right into Bryant Street or stopped at the children's crossing stop line. School crossing supervisors have reported occasions where vehicles fail to stop for them including several incidents where their stop bats have been hit. A supervisor was also injured by a vehicle in 2014.

7 RMS crash data for the last five year period (2011-2016) indicates that there have been five crashes on Glebe Road at Bryant Street. Four crashes involved rear end collision on Glebe Road whereas one crash was a pedestrian nearside involving a school crossing supervisor in 2014.
8 The proposal includes the following key works:

i) A 75mm high raised threshold with combined zebra and children's crossing;
ii) Kerb extensions on both sides of the road to narrow carriageway width;
iii) Kerb extension on the southern side of Glebe Road, east of Bryant Street to prevent overtaking; and
iv) Street lighting and drainage improvements.

9 The work also involves upgrading eastbound and westbound bus stops in accordance with Council standards and minor alterations to existing No Stopping restrictions at the kerb extensions in accordance with RMS guidelines.

10 Council has received nine responses out of which five are in favour and three against the proposal. One respondent did not clearly state support or objection to the proposal. No response was received from the school. The summary of consultation responses is shown at Attachment C.

11 The respondents who have objected are concerned that the proposal to raise the crossing and install kerb extension, east of Bryant Street, will create congestion and impede traffic flow. One of the above respondents is also concerned that the anticipated increase in westbound queue length will block the property driveway and affect accessibility.

**Council response:** The westbound right-turning traffic into Bryant Street represent 10% and 5% of the total westbound traffic on Glebe Road during AM and PM peak hours respectively. Considering the above right-turning traffic volume composition, the proposed kerb extension is anticipated to result in minor delay to westbound traffic. The kerb extension has been proposed in accordance with RMS guidelines. Council considers that safety improvements due to the raised threshold crossing and kerb extension outweighs the concerns of minor delay to traffic.

12 A respondent appears to be in favour of the proposal however has requested that the eastbound bus stop on Glebe Road outside the shops is relocated approximately 100 metres to the east outside Adamstown Park to further improve visibility at the crossing. The respondent suggests that this will also make additional parking available for customers of the shops west of Bryant Street.

**Council response:** The concerned eastbound bus stop is proposed to be upgraded in accordance with Council standards and will be located approximately 16 metres west of the crossing in accordance with RMS guidelines. This will ensure sufficient visibility for eastbound traffic and pedestrians/cyclists using the crossing. The concerned eastbound bus stop is at a distance of approximately 230 metres from the eastbound bus stop outside the bowling club. Relocating the concerned bus stop outside the park would reduce the distance between two bus stops to approximately 150 metres which is lower than the recommended bus stop interval of 200-400 metres as per the Transport for New South Wales (TfNSW) guidelines. Council therefore does not support relocation of the concerned eastbound bus stop.
13 The signposting and linemarking plan, following the community consultation, was tabled to the NCTC meeting on 18 September 2017 (Item 197). The Committee supported the proposal and recommended referring it to Council for final determination.

FINANCIAL IMPACT

14 The project design has been part-funded with a grant of $50,000 from the NSW Government's Pedestrian Infrastructure Around Schools program. The adopted budget for this project is $260,500.

COMMUNITY STRATEGIC PLAN ALIGNMENT

15 The project is aligned with the strategic direction of 'Connected City' whereby "transport networks and services will be well connected and convenient. Walking, cycling and public transport will be viable options for the majority of our trips." The project delivers the objective of "linked networks of cycle and pedestrian paths".

IMPLEMENTATION PLAN/IMPLICATIONS

16 The project is anticipated to be delivered in FY2017-18.

RISK ASSESSMENT AND MITIGATION

17 The project will provide improved pedestrian and cyclist accessibility, amenity and safety. The work will be undertaken in accordance with the relevant Austroads and RMS guidelines.

RELATED PREVIOUS DECISIONS

18 The Newcastle City Traffic Committee (NCTC) had provided in-principle support for the concept proposal on 15 May 2017 (Item 84).

CONSULTATION

19 Council conducted community consultation from 16 August 2017 to 15 September 2017. The consultation leaflets were distributed / posted to around 40 residents, non-resident owners, businesses as well as the school. The leaflets were also posted to various stakeholders such as bus operators, police, fire brigade, ambulance services and utility providers. The consultation leaflet is shown at Attachment B.

OPTIONS

Option 1

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

Option 2

21 The recommendation for the proposed upgrade to the crossing is not adopted by Council. No action to be taken. This is not the recommended option.
BACKGROUND

22 Background information is presented in the Key Issues sections 2 to 15 of this report.

REFERENCES

ATTACHMENTS

Attachment A: Signposting and line marking plan
Attachment B: Consultation leaflet
Attachment C: Summary of consultation responses
Attachment D: Location
To The Owner / Occupier

GLEBE ROAD, ADAMSTOWN
Proposed Upgrade to Existing Zebra / Children’s Crossing

16 August 2017

Council proposes to upgrade the existing zebra / children’s crossing on Glebe Road, west of Bryant Street, to a raised threshold crossing with kerb extensions to improve safety. The proposed upgrade will include the following key works:
- A 75mm high raised threshold zebra / children’s crossing
- Kerb extensions on both sides of the crossing to narrow carriageway width
- Kerb extension on the southern side of Glebe Road, east of Bryant Street
- Street lighting and drainage upgrades

The work also involves upgrading both bus stops in accordance with Council standards and minor alterations to existing No Stopping restrictions in accordance with Roads and Maritime Services (RMS) guidelines.

A concept plan of the proposal is shown overleaf. The proposed plan and consultation responses will be tabled to the next available Newcastle City Traffic Committee for consideration. Council welcomes your comments on this proposal. Council will assume that any resident / business choosing not to reply to this letter has no objection to the proposal.

Are you in favour of the proposal (please tick)?

YES ☐ NO ☐

Please forward written comments by 15 September 2017 to The Interim Chief Executive Officer, Newcastle City Council, Attention: Transport & Traffic, PO Box 489, NEWCASTLE NSW 2300 or email: mail@ncc.nsw.gov.au. Phone: 4974 2000, Fax: 4974 2222. For further information please contact Dipen Nathwani, Traffic Engineer, on 4974 2663.

Name: ___________________________ Address (Mandatory): ___________________________

Comments: ___________________________

______________________________

______________________________

______________________________

______________________________

______________________________

______________________________

Protecting your privacy: Newcastle City Council is committed to protecting your privacy. We take reasonable steps to comply with relevant legislation and Council policy. Purpose of collecting personal details: Council is collecting this information to determine the local community’s views and opinions on the proposal outlined. Intended recipients: Information provided as part of this consultation will be used as part of the investigation into the proposal, and may be included in future reports on this issue. Storage and security: Information provided will be stored on Council’s database and will be subject to Council’s information and privacy policies. Access: Individuals can access data to check accuracy for contacting Council.

PLEASE NOTE: When making written comments or submissions to Council, the following information should be considered – Should an objector consider that the disclosure of their name and address would result in detriment to them the words “OBJECTION IN CONFIDENCE” must be stated prominently at the top of the submission. Council may, however, be obliged to release full details of the submission including the name and address under the relevant access to information legislation, even if these words are in the submission.
## Summary of the Consultation

### Glebe Road, Adamstown - Proposed Upgrade to Existing Pedestrian Zebra Crossing

<table>
<thead>
<tr>
<th>Owner/Occupier Responses</th>
<th>Request No</th>
<th>Response</th>
<th>Summary of Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glebe Road, Adamstown</td>
<td>TR2017/01282</td>
<td>Yes</td>
<td>The respondent supports the proposed upgrade however has requested to upgrade the pavement on the southern side of Glebe Road and retain the pedestrian ramps across Bryant Street.</td>
</tr>
<tr>
<td>Queens Road, New Lambton</td>
<td>TR2017/01287</td>
<td>No</td>
<td>The respondent is strongly opposed to any raised thresholds on main arterial roads. This crossing is already managed with 2 adult supervisors during school times, which covers the safety of children. To destroy a main road with speed bumps is absurd given the use by children is only for 3 hours per day, or 15 of 196 hours per week equating 9% of the week. This policy will make traffic flow impossible through the city, if it is extended to the other major arterial roads around Newcastle. Chatham Road, Broadmeadow is a prime example of this situation. Glebe Road is a lifeline for the city and the raised threshold will inconvenience police and ambulance in emergency.</td>
</tr>
<tr>
<td>Glebe Road, Adamstown</td>
<td>TR2017/01315</td>
<td>Yes</td>
<td>No comments.</td>
</tr>
<tr>
<td>Glebe Road, Adamstown</td>
<td>TR2017/01343</td>
<td>Yes</td>
<td>The resident is glad that something is finally being done about this dangerous crossing. The resident has informed that there are near misses almost every day as drivers do not stop for pedestrians using the crossing. The resident feels that it is only a matter of time until someone is killed or seriously injured.</td>
</tr>
<tr>
<td>Glebe Road, Adamstown</td>
<td>TR2017/01354</td>
<td>Yes</td>
<td>The resident agrees with the upgrade however has requested that Council installs an extra west-facing No Right Turn sign on Glebe Road at Bryant Street. The resident has raised that many motorists turn right into Bryant Street without realising that it is a one-way street in opposite direction. It is an accident waiting to happen.</td>
</tr>
<tr>
<td>Glebe Road, Adamstown</td>
<td>TR2017/01383</td>
<td>Yes</td>
<td>The resident supports improvement to local road safety, given the large number of school students utilising the crossing.</td>
</tr>
<tr>
<td>Glebe Road, Adamstown</td>
<td>TR2017/01410</td>
<td>-</td>
<td>The respondent objects to the proposal as it will do little to improve safety of the crossing. It will only serve to worsen traffic flows around the area. The crossing is safe in the current form. The proposal will cause great disturbance to surrounding stakeholders. The respondent thinks that a stop sign intersection would be much more effective.</td>
</tr>
</tbody>
</table>

### Additional Details

- **Number of owners/occupier consulted**: 40
- **Number of owners/occupier responded**: 9
- **Response to the Consultation (%)**: 23%
- **Owners/occupier in favour of the proposal**: 5
- **Owners/occupier against the proposal**: 3
ITEM-111 CCL 24/10/17 - 26 EDITH STREET WARATAH (WRIGHTSON RESERVE) AND RD 20435 - ADOPTION OF AMENDMENT TO NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012

REPORT BY: PLANNING AND REGULATORY
CONTACT: DIRECTOR PLANNING AND REGULATORY / MANAGER STRATEGIC PLANNING

PURPOSE

This report discusses the outcomes of the community consultation, including a public hearing, carried out for the planning proposal to amend Newcastle Local Environmental Plan 2012 to reclassify land at 26 Edith Street, Waratah from community to operational and to rezone the land from RE1 Public Recreation to SP2 Health Services Facility and to rezone part of RD 20435 from RE1 Public Recreation to R2 Low Density Residential to correct an anomaly.

RECOMMENDATION

1 Council resolves to:

   i) Endorse the attached planning proposal (Attachment A), pursuant to section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act), to amend Newcastle Local Environmental Plan 2012 (LEP) in order to reclassify land at 26 Edith Street Waratah, described as Lot 374 DP 755247, from community to operational and to rezone the land from RE1 Public Recreation to SP2 Health Services Facility and to rezone Part of RD 20435 from RE1 Public Recreation to R2 Low Density Residential.

   ii) Forward the planning proposal to the Department of Planning and Environment (DPE) requesting that a draft Local Environmental Plan be prepared and made pursuant to section 59(1) of the EP&A Act.

   iii) Advise the Secretary of the DPE that Council does not seek to exercise delegations for undertaking section 59(1) of the EP&A Act.

KEY ISSUES

2 In accordance with Council’s previous resolution at the Ordinary Council Meeting held on 22 November 2016, Council sought Gateway determination from the Minister for Planning, which was issued on 22 December 2016.

3 The Gateway determination required Council to consult with Roads and Maritime Services (RMS). The RMS raised an objection to future development on 26 Edith Street gaining access from Edith Street, as any additional access points have the potential to compromise the safety and efficiency of the road network and therefore advised the planning proposal should demonstrate future access via an extension off Evelyn Street. Council officers had no objection to this and the planning proposal was updated to include this information prior to the public exhibition period.
4 The planning proposal was publicly exhibited from 10 April 2017 until 10 May 2017 with no submissions received. A public hearing in accordance with Section 29 of the *Local Government Act 1993* was held on 28 June 2017 and no community members attended.

5 The *Local Government Act 1993* requires the Governor's approval when a reclassification proposal seeks to remove any public reserve status. The Department of Planning and Environment's LEP practice note PN 16-001 Classification and reclassification of public land through a local environmental plan, requires consideration of a number of factors including the impacts of removing the public reserve status. The principal issues are generally discussed within the planning proposal with specific matters detailed under Attachment B.

6 Council’s resolution of 22 November 2016 endorsing the planning proposal included a part 2 which states:

> That Council receives a report on any proceeds from possible future land sales from this site to be invested into public open space, infrastructure and community and recreation land in Waratah and Waratah West.

7 A report discussing options for open space and infrastructure projects has been prepared and is included as Attachment C. Further detailed information regarding the expenditure of funds from any future sale of the land will be separately reported to Council.

**FINANCIAL IMPACT**

8 Work resulting from the recommendation will be undertaken by Council’s Strategic Planning staff within their current allocated work program and budget.

**COMMUNITY STRATEGIC PLAN ALIGNMENT**

9 Council adopted the Newcastle 2030 Community Strategic Plan in February 2011, as revised in 2013. The planning proposal primarily aligns to the strategic direction of Caring and Inclusive Community – the proposal supports the strategic objective for "Active and healthy communities with physical, mental and spiritual wellbeing".

**IMPLEMENTATION PLAN/IMPLICATIONS**

10 The attached planning proposal (Attachment A) was prepared in accordance with Council’s Local Environmental Plan – Request for Amendment Policy (2012). This policy identifies Council’s processes and responsibilities in applying the requirements of Part 3 of the EP&A Act for amending an LEP.

