Councillors,

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

DATE: Tuesday 26 June 2018

TIME: 5.30pm

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

J Bath
Chief Executive Officer
City Administration Centre
282 King Street
NEWCASTLE NSW 2300

20 June 2018

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# ORDINARY COUNCIL MEETING
## 26 June 2018

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FOR DOCUMENTS MARKED 'DISTRIBUTED UNDER SEPARATE COVER' REFER TO COUNCIL'S WEBSITE AT www.newcastle.nsw.gov.au

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

MINUTES - PUBLIC VOICE COMMITTEE 10 APRIL 2018

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 180410 Public Voice Committee 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
PRESENT
The Lord Mayor (Councillor N Nelmes), Councillors M Byrne, J Church, D Clausen, C Duncan, J Dunn, B Luke, J Mackenzie, A Robinson, A Rufo, E White and P Winney-Baartz.

IN ATTENDANCE
J Bath (Chief Executive Officer), A Jones (Interim Director Corporate Services), J Rigby (Acting Director Infrastructure), J Gaynor (Interim Director Planning and Regulatory), E Kolatchew (Interim Manager Legal and Governance), M Blackburn-Smith (Manager Development and Building), M Murray (Policy Officer, Lord Mayor’s Office), C Field (Executive Officer, Lord Mayor’s Office) A Knowles (Council Services/Minutes) and K Sullivan (Council Services/Webcast).

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 Church

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

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS
The Lord Mayor called for declarations of pecuniary and non-pecuniary interests.

Councillor Duncan
Councillor Duncan declared a significant non-pecuniary, conflict of interest in Item 1 - DA2017/01610 - 115 Everton Street Hamilton and managed this conflict by excusing herself from the meeting.

Councillor Winney-Baartz
Councillor Winney-Baartz declared a non-significant, non-pecuniary conflict of interest in Item 1 - DA2017/01610 - 115 