11 Should Council adopt the recommendation, the planning proposal will be forwarded to the DPE for preparation of the legal planning instrument (draft LEP) to be made by the Minister for Planning.
RISK ASSESSMENT AND MITIGATION

12 Adoption of the recommendations enables the planning proposal to be processed within the timeframes provided within the Gateway determination and enable the land to be redeveloped for health related uses.

RELATED PREVIOUS DECISIONS

13 At the Ordinary Council Meeting held on 22 November 2016 Council resolved to:

i) Endorse the attached planning proposal (Attachment A), pursuant to Section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act), in order to amend Newcastle Local Environmental Plan 2012 for land at 26 Edith Street, Waratah and RD 20435, as follows:

a) Amend the Land Zoning Map to rezone Wrightson Reserve from RE1 Public Recreation to SP2 Health Services Facility and rezone RD 20435 from RE1 Public Recreation to R2 Low Density Residential;

b) Amend the Height of Buildings Map for RD 20435 to include a maximum building height of 8.5 metres;

c) Amend the Floor Space Ratio (FSR) Map for RD 20435 to include a maximum permissible FSR of 0.75;

d) Amend the Minimum Lot Size Map to remove the minimum lot size for Wrightson Reserve and reduce the minimum lot size of 40 hectares to 450m2 for RD 20435; and

e) Include the subject land within Part 2 – Land classified or reclassified, as operational land – interests changed within Schedule 4 Classification and reclassification of public land, as follows:

- Column 1 to read “Waratah”
- Column 2 to read “Lot 374, DP 755247”
- Column 3 to read “Nil”

ii) Forward the planning proposal to the Minister for Planning and Environment for Gateway Determination pursuant to Section 56 of the EP&A Act.

iii) Advise the Secretary of Planning and Environment that Council does not seek to exercise delegations for undertaking Section 59(1) of the EP&A Act.

iv) Consult with the community and relevant government agencies as instructed by the Gateway Determination, noting that section 29 of the Local Government Act 1993 requires a public hearing to be held in respect of the reclassification of the land.
v) *Receive a report back on the planning proposal following completion of the required consultation.*

vi) *That Council receives a report on any proceeds from possible future land sales from this site to be invested into public open space, infrastructure and community and recreation land in Waratah and Waratah West*

14 Council resolved at the Ordinary Council Meeting held on 9 December 2014 to endorse all required property actions to enable appropriate land zoning and reclassification of the property.

**CONSULTATION**

15 Consultation with public authorities and the community was undertaken and a public hearing was held in accordance with the Gateway determination. No submissions were received during the exhibition period and there were no community representatives at the public hearing.

**OPTIONS**

**Option 1**

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

**Option 2**

17 Council resolves not to proceed with the planning proposal. This is not the recommended option.

**BACKGROUND**

18 In 2010 Council commissioned a review of open space throughout the local government area. This review suggested the potential reclassification and disposal of 38 open space parcels of various sizes subject to further site specific investigations. A detailed review of these shortlisted parcels was undertaken which assessed the various uses and functions of the land. The assessment concluded that due to the significant number of constraints on the land, only 12 land parcels could be considered for potential reclassification and disposal.

19 26 Edith Street, Waratah was listed as one of the 12 properties that potentially could be disposed of. A report recommending the rezoning, reclassification and disposal of six Council owned properties was reported to Council on 9 December 2014. Council resolved to proceed with further investigations of three of these properties including 26 Edith Street Waratah. This planning proposal has been developed in response to the Council resolution of 9 December 2014.

20 Council resolved at the Ordinary Council Meeting held on 22 November 2016 to endorse the planning proposal and forward it to the Minister for Planning for Gateway determination. Gateway determination was issued on 22 December 2016.
REFERENCES

ATTACHMENTS

Attachment A: Planning Proposal - 26 Edith Street, Waratah and RD 20435
Attachment B: Checklist for Reclassifying public land
Attachment C: Open Space Investment Options, Waratah-Waratah West

Attachments are distributed under separate cover.
ITEM-112 CCL 24/10/17 - 1 ORDNANCE STREET NEWCASTLE - ENDORSEMENT OF PROPOSED AMENDMENT TO NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012

REPORT BY: PLANNING AND REGULATORY
CONTACT: DIRECTOR PLANNING AND REGULATORY / MANAGER STRATEGIC PLANNING

PURPOSE

This report seeks Council's endorsement of a Planning Proposal to commence the statutory process to prepare amendments to Newcastle Local Environmental Plan 2012 (LEP).

The Planning Proposal involves the amendment of Schedule 1 - Additional permitted uses of the LEP, by removing item 1 Use of certain land at 1 Ordnance Street, Newcastle, which allows a function centre on the land (the former bowling club site).

RECOMMENDATION

1 Council resolves to:
   
   i) Endorse the attached Planning Proposal (Attachment A), pursuant to Section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act) in order to amend Newcastle Local Environmental Plan 2012 for land at 1 Ordnance Street, Newcastle by amending Schedule 1 to remove the additional permitted use of a function centre and kiosk with associated car parking and landscaping.
   
   ii) Forward the Planning Proposal to the Minister for Planning and Environment for Gateway Determination pursuant to Section 56 of the EP&A Act.
   
   iii) Advise the Secretary of Planning and Environment that Council does not seek to exercise delegations for undertaking Section 59(1) of the EP&A Act.
   
   iv) Receive a report back on the Planning Proposal following completion of the required consultation if any objections have been received.

KEY ISSUES

2 The Planning Proposal (Attachment A) was prepared in accordance with the Department of Planning and Environment guidelines and Council’s Local Environmental Plan - Request for Amendment Policy.
3 The additional permitted use for a function centre and kiosk with associated car parking and landscaping at 1 Ordnance Street, Newcastle was included in Schedule 1 of the LEP at the time the LEP was gazetted. This was to ensure that uses permitted under the previous LEP (2003) were still permitted by the new LEP 2012.

4 Subsequent Court proceedings successfully challenged the validity of the use of the land for a function centre. It is therefore considered that the use should no longer remain on Schedule 1.

5 If endorsed by Council, the Planning Proposal will be forwarded to the Department of Planning and Environment for Gateway Determination. The Gateway Determination will confirm initial support for the Planning Proposal, and identify any further technical studies and community consultation that are required prior to the amendment being determined.

FINANCIAL IMPACT

6 There are no significant financial impacts to Council in preparing a Planning Proposal to amend the LEP. This work will be undertaken by Council’s Urban Planning team within their current work program and budget.

COMMUNITY STRATEGIC PLAN ALIGNMENT

7 Preparation of the Planning Proposal is consistent with the 'Open and Collaborative Leadership' strategic direction of the Newcastle 2030 Community Strategic Plan.

8 Compliance with the LEP amendment process, in particular Section 57 Community Consultation of the EP&A Act, will assist in achieving the strategic objective "Consider decision-making based on collaborative, transparent and accountable leadership" and the identified strategy 7.2b, which states: "Provide opportunities for genuine representative community engagement in local decision making" as identified within the Newcastle 2030 Community Strategic Plan.

IMPLEMENTATION PLAN/IMPLICATIONS

9 The preparation of the Planning Proposal was undertaken in accordance with Council's LEP - Request for Amendment Policy (2012). This policy identifies Council's processes and responsibilities in applying the requirements of Part 3 of the EP&A Act for amending an LEP.

RISK ASSESSMENT AND MITIGATION

10 The process of amending an LEP is prescribed by Part 3 of the EP&A Act. Adherence to the legislative framework reduces the risk to both applicant and Council by ensuring that a Planning Proposal is considered with regard to relevant strategic planning documents and is determined in an appropriate timeframe.
RELATED PREVIOUS DECISIONS

11 On 21 June 2011 Council adopted the draft Newcastle Standard Local Environmental Plan. The Newcastle Local Environmental Plan 2012 was gazetted on 15 June 2012.

12 Council resolved at the Ordinary Council Meeting held on 23 May 2017 to prepare a Planning Proposal to amend Schedule 1 - Additional permitted uses of the LEP by removing item 1 Use of certain land at 1 Ordnance Street, Newcastle.

CONSULTATION

13 The land is owned by the Department of Industry - Lands (Department). Preliminary consultation was undertaken with the Department in relation to removing Item 1 from Schedule 1 of the LEP. The Department advised that it had no objection to the proposal. The Department is satisfied that the current zoning of RE1 - Public Recreation provides a sufficient range of land uses for any future development.

14 The Department further advised that the King Edward Headland Reserve is currently subject to two unresolved Aboriginal Land Claims. Council staff consulted with the Department of Planning and Environment (DPE) regarding the process for preparing a Planning Proposal over land subject of an Aboriginal land claim. DPE advised that there was no impediment to submitting such a Planning Proposal. Any Gateway Determination to proceed with the Planning Proposal would likely include conditions in relation to consultation with relevant parties.

15 The Planning Proposal outlines the level of consultation required in accordance with Planning NSW guidelines ‘Preparing Local Environmental Plans’. The Planning Proposal will be exhibited in accordance with the requirements of Section 57 of the EP&A Act. The proposal will be placed on public exhibition for a minimum of 14 days.

16 The Gateway Determination will confirm which State agencies and other relevant stakeholders must be consulted on the Planning Proposal.

OPTIONS

Option 1

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

Option 2

18 Council resolves not to proceed with the Planning Proposal. This is not the recommended option.
BACKGROUND

19 On 10 November 2011 Council approved DA 2010/1735 for a function centre, kiosk and associated car parking and landscaping at 1 Ordnance Street, Newcastle.

20 On 11 May 2015 the Court ruled that the plan of management prepared by the Department of Lands for the King Edward Park Headland Reserve, which permitted the function centre, was invalid and that the development of the land for this purpose was therefore not permissible.

21 Friends of King Edward Park presented to Councillors at Public Voice Committee on 20 June 2017, supporting Council's resolution of 23 May 2017 to prepare a Planning Proposal to remove the use of the site as a function centre from Schedule 1 of Newcastle LEP 2012. As part of the presentation, Friends of King Edward Park suggested that Council write to the Planning Minister requesting the LEP amendment be made following the expedited process allowed under Section 73A of the EP&A Act.

22 Council staff wrote to the Planning Minister requesting advice on whether the Minister would consider amending the LEP under Section 73A of the EP&A Act or if the Minister could advise whether there was another appropriate expedited process Council could follow to make the LEP amendment.

23 The Planning Minister advised that Section 73A was only for use in minor amendments and was not appropriate to use in this instance, and supported Council in following the normal planning proposal process. The Planning Minister indicated that the planning proposal once submitted by Council to the Department would be dealt with in a timely matter.

REFERENCES

ATTACHMENTS

Attachment A: Planning Proposal - 1 Ordnance Street, Newcastle
PLANNING PROPOSAL

1 Ordnance Street Newcastle

Version 1.0 - Council endorsement

September 2017

For enquiries please call 4974 2881.

For more information visit:
www.newcastle.nsw.gov.au
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Introduction

This planning proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (NSW). It explains the intended effect of a proposed local environmental plan (LEP) and sets out the justification for making the plan.

‘A guide to preparing planning proposals’ has been used to guide and inform the preparation of this planning proposal.

The planning proposal may evolve over time due to various reasons, such as feedback during exhibition. It will be updated at key stages in the plan making process.

Summary of proposal

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Amend Schedule 1 to remove the additional permitted use as a function centre and kiosk with associated car parking and landscaping.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Details</td>
<td>Lot 3109 DP 755247, 1 Ordnance St Newcastle</td>
</tr>
<tr>
<td>Applicant Details</td>
<td>Newcastle City Council</td>
</tr>
</tbody>
</table>

Background

The additional permitted use for a function centre and kiosk at 1 Ordnance Street, Newcastle, was included in Schedule 1 at the time the Newcastle Local Environmental Plan 2012 (LEP) was gazetted. This was to ensure that uses permitted under the previous LEP (2003) were still permitted by the new LEP 2012.

Subsequent court proceedings successfully challenged the validity of the use of the land for a function centre. It is therefore considered that the use should no longer remain on Schedule 1.

Site

The proposal relates to land at Lot 3109 DP 755247, 1 Ordnance St Newcastle, which is a 0.65 ha part of the larger King Edward Park. The site is located within the north eastern corner of King Edward Park. It has frontage to Ordnance Street to the north, York Drive and Reserve Road to the west, Shortland Esplanade and the Pacific Ocean are located directly to the east (see Figure 1 Local context of the site).

The site is zoned RE1 Public Recreation and is located within The Hill Heritage Conservation Area (see Figure 2 Aerial view of the site).

The topography of the site is generally flat, but the land immediately to the east slopes downwards towards the ocean and to King Edward Park to the south. The site has previously been used as a bowling club and although there are no longer any buildings on the site, the ‘Newcastle City Bowling Club Memorial Gates and Fence Piers’ remain in a prominent position. The gates and piers are listed on the Commonwealth Heritage list (non-statutory) and the site
has been nominated for listing on the State Heritage Register, as part of the larger King Edward Park. There is no significant vegetation on the site.

Figure 1 - Local context of the site
Part 1 - Objectives or intended outcomes

To amend the Newcastle Local Environmental Plan 2012 to remove the additional permitted use of a function centre and kiosk at 1 Ordnance St Newcastle.

Part 2 - Explanation of provisions

The proposed outcome will be achieved by amending schedule 1 of the Newcastle Local Environmental Plan 2012 by deleting item 1 which states:

1 Use of certain land at 1 Ordnance Street, Newcastle

(1) This clause applies to land at 1 Ordnance Street, Newcastle, being Lot 3109, DP 755247

(2) Development for the purpose of a function centre and kiosk with associated car parking and landscaping is permitted with development consent.

There are no changes required to the LEP maps.
Part 3 - Justification

Section A - Need for the planning proposal

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

The planning proposal is a result of a decision of the Land and Environment Court [NSW LEC 40089 of 2012] that found that the plan of management prepared by the Department of Lands for the King Edward Park Headland Reserve was invalid and that the development of the land for the purposes of 'function centre' was not permissible, as it was not authorised by a valid plan of management.

Background

In June 2012 the Newcastle LEP 2012 was gazetted consistent with the standard LEP template. Council converted the Newcastle Local Environmental Plan 2003 into the standard LEP format under a "best match" approach and endeavoured to keep land use tables consistent so that there was no change in prohibited or permissible uses as a result of the conversion to the LEP standard template.

The 6(a) Open Space and Recreation Zone in Newcastle Local Environmental Plan 2003 permitted with consent 'any development allowed by a plan of management under the Local Government Act 1993 or Crown Lands Act 1989'.

Council could not transfer this provision into the Standard LEP land use table. In order to ensure that uses permitted under the Newcastle Local Environmental Plan 2003 remained permissible under the new LEP, the use for a function centre was placed in Schedule 1 as an additional permitted use.

On 10 November 2011 Council approved DA 2010/1735 for a function centre, kiosk and associated car parking and landscaping at 1 Ordnance Street, Newcastle.

On 11 May 2015 the Court released its decision that the plan of management prepared by the Department of Lands for the King Edward Park Headland Reserve was invalid and that the development of the land for the purposes of 'function centre' was not permissible as it was not authorised by a valid plan of management.

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

Yes, amending the Newcastle LEP 2012 is considered the best means of achieving the objectives of the planning proposal.
Section B - Relationship to strategic planning framework

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

Hunter Regional Plan 2036

The Hunter Regional Plan 2036 is the NSW government’s plan to guide land use planning and infrastructure priorities and decisions over the next 20 years. The plan identifies regionally important natural resources, transport networks and social infrastructure and provides a framework to guide more detailed land use plans, development proposals and infrastructure funding decisions. The plan includes overarching directions, goals and actions as well as specific priorities for each local government area in the Hunter region.

The planning proposal is consistent with Goal 3 - Thriving Communities, in particular Direction 18: “Enhance access to recreational facilities and connect open spaces”.

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

Newcastle 2030 Community Strategic Plan

The Newcastle Community Strategic Plan (CSP) reflects the community’s vision for the city and is Council’s guide for action. It contains the strategies to be implemented and the outcomes that will indicate achievement of the defined goals. Council adopted the Newcastle 2030 Community Strategic Plan in February 2011. It was revised and updated in 2013. The following relevant strategic directions and their objectives from the Newcastle CSP are addressed in relation to this planning proposal.

Open and Collaborative Leadership

The planning proposal primarily aligns with the strategic direction ‘Open and Collaborative Leadership’ identified within the Newcastle 2030 Community Strategic Plan.

Compliance with the LEP amendment process, in particular section 57 – Community Consultation of the EP&A Act 1979, will assist in achieving the strategic objective to “Consider decision-making based on collaborative, transparent and accountable leadership” and the identified strategy 7.2b to “Provide opportunities for genuine and representative community engagement in local decision making”.

Local Planning Strategy

The Local Planning Strategy (LPS) is a comprehensive land use strategy to guide the future growth and development of Newcastle. The Strategy implements the land use directions from the Newcastle 2030 Community Strategic Plan and underpins the Newcastle Local Environmental Plan 2012. The Strategy was adopted by Council in 2015. It has not yet been endorsed by the Secretary of the Department of Planning and Environment.

A specific action of the LPS for recreation land is to ensure that permissible land uses are consistent with the zone directions. Preliminary advice from the NSW Department of Industry - Lands suggests that the current RE1 - Public Recreation zone provides a sufficient range of land uses for any future development on the site.
5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

An assessment of the planning proposal against the relevant SEPPs is provided in the table below.

<table>
<thead>
<tr>
<th>Name of SEPP</th>
<th>Applicable</th>
<th>Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPP No. 1 - Development Standards</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>SEPP No. 14 - Coastal Wetlands</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No. 21 - Caravan Parks</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No. 26 - Littoral Rainforests</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No. 30 - Intensive Agriculture</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>SEPP No. 33 - Hazardous and Offensive Development</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>SEPP No. 36 - Manufactured Home Estates</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>SEPP No. 44 - Koala Habitat Protection</td>
<td>Yes</td>
<td>The SEPP applies to the entire LGA, however, the land is urban and does not consist of areas of koala habitat.</td>
</tr>
<tr>
<td>SEPP No. 55 - Remediation of Land</td>
<td>Yes</td>
<td>Council’s records identify the site as potentially contaminated. However, previous contamination investigations undertaken in relation to the development application found that tested contaminants were below relevant assessment criteria. Exceedances of NEPM Ecological Investigation Levels were not considered necessary for remediation. See Section C - 8.</td>
</tr>
<tr>
<td>SEPP No. 62 - Sustainable Aquaculture</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No. 64 - Advertising and Signage</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No. 65 - Design Quality of Residential Apartment Development</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP No. 71 - Coastal Protection</td>
<td>Yes</td>
<td>The subject land is within the coastal zone. The planning proposal is acceptable in relation to the matters for consideration specified under Clause 8 as applying to the preparation of a draft LEP.</td>
</tr>
<tr>
<td>SEPP (Affordable Rental Housing) 2009</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Building Sustainability Index: BASIX) 2004</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Educational Establishments and Child Care Facilities) 2017</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Housing for Seniors or People with a Disability) 2004</td>
<td>No</td>
<td></td>
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<tr>
<td>SEPP (Exempt and Complying Development Codes) 2006</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>SEPP (Infrastructure) 2007</td>
<td>No</td>
<td>May apply to future development</td>
</tr>
</tbody>
</table>
6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

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

<table>
<thead>
<tr>
<th>Name of SEPP</th>
<th>Applicable</th>
<th>Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPP (Mining, Petroleum Production and Extractive Industries) 2007</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>SEPP (State and Regional Development) 2011</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>SEPP (State Significant Precincts) 2005</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>SEPP (Vegetation in Non-Rural Areas) 2017</td>
<td>No</td>
<td>The planning proposal will not affect the application of the SEPP.</td>
</tr>
<tr>
<td>Draft Coastal Management SEPP 2016</td>
<td>No</td>
<td>The planning proposal will not affect the application of the SEPP.</td>
</tr>
</tbody>
</table>

Table 2 - Consideration of Ministerial Directions (Section 117 directions)

<table>
<thead>
<tr>
<th>Section 117 Directions</th>
<th>Applicable</th>
<th>Consistency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Employment and Resources - no employment and resource directions are applicable</td>
<td></td>
<td></td>
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<tr>
<td>2. Environment and Heritage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1 Environment Protection Zones</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>2.2 Coastal Protection</td>
<td>Yes</td>
<td>The planning proposal is consistent with this direction.</td>
</tr>
<tr>
<td>2.3 Heritage Conservation</td>
<td>Yes</td>
<td>The site is within 'The Hill' Heritage Conservation Area and has been included in a nomination for State heritage listing of the Newcastle Recreation Reserve (King Edward Park). The existing Clause 5.10 of the Newcastle LEP 2012 contains provisions that are sufficient to conserve the heritage significance of the site. See also Section C - 8.</td>
</tr>
<tr>
<td>2.4 Recreation Vehicle Areas</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>3. Housing, Infrastructure and Urban Development - no housing, infrastructure and urban development directions are applicable.</td>
<td></td>
<td></td>
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<tr>
<td>4. Hazard and Risk</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.1 Acid Sulfate Soils</td>
<td>Yes</td>
<td>The land is Class 5. The planning proposal is consistent with this direction.</td>
</tr>
<tr>
<td>4.2 Mine Subsidence and Unstable Land</td>
<td>Yes</td>
<td>The land is within the Newcastle Mines Subsidence District. The planning proposal is consistent with this direction.</td>
</tr>
<tr>
<td>4.3 Flood Prone Land</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>4.4 Planning for Bushfire Protection</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>5. Regional Planning</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.10 Implementation of Regional Plans</td>
<td>Yes</td>
<td>The Hunter Regional Plan 2036 applies to the land. The planning proposal is consistent with this direction.</td>
</tr>
<tr>
<td>6. Local Plan Making</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.1 Approval and Referral Requirements</td>
<td>Yes</td>
<td>The planning proposal is consistent with this direction.</td>
</tr>
<tr>
<td>Section 117 Directions</td>
<td>Applicable</td>
<td>Consistency</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>6.2 Reserving Land for Public</td>
<td>Yes</td>
<td>The planning proposal is consistent with this</td>
</tr>
<tr>
<td>Purposes</td>
<td></td>
<td>direction.</td>
</tr>
<tr>
<td>6.3 Site Specific Provisions</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>
Section C - Environmental, social and economic impact

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

The land does not contain critical habitat or threatened species, populations or ecological community, or their habitats.

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

Land/site contamination

The site has been identified as potentially contaminated. As part of the assessment of the previous function centre development application, contamination reports were submitted and considered by Council. Council's Compliance Services Unit provided the following comments:

"The Preliminary Contamination Report undertaken by Coffey Environments, dated 19 November 2010, identified three Areas of Environmental Concern (AEC) with the potential to contain Chemicals of Concern (CoC).

The Phase 2 Contamination Report undertaken by Environmental Auditors, dated 22 July 2011, conducted a review of the Preliminary Contamination Report, the regional geological and hydro geological information, and any contamination notices found under relevant legislation. A site inspection was conducted with soil samples from 18 boreholes collected and analysed for potential contaminants identified in the Preliminary Contamination Report. The potential contaminants investigated included heavy metals, TPH, BTEX, PAH, OCP, OPP, PCB and asbestos.

All contaminants tested for in the Phase 2 Contamination Report were either below detection or below the relevant site assessment criteria according to the National Environment Protection Council (1999) "Assessment of Site Contamination" and the National Environmental health Forum (NEHF) Soil Investigation Levels for parks, recreational open space, playing fields including secondary schools' use. Reference to the NSW Environment Protection Authority (EPA) (1994) "Guidelines for Assessing Service Station Sites" was made in assessing the TPH and BTEX results.

Exceedances of the NEPM Ecological Investigation Levels were encountered at three sample locations, with elevated zinc and mercury levels recorded in the shallow filling being potentially phototoxic to sensitive plant species. Considering a number of factors and the local conditions and potential impacts, the exceedances are not considered as justification for remediation in this case.

There were no asbestos fragments observed within the fill materials encountered, suggesting that the fill used on the site predates asbestos use. There was evidence of asbestos sheeting (bonded cemented) used around the two bowling green boundary perimeters. The asbestos sheets were described as intact and in good condition with no visible fragments observed."
Heritage Impacts

The site is within ‘The Hill’ Heritage Conservation Area and has been nominated for listing on the State Heritage Register, as part of the larger Newcastle Recreation Reserve (King Edward Park). The nomination includes the following statement of significance:

The Newcastle Recreation Reserve is potentially of state heritage significance in its demonstration of activities and processes of importance in the history of NSW. The Reserve includes sites of known cultural significance to the Awabakal people, and was the scene of important early interactions with Europeans. The Reserve is a rare example in NSW of a comparatively undeveloped inner city natural, Aboriginal and European landscape influenced by convict labour and recorded by important colonial artists. The Reserve may be of state heritage significance for its inclusion of Themede grasslands, an endangered ecological community.

The Reserve is potentially of state significance for its convict associations, including the grazing of government stock by convict shepherds; the construction of an early windmill; and the provision of the Bogey Hole and The Horseshoe access path. The convict mine workings demonstrate the transition between public sector and private sector operations, while The Obelisk demonstrates early public sector intervention in coastal navigation. The Bogey Hole and Horseshoe as later developed exemplify early sea bathing activities, together with the transition between gendered and ungendered bathing.

The Reserve may be of state heritage significance for its association with important historical and community events and commemorations, and also for its association with important Federation-era, pre-War and wartime defence installations that demonstrate progress in armaments technology during the Twentieth Century. The Shepherds Hill structures, in particular, have an apparently unique importance in their occupation by all three Services. Strongly associated with Major James Thomas Morisset, a figure of importance in the history of NSW, the Reserve is specially associated with Biraban, an Awabakal man, and with Rev. Lancelot Threlkeld, a missionary and scholar of great importance to knowledge of Aboriginal cultures. The cliff face and cliff top called Yi-ran-na-li contributes to the way of life, traditions and belief system of the Awabakal people, and is representative of the Dreaming.

The Reserve is potentially of state heritage significance in its setting, which incorporates coastal hills, headlands, gullies and sea cliffs with wide views across the lower Hunter Valley and the ocean. It has the principal characteristics of a nineteenth century belvedere park in the Picturesque style, demonstrating Victorian and Edwardian technical achievement, philosophy and customs, as well as continuity and change in the cultural landscape of NSW recreation reserves. The Reserve may have local significance for its association with the development in Newcastle of the sports of lawn bowls and tennis.

The convict-related and defence-related heritage items within the Reserve may be of state heritage significance in providing archaeological and other information as to convict coal workings, as to which there is as yet comparatively little knowledge. The defence relics at The Obelisk and beneath the King Edward Park Headland Reserve are also little known, and like those of the Shepherds Hill Defence Group may be of state heritage significance for their potential to supply information as to the development of Federation era and WWII defence technology.
Removing the function centre use will not impact on the nomination for listing on the State Heritage Register. As the site is within 'The Hill' Heritage Conservation Area, the existing Clause 5.10 of the Newcastle LEP 2012, would apply to any proposed development on the site.

Other

There are no other environmental effects as a result of the planning proposal.

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

There are no social or economic effects as a result of the planning proposal. Removing the use of a ‘function centre’ will take away a potential income generating use. However, a range of other income generating uses are permitted with consent in the RE1 Public Recreation zone. These uses include kiosks, markets, registered clubs and restaurants or cafes.
Section D - State and Commonwealth interests

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

No infrastructure is required as the proposal seeks to remove an additional permitted use.

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

Council has undertaken preliminary consultation with the NSW Department of Industry - Lands. The Department did not raise any objection to the proposal. The Department also advised that there are two undetermined Aboriginal Land Claims over the King Edward headland Reserve.

Public authorities will be consulted with in accordance with the requirements of the Gateway determination.
Part 4 - Mapping

The planning proposal does not seek to amend any maps within Newcastle LEP 2012.
Part 5 - Community consultation

The planning proposal is considered as low impact in accordance with the Department of Planning and Environment's guidelines, ‘A guide to preparing local environmental plans’. It is proposed that the planning proposal will be publicly exhibited for a minimum 14 day period.

Any other relevant authorities will be consulted in accordance with the requirements of the Gateway determination.
### Part 6 - Project timeline

The plan making process is shown in the timeline below. It will be undertaken in accordance with the Gateway determination.

<table>
<thead>
<tr>
<th>Task</th>
<th>Planning Proposal Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issue of Gateway determination</td>
<td>Dec 17</td>
</tr>
<tr>
<td>Consult with required State Agencies*</td>
<td></td>
</tr>
<tr>
<td>Exhibition of Planning Proposal*</td>
<td></td>
</tr>
<tr>
<td>Review of submissions and preparation of report to Council</td>
<td></td>
</tr>
<tr>
<td>Report to Council following exhibition</td>
<td></td>
</tr>
<tr>
<td>Planning Proposal sent back to the Department requesting that the draft LEP be prepared.</td>
<td></td>
</tr>
</tbody>
</table>

* Additional time has been allowed for these tasks due to Christmas office closures and school holidays.
ITEM-113  CCL 24/10/17 - SUBMISSION TO DEPARTMENT OF PLANNING AND ENVIRONMENT - SHORT TERM HOLIDAY LETTING

REPORT BY: PLANNING AND REGULATORY
CONTACT: DIRECTOR PLANNING AND REGULATORY / MANAGER STRATEGIC PLANNING

PURPOSE

This report presents a draft submission on the Department of Planning and Environment’s (DPE) Options Paper into Short-term Holiday Letting (STHL) in NSW for Councillors’ consideration.

RECOMMENDATION

1 Council endorses the draft submission provided at Attachment A for lodgment with the Department of Planning and Environment.

KEY ISSUES

2 STHL is the use of residential accommodation (eg. dwellings) for short term accommodation. Residential accommodation is defined under the Newcastle Local Environmental Plan 2012 (NLEP) as "a building or place used predominantly as a place of residence".

3 STHL differs from Serviced Apartments. Serviced Apartments are defined under the NLEP as "a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents".

4 The Options Paper outlines four different policy options to manage STHL:
   i) self regulation
   ii) STHL in strata properties
   iii) regulation through the planning system
   iv) registration or licensing.

5 Exhibition of the Options Paper concludes on 31 October 2017.

FINANCIAL IMPACT

6 The Options Paper does not provide an assessment of potential financial impacts on local Councils. Any resulting legislation changes may have financial impacts including:
i) Staffing and resources to provide compliance management and record keeping.

ii) Impact on the number of development applications (and fees) submitted to Council.

COMMUNITY STRATEGIC PLAN ALIGNMENT

7 The proposed amendments align with the Smart and Innovative City strategic direction of the Community Strategic Plan, in particular direction 6.3 providing a thriving city that attracts people to live, work, invest and visit.

IMPLEMENTATION PLAN/IMPLICATIONS

8 Council may be required to amend its Local Environmental Plan to include definition and development standards for STHL.

9 Council may decide to amend its Development Control Plan to include a new section addressing STHL and/or tourist and visitor accommodation.

RISK ASSESSMENT AND MITIGATION

10 No risks to Council have been identified.

RELATED PREVIOUS DECISIONS

11 There have been no previous decisions of Council on this matter.

CONSULTATION

12 The DPE is conducting the public consultation.

13 Internal consultation was undertaken in the preparation of the submission.

14 Community members are able to review the Options Paper and lodge submissions with the DPE.

OPTIONS

Option 1

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

Option 2

16 Council not proceed with the submission. This is not the recommended option.
BACKGROUND

17 In 2016, the NSW Legislative Assembly Committee on Environment and Planning conducted an enquiry into the adequacy of regulation for STHL in New South Wales. The final report was published in October 2016 and 12 recommendations were made.

18 The key recommendations were that NSW Government:

i) Amend planning laws to regulate short-term rental accommodation.

ii) Allow home sharing, and letting a principal place or residence, as exempt development.

iii) Allow empty houses to be let as exempt and complying development.

iv) Strengthen owners' corporations' powers to manage and respond to STHL issues in strata properties.

v) Commit to further investigating impacts from STHL on traditional accommodation operators, and opportunities to reform their regulation.

19 The NSW Government responded to the report in April 2017 indicating general support for the key recommendations.

20 In August 2017, DPE met with local Councils to discuss the Options Paper.

21 The NLEP does not specifically define, or have provisions for STHL.

22 Notwithstanding the above, Newcastle has approximately 270 listings across agencies such as Stayz and Airbnb for short-term rentals.

23 In the past 10 years, Council has determined six applications for serviced apartments (the majority of which were for dedicated serviced apartment buildings).

24 Council currently manages complaints regarding STHL over areas such as permissibility, parking and noise.

25 Council's submission proposes regulation of STHL through the NSW planning system.

REFERENCES

ATTACHMENTS

Attachment A: Council submission to Department of Planning and Environment
NEWCASTLE CITY COUNCIL - SUBMISSION
SHORT-TERM HOLIDAY LETTING

Newcastle City Council (NCC) supports the intent of the Options Paper to continue to enable the economic benefits of this type of accommodation while also managing the social and environmental impacts.

Newcastle is located within the Hunter Region and its coastline is a main attraction for tourists. It is recognised that tourist and visitor accommodation within Newcastle City is not adequately serviced by traditional forms of accommodation such as hotels and motels. Short-term holiday letting (STHL) supplements the supply, while also providing suitable longer term accommodation for those working away from home. Figures from the Australian Bureau of Statistics (2016, for establishments with more than 15 rooms) show just 2,877 hotel beds in Newcastle as per below:

<table>
<thead>
<tr>
<th>Location</th>
<th>Establishments</th>
<th>Rooms</th>
<th>Bed spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newcastle</td>
<td>8</td>
<td>686</td>
<td>1,838</td>
</tr>
<tr>
<td>Adamstown - Kotara</td>
<td>3</td>
<td>104</td>
<td>270</td>
</tr>
<tr>
<td>Beresfield - Hexham</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hamilton - Broadmeadow</td>
<td>3</td>
<td>81</td>
<td>242</td>
</tr>
<tr>
<td>Lambton - New Lambton</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mayfield - Warabrook</td>
<td>5</td>
<td>193</td>
<td>527</td>
</tr>
<tr>
<td>Merewether - The Junction</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Newcastle - Cooks Hill</td>
<td>8</td>
<td>1,064</td>
<td>2,877</td>
</tr>
<tr>
<td>Stockton - Fullerton Cove</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wallsend - Elermore Vale</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>26</strong></td>
<td><strong>1,064</strong></td>
<td><strong>2,877</strong></td>
</tr>
</tbody>
</table>

Figures for Lake Macquarie, add another 735 beds and Port Stephens, 3,513 beds.

The Newcastle Local Environmental Plan 2012 (which is a Standard Instrument LEP) does not specifically define, or have provisions for STHL. Notwithstanding this, Newcastle has approximately 270 listings across agencies such as Stayz and Airbnb for short-term rentals. However, in the past 10 years NCC has determined six applications for serviced apartments (the majority of which were for dedicated serviced apartment buildings).

NCC has concerns regarding potential amenity impacts of STHL, and supports uniform regulation to manage impacts and provide consistency. As such, NCC supports the following:

Amendment to Standard Instrument

The Options Paper recognises that there is no consistent definition of STHL. NCC agrees that a consistent definition is needed and suggests that a definition for short-term rental accommodation be included in the Standard Instrument.

It is suggested that references to 'holiday letting' should be omitted from the definition, as short term letting is not restricted to use by tourists. This form of accommodation is also widely being used by others such as seasonal or contract workers, and families visiting major hospitals (ie. The John Hunter) for treatment.
Regulation through the NSW Planning System

NCC supports regulation through the NSW planning system. It should be recognised however, that different Council areas will have requirements specific to the nature of their local government area, and the flexibility to regulate accordingly is important.

NCC recommends that the State Environmental Planning Policy (Exempt and Complying Development Code) 2008 be amended to include short term rental accommodation as exempt development within the residential and commercial zones only, with the inclusion of the following within the associated development standards:

(a) **Size of Dwellings**

By limiting the size of dwellings (ie. number of bedrooms) this may assist in reducing the likelihood of large group rentals and the associated impacts these larger groups may have on neighbouring properties. NCC supports the inclusion of dwellings of four bedrooms and under within exempt provisions.

(b) **Days Per Stay / Days Per Year**

NCC believes it is important to differentiate short term rental accommodation from serviced apartments, and the inclusion of maximum consecutive days per stay and days per year will facilitate this. Residential accommodation is defined as "a building or place used predominantly as a place of residence". Short term rental accommodation, however, should be considered to fall under the Tourist and Visitor Accommodation definition as it provides 'temporary or short term accommodation on a commercial basis'.

Considering the above, NCC supports as exempt development short term accommodation for a period of no more than 28 consecutive days (four weeks), and no more than 90 days per calendar year (based on the time period for NSW school holidays).

(c) **Registration**

NCC supports mandatory registration of all short term rental accommodation to a State Government Agency. This would assist in managing breaches to the regulatory framework, as upon registration, providers would agree to follow any mandatory guidelines and a Code of Conduct. This would also assist in managing breaches and limiting any amenity impacts on the wider community.

NCC also supports a requirement for a business identification sign to be affixed to the dwelling showing registration details (eg. registration number) and contact details for complaints (Council and / or manager). A copy of the registration should be required to be lodged with the respective local Council for their records.

(d) **Code of Conduct**

NCC supports a State structured Code of Conduct which is issued in conjunction with registration. The Holiday Rental Industry Association has a National Code of Conduct, under which short term rental providers such as Stayz and HomeAway currently operate. A format similar to this and which clearly addresses protecting the amenity of the local area should be considered. Under this scheme, providers must agree to abide by the Code of Conduct upon registration and to provide a copy for tenants in a prominent position within a dwelling.
Breaches of the Code of Conduct may result in enforcement actions and / or revoking of registration.

(e) **Bushfire**

If the dwelling is located in a bush fire prone area, a bush fire evacuation plan must be attached to the dwelling in a prominent location.

(f) **Amenity**

The use of a dwelling for temporary accommodation should not detract from the usual amenity of the residential neighbourhood. NCC suggests that amenity issues such as noise, waste and parking be addressed under any development standards.

NCC supports proposals which fall outside of the above guidelines applying for approval via the development application process. Registration of the premise and compliance with a Code of Conduct would be required as consent conditions.

**Building Code of Australia (BCA)**

The Options Paper identifies that STHL can constitute a change in building classification under the BCA. It is arguable that STHL for most dwellings / apartments will involve a change in building classification (eg. from Class 1a to Class 1b for dwellings, and from Class 2 to Class 3 for apartments) which is a 'change of building use’ under the *Environmental Planning and Assessment Action 1979*. Under current legislation, owners would be required to obtain development consent each time the use of the premise is changed, back and forth between one BCA classification and another. NCC therefore feels it is necessary for a clear position on BCA classifications for STHL to be established.

NCC suggests that the option of setting aside 'change of building use' triggers that generate the need for development consent to be obtained when dwellings / apartments temporarily switch to STHL usage, should be considered.

**Compliance**

NCC recommends that any amendment to regulate STHL should consider the implications it may have on compliance and investigative works carried out by Councils.

Overall, NCC supports regulation which provides a streamlined registration and approval process for the owner; meets the objective of the respective zone; protects the amenity of the neighbourhood; and provides for efficient enforcement.
ITEM-114 CCL 24/10/17 - ESTABLISHMENT OF A DISABILITY INCLUSION ADVISORY COMMITTEE

REPORT BY: PLANNING AND REGULATORY CONTACT: DIRECTOR PLANNING AND REGULATORY / MANAGER STRATEGIC PLANNING

PURPOSE

The purpose of this report is to establish a Disability Inclusion Advisory Committee (DIAC).

RECOMMENDATION

1 Council resolves to:

   i) Adopt the Draft Disability Inclusion Advisory Committee (DIAC) Charter as per Attachment A.

   ii) Council appoints [insert names of up to three (3) Councillors] to the Disability Inclusion Advisory Committee.

KEY ISSUES

2 The Newcastle City Council Disability Inclusion Action Plan 2016-2019 (DIAP) was adopted by Council on 22 March 2016 after a comprehensive community consultation process. The inaugural DIAP has fifty-seven actions aimed at creating a more inclusive and accessible Newcastle.

3 Strategy 4 Action (d) of the DIAP is to establish a community advisory committee in this term of Council. Attachment A is the proposed charter for the Committee based on Council's charter template.

4 An Expression of Interest (EOI) process is recommended to establish the community membership of the DIAC as per section 8 of the attached charter.

5 The EOI process to attract members to the DIAC will aim for a wide audience, therefore communication and information about the process must be made available in a range of formats (Accessible PDF, Easy Read and text only documents). Advertising will also include radio promotion on 2RPH, a radio reading service to broaden the reach to people with reduced vision.

6 Existing Council communication channels will also be utilised for promotion of the EOI process.
7 The EOI process will ensure that Council only appoints members to the committee that satisfy at least one of the following:

(i) have expertise in the Disability Sector;
(ii) have lived an experience as a Person with a Disability;
(iii) is a Carer of a Person with a Disability;
(iv) represents a community organisation delivering services in the disability field;
(v) is a Councillor of Newcastle City Council.

8 Council Staff will facilitate and support the committee but are not members of the committee. The Community Planning team will resource the Committee.

9 Relevant Council staff will be informed about the establishment of the DIAC and advised on how they may enhance their work by including the DIAC in their consultation strategies. The DIAC may also request to hear presentations from staff about particular facets of Council works, policy and planning related to Access and Inclusion.

10 The DIAC is proposed to meet six times a year and report to Council via an Annual Report of the committee. Issues will be reported to Council staff via minutes and internal correspondence.

11 Chairperson of the DIAC will be elected at the first meeting.

12 Further information about the operation of the DIAC is described in Attachment A, DIAC Committee Charter.

FINANCIAL IMPACT

13 Strategy 4 Action (d) of the DIAP to establish a community advisory committee (DIAC) is fully funded in Council's Operational Plan for 2017-18.

14 The initial cost of the Expression of Interest is estimated to be $2,000, made up of advertising and inclusive material production costs.

15 The ongoing cost of the DIAC is estimated to be $8,000 per annum, made up of $3,200 put towards inclusion material production, $1,500 for Auslan Interpretation staff costs, $1,800 for meeting room and facilities, and $1,500 for catering for a total of 6 meetings. This averages out at $1,333 per meeting. (This depends upon the individual requirements of the selected participants).

16 Funding will not be made available for carer costs associated with attending the meeting/s and or personal assistance staff. It is, however, considered more than appropriate for members to discuss their individual requirements for maximum participation with the meeting facilitator prior to the meeting to assess if Council can assist in any appropriate manner.
COMMUNITY STRATEGIC PLAN ALIGNMENT

17 The establishment of a DIAC has ‘whole-of-organisation’ potential benefits and aligns with the following objectives of Newcastle 2030:

1.1 Effective and integrated public transport.
1.2 Linked networks of cycle and pedestrian paths.
1.3 A transport network that encourages energy and resource efficiency.
3.1 Public places that provide for diverse activity and strengthen our social connections.
3.3 Safe and activated places that are used by people day and night.
4.1 A welcoming community that cares and looks after each other.
4.2 Active and healthy communities with physical, mental and spiritual wellbeing.
4.3 A creative, culturally rich and vibrant community.
5.1 A built environment that maintains and enhances our sense of identity.
5.3 Greater diversity of quality housing for current and future community needs.
6.3 A thriving city that attracts people to live, work, invest and visit.
7.2 Considered decision-making based on collaborative, transparent and accountable leadership.

IMPLEMENTATION PLAN/IMPLICATIONS

18 The DIAC will operate as an advisory committee to Council and also provide an opportunity for Council officers to discuss potential programs of works, planning and design with the Committee. The DIAC will not advise on development applications.

19 The implementation plan will be as follows:

(i) **Initiation - September 2017 - October 2017**
Submit Report to the Ordinary Council Meeting in October 2017.

(ii) **Planning - October 2017**
Develop communication material for Expressions of Interest process.
Set proposed meeting schedule.
(iii) **Establishment -November 2017 - December 2017**
Run Expressions of Interest.
Select Membership.

iv) **Commence Implementation meetings - February 2018**

(v) The DIAC will continue to exist until the caretaker mode commences.

**RISK ASSESSMENT AND MITIGATION**

20 There are no significant corporate risks associated with the establishment of the DIAC. Effective facilitation and management of the meeting and communication channels will ensure the DIAC is a value adding engagement strategy between the community and Council.

21 Committee members will be bound by Council’s Code of Conduct and Media Policy.

**RELATED PREVIOUS DECISIONS**

22 **ITEM-29 CCL 22/03/16 - ADOPTION OF THE DRAFT DISABILITY ACCESS AND INCLUSION PLAN**

*Moved by Cr Doyle, seconded by Cr Osborne*

*Council resolves to:*

i) **Council adopt the Draft Disability Action Plan including a new action-strategy 6(e) Facilitate specialist training for identified technical staff for access auditing and compliance with relevant codes and standards.**

ii) **That Council receives a report on establishing a Council Access Committee as a working group of Council, reporting directly to Council and comprising relevant Council officers, three Councillors, three community representatives and representatives of relevant community and advocacy groups.**

*Carried Unanimously*

**CONSULTATION**

23 Previously noted in paragraph 2.
OPTIONS

Option 1

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

Option 2

25 Council resolves not to create a DIAC. This is not the recommended option.

BACKGROUND

26 The NSW Disability Inclusion Act 2014 requires each public authority to prepare a Disability Action Plan. In 2015 Newcastle City Council began developing the DIAP. After significant consultation the Draft DIAP was adopted by Council on 22 March 2016 and subsequently has had funding allocated to implement the 57 actions identified within the DIAP.

REFERENCES

ATTACHMENTS

Attachment A: Draft Disability Inclusion Advisory Committee (DIAC) Charter
Draft Disability Inclusion Advisory Committee (DIAC)

Charter
Committee Charter

<table>
<thead>
<tr>
<th>Charter title</th>
<th>Disability Inclusion Advisory Committee Charter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Committee Type</td>
<td>Advisory</td>
</tr>
<tr>
<td>Charter owner</td>
<td>Director Planning and Regulatory</td>
</tr>
<tr>
<td>Prepared by</td>
<td>Community Development Facilitator</td>
</tr>
<tr>
<td>Approved by</td>
<td>Council</td>
</tr>
<tr>
<td>Date approved</td>
<td>TBC</td>
</tr>
<tr>
<td>ECM number of Council decision</td>
<td>XXXX</td>
</tr>
<tr>
<td>Dissolution date</td>
<td>One day prior to Council’s next ordinary election</td>
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</tbody>
</table>
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1 Interpretation

1.1 Act means the Local Government Act 1993 (NSW).
1.2 Attendee means Council staff members listed at clause 6 who are entitled to attend meetings.
1.3 Chairperson means a Member elected by the Committee.
1.4 Committee means the Disability Inclusion Advisory Committee.
1.5 Community representative means an individual appointed to the Committee by the CEO.
1.6 Disability Service Providers/Advocacy Groups means an Organisation delivering a service/s to People with a Disability and/or undertaking Advocacy activities within the Disability Services Sector.
1.7 Council means the Newcastle City Council and where appropriate includes its administration or any successor council.
1.8 Facilitator/Secretary means a Council staff member appointed to fulfil the tasks set out in clause 12.
1.9 General Manager/CEO means the General Manager/Chief Executive Officer of Council and includes their nominee.
1.10 Member means those described in clause 5.

Unless stated otherwise, a reference to a clause is a reference to a clause of this Charter.

2 Dissolution

2.1 This Committee remains in existence until one day prior to Council’s next ordinary election (September 2020) or until it is dissolved by Council.

3 Authority

3.1 In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the General Manager/CEO, as provided in the Act.
3.2 The Committee has no executive powers and cannot make decisions on behalf of Council and is not a committee delegated authority to exercise powers under s.355 of the Act.
3.3 Neither the Committee nor any of its Members may direct any Council staff member in his or her duties.
3.4 This Committee is not a council committee as defined in s.260 of the Act, because its membership is not constituted solely by councillors.
3.5 The Chairperson of the Committee may, if considered reasonably necessary and in consultation with the General Manager/CEO, request external professional advice to allow the Committee to meet its responsibilities.
3.6 The General Manager/CEO may facilitate, and provide the necessary financial resources, to engage the provision of any such external professional advice required.

4 Responsibilities of Committee

4.1 The responsibilities of the Committee are as follows:

4.1.1 To enhance the delivery of Council’s commitment to the Disability Inclusion Action Plan 2016-2019

4.1.2 To provide strategic advice and guidance to Council and Council Officers in relation to making Newcastle a highly inclusive community

4.1.3 To engage People with a Disability, their Carers and Disability Service Providers in Local Government

4.1.4 To discuss localised concerns about barriers experienced by People with a Disability

4.1.5 To support Council in a manner that is consistent with Council values

4.1.6 To submit an Annual Report to Council on the operation and actions of the DIAC

5 Membership

5.1 Committee Members are:

5.1.1 Three Councillors, or, in the case of appointment of an Administrator, the Administrator or nominated representative;

5.1.2 Three community representatives with lived experience as a Person with a Disability, a Carer or Family Member

5.1.3 Three Disability Service Providers/Advocacy Groups;

Members are entitled to vote.

The Disability Service Providers/Advocacy Group Members may be substituted with an alternative nominee appointed by their Organisation.

6 Attendees

6.1 Attendees are:

6.1.1 General Manager/CEO;

6.1.2 Council’s Directors;

6.1.3 Other relevant Council staff; and

6.1.4 Facilitator.

Attendees do not have any entitlement to vote.

7 Selection of Councillor Members

7.1 Council will call for nominations for Councillor Members at the commencement of each Council term (the Facilitator will arrange for a report to the elected Council).

7.2 Council will elect three Councillors by resolution.

7.3 If re-elected to Council, retiring Councillor Members are entitled to nominate for re-appointment.
7.4 Councillor Members remain Members of the Committee until:
   7.4.1 the Committee is dissolved pursuant to clause 2.1 of this Charter;
   7.4.2 they resign; or
   7.4.3 their membership is otherwise terminated.

7.5 Councillor membership terminates immediately upon a Councillor Member no
longer being a Councillor.

7.6 If a Councillor member does not remain on the Committee for the entire
Council term, appointment of a replacement Councillor member must be by
resolution of Council as soon as practicable after the Councillor member
ceases to be a Member of the Committee.

8 Selection of Members

8.1 Community representatives and stakeholder organisations shall be appointed
following a public Expressions of Interest (EOI) process. Written nominations
shall be lodged with Council and include supporting information addressing
selection criteria.

8.2 To be eligible to be a community representative of the Committee, applicants
must:
   8.2.1 be a Person with a Disability/Disabilities, a Carer or Family Member of a
         Person with a Disability/Disabilities
   8.2.2 have commitment to participation and consultative processes;
   8.2.3 have a demonstrated ability to be constructive and objective; and
   8.2.4 be considerate of the wide range of factors impacting on the liveability
         of the community.

8.3 Applications for community representatives will be assessed;
   8.3.1 on merit by the Co-ordinator of Community Planning and the
         Community Development Facilitator;
   8.3.2 be approved for appointment by the CEO or nominated representative.

8.4 If more than three applicants are deemed suitable for appointment as community
representatives, offers of membership will be made to the top three and the
remainder placed on an eligibility list for up to two years.

8.5 The name and organisation (if relevant) of a member will be public knowledge
and will be entered into the committee register, an excerpt of which will appear
on Council’s website.

9 Termination of Membership

9.1 Membership of the Committee will remain until:
   9.1.1 one day prior to Council’s ordinary election, to be held in September
         2020, or until the Committee is dissolved, pursuant to clause 2.1 of this
         Charter;
   9.1.2 the member resigns; or
   9.1.3 their membership is otherwise terminated pursuant to any of the
         following clauses 7.5, 9.2.1 or 9.2.2 of this Charter.
9.2 Membership of any Member of the Committee may be terminated by a decision of the Committee due to:

9.2.1 the Member’s non-attendance at three consecutive Committee meetings without prior notification of their non-attendance or the granting of leave by resolution of the Committee.

9.2.2 the Member’s conduct being inconsistent with this Charter or Code of conduct.

9.3 Councillor membership terminates immediately upon a Councillor Member no longer being a Councillor.

9.4 If the Member is a:

9.4.1 Community representative;

9.4.1.1 the General Manager/CEO and/or Director of Planning and Regulatory Services, in consultation with Councillors, will determine a replacement member to the committee, where applicable. If not applicable, the Facilitator will commence a new selection process; pursuant to clause 10 of this Charter.

9.4.2 Member from a Stakeholder Organisation who has not provided an alternate nominee:

9.4.3 the General Manager/CEO, in consultation with Councillors, will determine a replacement stakeholder organisation to nominate a member to the committee.

10 Responsibility of Members

10.1 Members are expected to:

10.1.1 understand the relevant legislative and regulatory requirements applicable to Council;

10.1.2 be able to contribute the time needed to understand the Committee’s business papers and to attend Committee meetings; and

10.1.3 provide advice and feedback on matters brought before the Committee pursuant to clause 4 of the Charter.

10.2 Appointments as community representatives to the Committee will:

10.2.1 possess a mix of skills to facilitate the sound functioning of the Committee; and

10.2.2 seek to have regard to representing the diversity and interests of the community.

11 Appointment and responsibility of Chairperson

11.1 Election of Chairperson will take place at the first meeting of the Committee in each calendar year.

11.2 The Facilitator will administer all elections.

11.3 If there are more than two nominees for the Chairperson position, the nominee receiving the lowest number of votes will be eliminated and a further round of voting will take place to elect the Chairperson. This process will continue until a nominee is elected.

11.4 The Chairperson will be responsible for keeping order at the meeting.
11.5 If the Chairperson is absent from a Committee meeting, a Member of the Committee will be nominated by the Committee to chair the meeting.

12 Responsibility and requirements of Facilitator/Secretary

12.1 The Facilitator will be a suitably qualified Council officer who will undertake the following functions:

12.1.1 facilitate discussion at committee meetings, provide input to meetings and be an active (non-voting) member of the committee;

12.1.2 focus the committee on its responsibilities outlined in clause 4 of this Charter and the meeting agenda items;

12.1.3 act as the communication link between the committee and Council;

12.1.4 manage the resources available to the committee;

12.1.5 where appropriate, liaise closely with the facilitators of Council’s other committees to assist with the collaboration between committees, the sharing of information and the efficient and effective use of Council and committee member resources; and

12.1.6 work closely with the Chairperson to administer the committee and its meetings.

12.2 The Secretary will be a suitably qualified Council officer who undertakes the following functions:

12.2.1 prepare agendas;

12.2.2 maintain the register of members;

12.2.3 maintain meeting attendance register;

12.2.4 maintain the committee’s register of delegations;

12.2.5 maintain the committee’s financial records;

12.2.6 take minutes at committee meetings and prepare them for dissemination;

12.2.7 accept and collate committee business papers prepared or submitted by Council officers, committee members, working parties and stakeholders;

12.2.8 make agendas, minutes and committee business papers available to committee members, Councillors and relevant Council officers;

12.2.9 make committee governance papers (including but not limited to this charter and Council’s applicable policy/guideline documents) available to committee members, Councillors and relevant Council officers;

12.2.10 book meeting venues and organise the provision of any necessary equipment; and

12.2.11 provide administrative assistance to the Facilitator.

12.3 The Facilitator and Secretary positions may be shared amongst a number of suitably qualified Council officers or be the same person.

13 Attendance at meetings

13.1 Attendance at any meeting of the Committee is limited to the following:

13.1.1 Members;
13.1.2 Attendees as provided at clause 6; and
13.1.3 Council staff and external personnel by invitation of the Committee to provide information.

14 Quorum
14.1 A quorum is constituted by attendance of 4 Members.
14.2 If a quorum is not achieved, an informal meeting may be conducted at the discretion of the Chairperson.

15 Meeting schedule
15.1 The Committee will meet 6 times per year.
15.2 A forward meeting plan will be agreed by the Committee each year.
15.3 Additional meetings may be scheduled by the:
   15.3.1 Chairperson;
   15.3.2 Committee by resolution; or
   15.3.3 General Manager/CEO.

16 Meeting agendas
16.1 The Facilitator will provide notice of meetings, including the agenda and business papers, to the Committee at least seven business days prior to the day of the meeting. These may be transmitted electronically.

17 Resolutions of the Committee
17.1 Resolutions of the Committee must be consistent with this Charter and must be consistent with the Committee’s delegations.
17.2 The Committee is expected to make decisions by open vote and record its recommendations in the minutes of the Committee meeting.
17.3 The General Manager/CEO (or delegate) may action recommendations as they deem appropriate in accordance with their individual delegations and authorisations.
17.4 A report to Council for a decision will be required where recommendations fall outside the functions delegated to the General Manager/CEO.

18 Reports to Council
18.1 The Committee will provide an annual report to Council which will include attendance records. Such a report will be prepared by the Facilitator.
18.2 The Committee may submit reports to Council where a Council resolution is required to enact a recommendation of the Committee.

19 Minutes
19.1 All Committee business will be appropriately minuted and recorded by the Facilitator including registration, in accordance with Council’s Records Management Policy.
19.2 Draft minutes will be distributed to the Committee no later than 10 business days after the meeting.

19.3 Draft minutes of the previous meeting are to be adopted by resolution of the Committee at the following meeting. The Committee must then authorise the Committee Chairperson to sign the confirmed minutes.

19.4 At its first meeting, the Committee is to determine if adopted Minutes should be placed on Council’s website. All member names, confidential and/or matters of a sensitive nature will be redacted from the published minutes.

20 Conduct by members and attendees

20.1 All Members and attendees are expected to conduct themselves in accordance with Council’s Code of Conduct.

20.2 Conflicts of Interests must be declared and managed in accordance with the Code of Conduct. A record of a declared conflict of interest in the minutes is sufficient.

20.3 Significant conflicts of interest must be managed by the Member excluding themselves from the meeting during the discussion of the relevant agenda item. Such exclusion should be recorded in the minutes.

21 Public Comment

21.1 The Lord Mayor/Administrator and General Manager/CEO are the official spokespersons for the Council, in accordance with Council’s Media Policy, and no Members should speak to the media or members of the public on behalf of Council.

22 Confidentiality

22.1 Prior to attending a meeting, Committee Members and other attendees at the meeting, must agree to abide by the terms of Council’s Code of Conduct relating to confidentiality.

22.2 Unless otherwise resolved by the Committee, all meetings of the Committee will be closed to the general public.

23 Induction

23.1 New Members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

24 Review of Charter

24.1 This Charter will be reviewed at the commencement of each Council term and may only be amended by resolution of the elected Council.
ITEM-115  CCL 24/10/17 - CITIES LEADERSHIP INSTITUTE US TOUR PROGRAM 2017 - PARTICIPATION BY CITY OF NEWCASTLE

REPORT BY:  PLANNING AND REGULATORY
CONTACT:  DIRECTOR PLANNING AND REGULATORY / MANAGER STRATEGIC PLANNING SERVICES

PURPOSE

To seek Council’s support to participate in the Cities Leadership Institute Program 2017. The Cities Leadership Institute was previously known as Future Cities Collaborative of which Council is a member.

RECOMMENDATION


2 Council endorse the attendance of two Councillors, being Councillors <insert Councillors names> on the Cities Leadership Institute US Smart Cities Tour 2017.

3 Council endorse the attendance of Council's City Revitalisation Coordinator and Smart City Coordinator on the Cities Leadership Institute US Smart Cities Tour 2017.

KEY ISSUES

4 Council has been invited to participate in a tour of the US with a focus on Smart Cities. The exchange focuses on digital innovation to develop the capacity of public and private sector leaders to understand and use technology to create liveable and sustainable cities and communities.

5 The 2017 program will be led by Professor Edward Blakely and will take the nominated delegates from Council through an intensive strategic workshop prior to departure followed by a US-Australian International City Exchange to the west coast of the United States.

6 The US-Australian International Smart City Exchange Program is attached (Attachment A). The dates of the exchange are Sunday 29 October 2017 – Wednesday 8 November 2017 (inclusive).

7 This Council Report seeks Council’s endorsement to participate in the 2017 US-Australian International City Exchange Tour.
FINANCIAL IMPACT

8 Participation in the program will require a financial commitment as follows:

i) Study Tour - maximum cost per person is $12,200USD per person. This covers all domestic travel and transfers, accommodation, meals, access to leading American and Australian experts, presentations from various US organisations and institutions on leading urban design and planning practices, and the opportunity for ongoing dialogues and discussions with our US partners. The final cost for the Study Tour is subject to change based on exchange rate fluctuations.

ii) International Airfares - Sydney to Los Angeles return.

9 Funding for staff participation will come from existing budgets. Funding for the Councillor attendance will be costed to the Councillor Learning and Development budget and will be reported in the next Quarterly Review.

COMMUNITY STRATEGIC PLAN ALIGNMENT

10 Participation in the program contributes to achieving a liveable and distinctive built environment and fostering a smart and innovative city.

IMPLEMENTATION PLAN/IMPLICATIONS

11 Implementation in the program offers significant benefits to Council and the Newcastle community in sharing and investigating the revitalisation experience of other New South Wales local governments as well as cities in the United States. The program is supported by the State Government. The program will build capacity in the participants and establish networks and relationships for ongoing exchange of information and ideas.

12 The program is particularly relevant to Newcastle City Council given the recent adoption of the Newcastle Smart City Strategy and the current implementation of the Newcastle Urban Renewal Strategy.

RISK ASSESSMENT AND MITIGATION

13 There are no obvious risks in participating in the program and study tour. There are some risks associated with not participating in terms of lost opportunity.

RELATED PREVIOUS DECISIONS

14 On 24 February 2015 Council resolved to participate in the US Study Tour as part of Council's membership of the Future Cities Collaborative. The Lord Mayor and Director Planning and Regulatory attended that tour program.

CONSULTATION

15 Learnings and plans developed through participating in this program will be shared internally and externally, through a variety of means including a formal report and presentation to the full Council.
OPTIONS

Option 1

16 The recommendation as at Paragraph 1 to 3. This is the recommended option.

Option 2

17 Council resolves not to participate in the program. This is not the recommended option.

BACKGROUND

18 In 2015, The United States Studies Centre at the University of Sydney invited the Council to participate in the Future Cities Program. At that time Council supported the Lord Mayor and (then titled) General Manager's delegate being the Director Planning and Regulatory, to attend the US Tour to examine local and state level funding and financing tools used to support economic development programs and projects, including infrastructure, transport and civic facilities.

19 On 24 November 2015 Council resolved to receive the report on the Future Cities - US Study Tour 2015 at Attachment B, to thank the US Studies Centre and in particular Professor Ed Blakely and his support team for a successful Study Tour and for sharing their expertise and knowledge and that Council endorse an application for membership of the Future Cities Collaborative at the US Studies Centre, University of Sydney.

20 The International Exchange 2017 - Smart Cities, United States focuses on digital innovation to develop the capacity of public and private sector leaders to understand and use technology to create liveable and sustainable cities and communities.

21 The Exchange provides delegates with unique insights, opportunities to develop and test smart ideas and connect with partners, collaborators and experts. Delegates will learn from experts and entrepreneurs as we visit the cities of San Diego, Palo Alto, San Jose and Los Angeles in California, and Austin in Texas.

22 San Diego, California has seen major progress in smart city planning. It will install one of the world’s largest Internet of Things (IoT) sensor platforms that will capture data about traffic, air quality, weather emergencies and crime, saving the city over $2.4 million (USD) per year in energy costs. Delegates will gain insights into how significant investment from city governments, in partnership with the private sector, can transform citizens’ quality of life.

23 Palo Alto, California is one the most innovative cities in the US and birthplace to some of the world’s biggest tech companies. For Chief Information Officer Dr Jonathan Reichental, the future lies in the intersection between the digital and physical world, and developing smart solutions to issues impacting the city from waste management and public safety to transportation. In Palo Alto, technology, open data and civic engagement take centre stage.
24 **San José, California** has a diverse population with forty percent of residents born outside the US and Silicon Valley at its doorstep. Striving to close its “digital divide”, the city launched its Smart City Vision in 2016 that promotes innovative technologies and data-driven decision-making to serve its community. Though faced with a challenging economic environment, San José is delivering smart city initiatives that improve safety, inclusivity, sustainability, civic engagement and economic opportunities.

25 **Los Angeles, California** is redefining the governance of its city and citizens’ quality of life through data-driven insights and problem solving. The City of Los Angeles has released hundreds of datasets as part of its open data portal and is working closely with Parsons to deploy an intelligent transportation system. LA is also home to Hyperloop One that will revolutionise the way we commute.

26 **Austin, Texas**, is one of the fastest growing cities in the United States. The City of Austin is actively looking at new ways of integrating knowledge into the community through its universities, mitigating the impact of the harsh climate by harnessing tech in its EcoDistrict and working on ways to capture, manage and use data to put people at the centre of the growing city.

27 **Key Learning Outcomes**

   i) How to set the vision and goals for a smart city.

   ii) Understanding and assessing digital ecosystems.

   iii) Ways of planning and delivering smart city initiatives; tools and governance.

   iv) The benefits of collaborations and public-private partnerships.

   v) Understanding and choosing the right assets and resources.

   vi) Effective community consultation and engagement.

   vii) Methods to measure success.

28 Council has been advised that other key delegates that are attending this year's International Exchange include:

   i) Director Property from Hunter Development Corporation.


   iii) Coordinator General of the NSW Department of Planning - Central Coast.

   iv) A Councillor from the City of Parramatta.

   v) Mayor of the City of Canterbury Bankstown.

   vi) Director City Future from the City of Canterbury Bankstown.
REFERENCES

ATTACHMENTS

Attachment A:  Cities Leadership Institute International Exchange 2017 Program Brochure


Attachments to be distributed under separate cover
ITEM-116 CCL 24/10/17 - SUPPLEMENTARY REPORT - LAND BOUNDED BY MOSBRI CRESCENT AND KITCHENER PARADE THE HILL - ADOPTION OF AMENDMENT TO NEWCASTLE LEP 2012

REPORT BY: PLANNING AND REGULATORY
CONTACT: DIRECTOR PLANNING AND REGULATORY / MANAGER STRATEGIC PLANNING

PURPOSE

To provide a supplementary report to Council for consideration of a Planning Proposal to amend Newcastle Local Environmental Plan 2012 with respect to land bounded by Mosbri Crescent and Kitchener Parade The Hill, as was previously reported to Council for adoption on 25 July 2017 as Item 81 (Attachment A).

RECOMMENDATION

1 Council resolves to:

   i) Endorse the attached planning proposal PP_2016_NEWCA_010_00, pursuant to section 55 of the Environmental Planning and Assessment Act 1979 NSW (EP&A Act), in order to amend Newcastle Local Environmental Plan 2012 (LEP) and rezone land bounded by Mosbri Crescent and Kitchener Parade, The Hill that comprises the following land parcels:

      a) SP6373, SP3058, Lots 10, 12, 13 DP 216346 and Lot 1 DP204077, Nos 1 - 17 Mosbri Crescent, and

      b) Lot 8 DP216346, SP19610 and Lot 62 DP522440, Nos. 31, 37 and 41 Kitchener Parade, The Hill.

   ii) Forward the planning proposal to the Department of Planning and Environment (DPE) requesting that a draft LEP be prepared and made pursuant to section 59(1) of the EP&A Act.

   iii) Advise the Secretary of the DPE that Council does not seek to exercise delegations for undertaking section 59(1) of the EP&A Act.

   iv) Adopt the new draft Section 6.14 - 11 Mosbri Crescent, The Hill of Newcastle Development Control Plan 2012 (DCP) and provide public notice advising that this development control take effect on the business day following the date upon which the abovementioned amendment to the LEP is made.
KEY ISSUES

2 At the Ordinary Council Meeting held on 25 July 2017, Council resolved to lay Item 81 - Land bounded by Mosbri Crescent and Kitchener Parade The Hill - Adoption of Amendment to Newcastle Local Environmental Plan 2012, on the table, "…until such time that there is an opportunity for a Public Voice session to be held with both the objectors and applicant."

3 Council staff wrote to those who made submissions and to the applicant advising of the opportunity to address Council during a Public Voice session. The Public Voice was held on 15 August 2017.

4 The item was relisted to the Ordinary Council Meeting held on 22 August 2017. However, Council agreed to a request from the applicant to defer this matter until the applicant was able to provide a response to the matters raised during the Public Voice held on 15 August 2017.

5 The applicant has now provided a response (Attachment B) for Council's consideration in resolving this matter.

OPTIONS

Option 1

6 The recommendation at paragraph 1. This is the recommended option.

Option 2

7 Council not adopt the recommendation at paragraph 1. This is not the recommended option.

REFERENCES

ATTACHMENTS

Attachment A: Original Report and Attachment A to D of CCL 25/07/17 - Land bounded by Mosbri Crescent and Kitchener Parade The Hill - Adoption of Amendment to Newcastle Local Environmental Plan 2012

Attachment B: Applicant's response to matters raised during the Public Voice held on 15 August 2017

All attachments distributed under separate cover.
NOTICES OF MOTION

ITEM-24 NOM 24/10/17 - NEWCASTLE COUNCIL APPRENTICESHIP SCHEME

COUNCILLOR: J MACKENZIE

PURPOSE

The following Notice of Motion was received on 11 October 2017 from the abovenamed Councillor.

MOTION

That Council:

1 Acknowledge the leadership role Council plays as an employer with an obligation to provide secure employment and skills for young people in our community,
2 Commits to reviewing the current apprenticeship, cadetship and graduate programs, and
3 Requests staff provide a report that details:
   a) The current number of apprentices, cadets and graduates employed and otherwise engaged with council and their areas of expertise, trade or speciality;
   b) The capacity of council to increase apprentice, cadet and graduate employment, and the benefits and opportunities to the local community of expanding this employment; and
   c) Potential sources of external funding that may assist with an expansion of Council’s apprentice numbers including state and federal funding grants.

BACKGROUND

As a model employer, Council must take action where possible to address shortfalls in employment opportunities for young people in our city. With youth unemployment running at double the adult unemployment rate in the local area, Council must take the lead in delivering jobs and life-long skills to young workers. The most recent unemployment data has unemployment at 5.7% for adults and 10.9% for young people in the Newcastle and Lake Macquarie area.

Council has a history of engaging large numbers of apprentices, cadets and graduates, and receives significant value from their employment.

The 2030 vision for Newcastle is to become a smart, liveable and sustainable city. Fundamental to this vision is to engage young people and work with partners such as TAFE NSW and the University of Newcastle to increase skills and employability.

ATTACHMENTS

Nil
ITEM-25  NOM 24/10/17 - PHASE OUT OF SINGLE-USE PLASTIC BAGS

COUNCILLOR:  J MACKENZIE

PURPOSE

The following Notice of Motion was received on 11 October 2017 from the abovenamed Councillor.

MOTION

That Council:

1. Write to the New South Wales and Australian Government advocating for a ban on single-use plastic bags.
2. Formalise a policy to ensure that all Council-managed enterprises, Council activities and events on Council land seek to eliminate the use of disposable plastic items.
3. Promote the positive steps being taken in the community to both reduce the use of single use plastic bags, and to address marine plastic pollution more generally.
4. Continue to assist and educate local businesses and the community to reduce the use of disposable plastic items.

BACKGROUND

Plastic pollution is a major waste problem in NSW, contributing to landfill and polluting the state’s waterways, coastlines and oceans.

Single use plastic bags are lightweight, singlet style, disposable plastic bags provided by retail outlets. Over four billion single use plastic bags are used in Australia each year which is equivalent to ten million per day. Many single use plastic bags are disposed of responsibly, however these too take up valuable landfill space. However, some plastic bags end up in the environment where they can cause great harm to bird life and marine life. An estimated 50 million single-use plastic bags enter the environment, blown from bins or landfill, and often ending up in waterways and the ocean.

It is estimated each bag is used just 12 minutes on average.

A plastic bag can take up to 1,000 years to break down.

The Australian Retailers Association introduced a voluntary Plastic Shopping Bag Code of Practice, between 2003 and 2005. The Code included education and commitments to make ‘green bags’ widely available in stores. The Code resulted in a reported 45% reduction in plastic shopping bags issued by supermarkets. However, according to the NSW EPA, since the end of the Plastic Shopping Bag Code of Practice, it appears that the trend of reduction in plastic shopping bag usage has reversed.
In July 2017, Harris Farm Markets announced it will be completely plastic bag free by 1 January 2018. On the same day, Woolworths announced it would begin phasing out the bags in supermarkets, Big W and BWS stores, with a total ban in place by June 30 next year. Less than two hours later, Coles announced it, too, would be phasing out single-use plastic bags over the next 12 months. Aldi has never given away plastic bags to shoppers since opening its first store in Australia in 2001 and supports a complete ban on single-use plastic bags.

Ultimately, to help eliminate the problems caused by disposable plastic bags the most simple and effective solution would be a ban on single use plastic bags. This creates a level playing field where no retailer will be disadvantaged and all customers can be educated with a standard message.

Council is not in a position to enforce a ban on single use plastic bags on our own. A Newcastle ban would only be possible with the voluntary participation of all the retail outlets in the region. Experience has shown this can be achieved on a smaller scale, for instance at a shopping district or main street scale. Such small scale actions have important symbolic value: a plastic-free Darby or Beaumont St, for instance, could be considered and may have significant community education and advocacy impact. Facilitating a voluntary ban amongst local businesses would also take considerable time and resources. For these reasons a NSW ban on single use plastic bags is a far simpler and more practical solution.

South Australia, ACT, the Northern Territory, and Tasmania have already implemented statewide bans, while there are plans in place for Queensland to do the same next year. In September this year, the West Australian Government announced that retailers will be barred from giving shoppers single-use plastic bags from next July. New South Wales and Victoria are the only two states who have failed to commit to a state-wide “ban on the bag”.

Single use plastic bags remain highly prolific in NSW and can cause significant damage to the environment. Council should continue to support efforts to reduce the use of disposable plastic bags in its own operations and in the community. A state-wide ban on single use plastic bags would be the most effective way to address this issue and Council should advocate strongly for such an outcome.

ATTACHMENTS

Nil
ITEM-26 NOM 24/10/17 - INDEPENDENT EVENT ASSESSMENT OF THE NEWCASTLE 500

COUNCILLOR: J MACKENZIE

PURPOSE

The following Notice of Motion was received on 12 October 2017 from the abovenamed Councillor.

MOTION

That Council:

1. Engages an independent, expert third party to undertake an evaluation and event impact assessment to assess the social, economic and environmental benefits and costs associated with Newcastle City Council’s support for the Newcastle 500 event, following the event’s completion in November 2017;

2. Requests a report to Council in early 2018 on the findings of this analysis.

BACKGROUND

With little more than a month to go before the Newcastle 500, it is timely for Council to consider how aspects of the success of this event might be measured.

To measure the success of this event, Newcastle City Council can detail the City’s public expenditure compared with the returns derived from the event.

This would be beneficial for planning and staging of future events and other major events in Newcastle. Noting that “transparency” – providing access to information the community needs to understand Council’s planning and decision-making processes – is one of the four principles of the Council’s draft Open and Transparent Government Strategy.

It is noted that Council has not made a direct financial contribution to Supercars.

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.

An independent, triple bottom line evaluation and event impact study will compare these pre-race estimates to the actual benefits and costs associated with the event and Newcastle City Council’s contributions.
It is timely to begin this process prior to the staging of the event, such that full lifecycle costing and indicators for performance measurement and monitoring can be established.

Newcastle City Council is committed to delivering ratepayers transparency and accountability.

This is an opportunity for the council undertake its own evaluation of this event. Costings included in this evaluation should include:

- In-kind costs provided by council on specialised infrastructure, only necessary because of the event;
- upgrades and changes to Foreshore Park - the event will use Foreshore Park for several weeks every year;
- long term benefits and Impacts during the construction phase (noting that construction occurs in year one only) and the bump-in and bump-out period each year;
- Economic benefits/impacts on businesses in the Newcastle CBD. Benefits across a range of sectors incorporating the flow on effect from the positive media around influencing Newcastle’s visitor economy and also including loss of business due to “crowding out”; that is, tourists not coming to Newcastle because of the event and residents being forced to move out for the period of the event. External factors for consideration include construction of Newcastle Light Rail, and current levels of overall construction activity in the Newcastle CBD.
- Economic impact of the event for the broader Hunter Region, including the economic impact on LGAs surrounding Newcastle City Council;
- Health impacts on the local community.

ATTACHMENTS

Nil
ITEM-27 NOM 24/10/17 - BERESFIELD SWIMMING CENTRE

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

PURPOSE

The following Notice of Motion was received on 12 October 2017 from the abovenamed Councillors.

MOTION

That Council:

1. Amend the operating hours of the Beresfield Swimming Centre (BSC) for the 2017/2018 season to:

<table>
<thead>
<tr>
<th>Period</th>
<th>Mon - Sun</th>
<th>Sat - Sun</th>
</tr>
</thead>
<tbody>
<tr>
<td>23 September 2017 to 29 October 2017</td>
<td>6am - 6pm</td>
<td>6am - 6pm</td>
</tr>
<tr>
<td>30 October 2017 to 18 March 2018</td>
<td>Mon - Fri</td>
<td>6am - 7pm</td>
</tr>
<tr>
<td>19 March 2018 to 29 April 2018</td>
<td>Mon - Fri</td>
<td>6am - 6pm</td>
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with associated costs to be addressed through the Quarterly Budget Review process.

2. Implement the changes in operating hours at BSC as soon as possible and notify relevant stakeholders.

3. Investigate upgrades to BSC including but not limited to additional shading, additional shaded seating and children’s water activities, and report back to Council.
BACKGROUND

Council’s current operating hours\(^1\) at BSC places residents in the Beresfield and Tarro communities at a significant disadvantage in accessing a public swimming facility in the Newcastle LGA as compared to those residing within the vicinity of the other public inland pools. This is particularly the case during daylight saving with BSC not opening until 9am and closing at 3pm on weekends between 23 September and 29 October 2017 and between 19 March and 29 April 2018.

The services and facilities provided at BSC are quite basic as compared to the other public inland pools and BSC has not seen any significant upgrades in the last decade. Given the significant distance from Beresfield/Tarro to the cities beaches and ocean baths, the increase in patronage of BSC and the fact that BSC is the only Council owned and operated inland pool, Council has a responsibility to ensure the facilities are of an appropriate standard to meet the needs of residents.

ATTACHMENTS

Nil

\(^1\) Beresfield Swimming Centre Current Opening Hours

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<tr>
<th>Period</th>
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<tr>
<td>23 September 2017 to 29 October 2017</td>
<td>6am - 6pm</td>
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<td>30 October 2017 to 18 March 2018</td>
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<td>19 March 2018 to 29 April 2018</td>
<td>6am - 6pm</td>
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ITEM-28 NOM 24/10/17 - STEVENSON PARK UPGRADES

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

PURPOSE

The following Notice of Motion was received on 12 October 2017 from the abovenamed Councillors:

MOTION

That Council

1 Notes the advocacy of the recently formed Friends of Stevenson Park group requesting upgrades to Stevenson Park Mayfield West;

2 Notes that in the adopted Operational Plan for FY 2017/18, Council will spend approximately $16 million on parks, playgrounds and reserves, including in recently delivering a new $150,000 playground at Centennial Park Cooks Hill, commencement of delivery of a new $1.5 million adventure playground at Blackbutt Richley Reserve, and playground upgrades at Smith Park, Wallsend Park, Grahame Park, Bull and Toule St Reserves;

3 Continues Council’s consultation with the Friends of Stevenson Park group and broader Mayfield West community, and commits to delivering playground upgrades of a value of at least $150,000 at Stevenson Park in FY 2018/19;

4 Commits to updating the Stevenson Park Masterplan, while engaging with all user groups, local residents and the Friends of Stevenson Park, providing a report back to Council in the second quarter of 2018.

BACKGROUND

Stevenson Park Mayfield West, located off Industrial Drive, is a popular park for sporting activity and recreation for residents across Mayfield West.

The playground is presently in a poor condition and is in need of upgrade. The playground was originally installed in Stevenson Park in 1984.

Consultation has commenced with resident and park users under the auspice of the recently formed Friends of Stevenson Park group. Dozens of local residents recently attended an onsite meeting to discuss upgrades with the Lord Mayor and Council officers.

ATTACHMENTS

Nil
ITEM-29 NOM 24/10/17 - STOCKTON TRAFFIC AND PARKING

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

PURPOSE

The following Notice of Motion was received on 12 October 2017 from the abovenamed Councillors.

MOTION

That Council:

1 Reiterates Council's resolution of 25 July 2017 requesting that the NSW Parliamentary Standing Committee on Transport and Infrastructure currently holding an inquiry into Commuter Car Parking in NSW hold a hearing in Newcastle.

2 Receives a petition with 100 signatories from residents of Stockton and surrounding suburbs [Cr White to table at Ordinary Council meeting] seeking a solution to commuter car parking issues.

3 Undertakes consultation to look at options to expand car parking options on Stockton including consideration of expansion of the current car park at the Ferry Terminal and an additional Ferry stop.

4 Receives a petition with 150 signatories from residents of Stockton and surrounding suburbs [Cr White to table at Ordinary Council meeting] seeking a solution to safety concerns associated with the “drop off” zone located at the Early Learning Centre on Stockton.

5 Works to address the safety concerns surrounding the “drop off” zone associated with the Early Learning Centre on Stockton.

6 Again writes to the NSW Parliamentary Standing Committee on Transport to again extend an invitation to hold a hearing in Newcastle.

BACKGROUND

Stockton is located on a peninsula separated from the CBD by the harbour, with vehicular access via a northern detour and a singular public transport Ferry service connecting the suburb directly with the CBD.

Over the past few years Stockton has been undergoing a revival with families and young professionals moving into the suburb which has resulted in increased use of the Ferry Terminal car park and surrounding streets. This revival has also seen an increase in demand for child care services raising concerns about the traffic movements and safety of families accessing the Early Learning Centre.
Suburbs to the north of Stockton have also experienced an expansion of housing developments with a significant number of these residents utilising the public transport facilities on Stockton namely the Ferry Terminal.

Residents and commuters are seeking a comprehensive city wide parking strategy that addresses issues such as what kind of parking is needed and where, the potential for “park and ride” facilities around public transport, and the demand for parking in the future.

ATTACHMENTS

Nil
ITEM-30 NOM 24/10/17 - COUNCIL STREET, COOKS HILL

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

PURPOSE

The following Notice of Motion was received on 12 October 2017 from the abovenamed Councillors:

MOTION

That Council:
• Notes that the Council Street renewal project is scheduled to commence in early 2018;
• Preserves the integrity of the overall Cooks Hill Local Area Traffic Management (LATM) scheme;
• Reviews the basis of the proposed re-opening of Council Street to traffic as well as other recent changes at Laman Street in a workshop with Councillors. The workshop will also consider the consistency of the traffic management treatment of Darby Street and Bull Street all within the overall context of the Cooks Hill LATM scheme. Included in the workshop to Councillors will be an analysis of the impact of re-opening Council Street to traffic.

BACKGROUND

The Council Street renewal project is scheduled to commence in early 2018. Council is finalising the detailed design and public utilities design, prior to going to tender for construction. The project addresses stormwater pipeline upgrade and localised inundation management, road and footpath rehabilitation, road safety issues and tree management in Council Street Cooks Hill, between Darby and Bruce Streets.

In line with council processes consultation with local residents and property owners has been undertaken including an information session on 26 September 2017 for invited residents of Council Street. The information session provided residents with a project recap, and included information on the adopted design, tree selection, drainage, and traffic and project timelines.

As a result of the consultation several of the key points noted are as follows:

• There were no questions raised for the felling of the existing fig trees. Overall there seemed to be an understanding that fig tree removal was required to facilitate the infrastructure works.
• There were questions raised for deciduous vs. evergreen tree species. However, overall the Consultant provided a discussion on merits of the chosen deciduous option which was well received. Council will now mail relevant households for the choice of their preferred species (In accordance with Council's Street Tree Selection Manual's process for residential streets).
• Several of the attendees raised concern for the traffic layout, traffic movements and removal of the mid-road block. A representative from the Cooks Hill Community Group stated that representation would be made to Councillors to re-consider the existing one-way proposal.
• Several of the attendees raised concerns regarding traffic exiting from the carpark at the rear of the Delaney Hotel onto Council Street. Queries were made as to why the exit could not be located via the Darby Street driveway. Residents advised that representation would be made to Councillors to re-consider the existing one-way proposal.

Concerns expressed post public exhibition in relation to opening Council Street to through traffic and any issues associated with a 'rat run' through residential roads is understandable. However, Council's adopted Option 1 incorporates one-way westbound traffic flow that will encourage drivers to park along Council Street and/or the existing car park to access the bottle shop.

The intersection of Darby Street, at Council Street, is not attractive to use as a 'rat run' due to increase delays with the installation of a pedestrian crossing at Darby Street. In addition, vehicles will have to give way to traffic along Dawson Street or Bruce Street and give way again to traffic along Bull Street.

The current through route via Bull Street will remain with no impediment to traffic from Darby Street to Union Street and hence will be the preferred through route.

The 'Council Street Cooks Hill Infrastructure Rehabilitation Traffic Consultant Report' stated that the proposed one-way west bound traffic flow changes will have an acceptable impact on the local network i.e. the traffic increase will be well below the local traffic volume. Dawson Street currently caters an average of only 172 vehicles per hour (vph) in the am peak and 147 vph in the pm peak. Based on local traffic limits, this is well below other local streets that cater for an average of 300 to 400 vph. In comparison, Bull Street carries an average of 200 and 230 vph in the am and pm peak, respectively.

ATTACHMENTS

Attachment A: Correspondence received from Mr Mark Waugh, Director, Better Transport Futures, entitled 'Proposal to re-open Council Street Cooks Hill to Vehicular traffic'.
Newcastle City Council
Attention: Councillor and Lord Mayor Nuatali Nelmes
PO Box 489
Newcastle NSW 2300
Email: nnelmes@ncc.nsw.gov.au

Dear Lord Mayor Nelmes,

RE: PROPOSAL TO RE-OPEN COUNCIL STREET COOKS HILL NSW TO VEHICULAR TRAFFIC.

I am writing to you with regard to the current proposal to re-open Council Street Cooks Hill NSW to vehicular traffic, as part of current works planned by Council. I understand the works to encompass three elements.

- Trees
- Stormwater Drainage
- The opening of Council Street for through traffic from Darby Street to Bruce Street.

As a Chartered Professional (Civil) Engineer and having practised in the earlier part of my career in Local Government, obtaining my Local Government (Ordinance 4) Engineers Certificate in 1985, I have experienced firsthand and understand the need to protect and restore local road infrastructure including street drainage from the damage that is often caused by street trees.

My particular area of expertise is traffic planning and engineering which I have focussed on since my work in local government in the mid 1980’s. And so it is the third item above relating to the proposed re-opening of Council Street that I am addressing in this letter. My experience in this area has involved numerous Local Area Traffic Management (LATM) schemes in Sydney, Perth, and London prior to returning to Newcastle.

Role of Darby Street

I was fortunate enough to be asked by Newcastle City Council in the early 1990’s to contribute to a review of the Darby Street Road Widening Scheme through Cooks Hills NSW. This work was conducted along with local town planner and architect Gardner Browne. The purpose of this work was to confirm the need for (or not) of the Darby Street road widening scheme from Glebe Road to King Street. The scheme was essentially aimed at widening Darby Street to allow for two traffic lanes plus parking lanes in each direction, and for many years development along Darby Street on the western boundary was set back to accommodate this widening. Darby Street was seen as an important traffic carrying route required for access to the traditional Newcastle Central Business District (CBD). And recognising the growth of Newcastle planned at the time, including the Honeysuckle Development.

The outcome of this work was confirmation that widening of Darby Street WAS NOT required even with the development of the Honeysuckle precinct, and the work then focussed on developing Darby Street from Bull Street to Queen Street into the wonderful ‘eat street’ that it is today. This includes a now 40kph speed limit to reflect the nature of the adjacent street environment.

Subsequent work has reinforced the primary access routes of Stewart Avenue to Parry/King Streets for CBD access.

Observations of potential effects of changes to Cooks Hill Local Area Traffic Management

I make these observations based on my past work in relation to Darby Street, and also more recent work relating to reviews of Council’s parking schemes which included the Cooks Hill area.

Noting that potential impacts on local traffic management in Cooks Hill have been recognised by Council in the past through its development of an LATM scheme for the suburb. A significant impact given the proximity of Cooks Hill to
the CBD was (and still is) for drivers to use local residential streets for ‘rat running’ through the precinct from Darby Street to Union Street and to use these streets also for commuter parking. (A separate matter but one that also impacts significantly on local amenity.)

Council has quite rightly in the past recognised the impact on local amenity and implemented an LATM scheme to assist in minimising the potential for ‘rat running’. The LATM scheme included road closures at Queen Street, Council Street and Young Street, and a series of raised thresholds on Tooke Street, Parry Street as well as 4 way stop signs. In the past movements at Darby Street into Laman Street were also restricted.

Laman Street Redevelopment 2013

The redevelopment of Laman Street, which I understand was completed and opened to the public in October 2013 I believe included the following changes to traffic management:

- Removal of southbound turn restriction into Laman Street. (It was previously left in left out only.)
- Signposting a 40 kph speed zone and ‘high pedestrian activity’ zone on Darby Street from Laman Street to Bull Street.

Local observations particularly in the PM peak traffic flow period have confirmed that there has been an increase in traffic on Laman Street and streets such as Dawson Street, where the impacts are felt around local child care centres and also by residents of Cooks Hill. (It appears also that the new pavement in Laman Street outside the library may be deteriorating at a faster rate than was anticipated in its design and construction?)

Impacts of proposed re-opening of Council Street

The impact of removing the LATM road closure in Council Street west of the commercial strip of Darby Street will see a continuing deterioration in the effectiveness of the overall LATM scheme as follows:

- The re-opening would allow traffic to avoid perceived higher delays on the more appropriate traffic routes such as Darby Street and Union Street by ‘rat running’ through the residential suburb.
- Increased ‘rat running’ as drivers, particularly in the PM peak commuter period, avoid the mid-block pedestrian traffic lights immediately south of Council Street, taking advantage of the ‘rat run’ via Dawson Street to Bull Street.
- As ‘rat running’ increases so will vehicle speeds through the residential area of Cooks Hill in my experience. Local observations have already noted the impacts of more traffic and higher vehicle speeds on Dawson and Bull Streets.
- The impact on amenity will be negative, particularly late at night when patrons of the nearby Darby Street ‘eat street’ establishments will be able to ‘rat run’ through the suburb. The negative impacts will actually be 24 hours a day 7 days a week.
- Other traffic routes are available and have been used successfully for over 25 years while this road closure and others in the overall LATM scheme have been in place.
- If it is the repairs required to street drainage and the removal of trees that is driving this work, this does not require the removal of the traffic calming device, the road closure. There are a number of treatments that can be used (e.g. bollards) that can retain the closure to traffic without compromising any drainage repairs.

The consequence of this proposed re-opening is that it would lead to further compromising the overall Cooks Hill LATM scheme as has happened in recent years at Laman Street.

Functional operation of Darby Street versus Bull Street

It has long been recognised that Darby Street is an important collector route in Council’s road network, providing access to the Newcastle CBD. The recently implemented 40kph speed zone and ‘high pedestrian activity’ zone is a compromise to its traffic carrying function, but a recognition of this higher level of non-vehicular activity generated by the adjacent land use. Bull Street on the other hand while performing a local collector function is not as important in my view within the road hierarchy as Darby Street. And yet now it has a more unrestricted management of traffic flow than Darby Street.
And so I am concerned also about the impact of this 2013 implemented 40 kph traffic zone and 'high pedestrian activity' zone on Darby Street in so far as it creates an inconsistency in treatment and traffic management when compared to the nearby Bull Street route across Cooks Hill.

In the very least the speed limits should be comparable, at 40 kph if necessary. Given the traffic lights along Darby Street create delay, some form of LATM control that limits vehicle speeds on Bull Street could also be warranted. Otherwise you have created another impetus for rat running through Cooks Hill, avoiding the higher order traffic carrying collector roads again.

Conclusion and Request for Review

My conclusion here is that the re-opening of Council Street to traffic in any form is unnecessary as there are other access routes available and these have been used successfully without issue for over 25 years. I also believe that making one-off changes in this way as was done at Laman Street recently has the potential to further erode the integrity of the overall Cooks Hill LATM scheme.

It is my recommendation and request that Council review the basis of the proposed re-opening of Council Street to traffic as well as other recent changes at Laman Street. Also that the review consider the consistency of the traffic management treatment of Darby Street and Bull Street. All within the overall context of the Cooks Hill LATM scheme.

Further Information

I am happy to discuss this matter with you if that would be of assistance to council. If you have any immediate queries or require any additional information please contact me.

Yours sincerely,

Mark Waugh

Director
CONFIDENTIAL REPORTS

ITEM-10 CON 24/10/17 - REDUCTION IN OUTDOOR TRADING FEES

REPORT BY: PLANNING AND REGULATORY
CONTACT: DIRECTOR PLANNING AND REGULATORY / MANAGER REGULATORY SERVICES

REASON FOR CONFIDENTIALITY

This report has been classified confidential in accordance with the provisions of the Local Government Act 1993 (Act) as follows:

- Section 10A(2)(d) of the Act provides that Council can close a meeting to consider commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

- Section 10B(1)(a) and (b) of the Act provides that the discussion of the item in a closed meeting must only:
  
  (a) include as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security; and
  
  (b) occur if the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

GROUNDSD FOR CLOSING PART OF THE MEETING

In respect to section 10D(2) of the Act, the grounds on which part of a meeting is to be closed for the discussion of the particular item must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. Accordingly, an appropriate resolution to proceed is required first.

MOTION TO PROCEED

The discussion of the confidential report take place in a closed session, with the press and public excluded, for the following reasons:

A The matter relates to section 10A(2)(d) of the Act as it involves the consideration of commercial information that has been provided to Council on the basis that it will be treated as commercial-in-confidence. It is contrary to the public interest to release this information as the information supplied includes sensitive commercial information that would, if disclosed, prejudice the commercial position of the person who supplied it. This would lead to a reduction in the supply of information relevant to Council's decision; and

B The closed session will involve only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.
ITEM-11 CON 24/10/17 - CONFIDENTIAL PROPERTY MATTER - WALLSEND

REPORT BY: INFRASTRUCTURE / CORPORATE SERVICES
CONTACT: DIRECTOR INFRASTRUCTURE / MANAGER PROPERTY SERVICES

REASON FOR CONFIDENTIALITY

This report has been classified confidential in accordance with the provisions of the Local Government Act 1993 as follows:

Section 10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Section 10A(2)(d) commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

GROUND FOR CLOSING PART OF THE MEETING

In respect to Section 10D(2) the grounds on which part of a meeting is to be closed for the discussion of the particular item must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. Accordingly an appropriate resolution to proceed is required first.

MOTION TO PROCEED

The discussion of the confidential report take place in a closed session, with the press and public excluded, for the following reasons:

A The matter relates to:

Section 10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

Section 10A(2)(d) commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

B The closed session involves:

- only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.

- the Council or Committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.
C The matter to be discussed contains details of Council’s reasons for acquiring the property and the amount of consideration Council is prepared to pay for the property. It is contrary to the public interest to discuss the matter in an open meeting because the information is sensitive commercial and strategic information and it could provide a commercial advantage to any other party interested in purchasing the property and could influence the consideration the vendor is willing to accept.
ITEM-12  CON 24/10/17 - CONFIDENTIAL PROPERTY MATTER - OFFICE ACCOMMODATION

REPORT BY: CORPORATE SERVICES
CONTACT: INTERIM DIRECTOR CORPORATE SERVICES / MANAGER PROPERTY SERVICES

REASON FOR CONFIDENTIALITY

This report has been classified confidential in accordance with the provisions of the Local Government Act 1993 as follows:

Section 10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Section 10A(2)(d) commercial information of a confidential nature that would, if disclosed:

(i) prejudice the commercial position of the person who supplied it

a - only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.

and

b - the Council or Committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

GROUND FOR CLOSING PART OF THE MEETING

In respect to Section 10D(2) the grounds on which part of a meeting is to be closed for the discussion of the particular item must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. Accordingly an appropriate resolution to proceed is required first.
MOTION TO PROCEED

The discussion of the confidential report take place in a closed session, with the press and public excluded, for the following reasons:

A  The matter relates to Section 10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

B  The closed session involves:

- the Council or Committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.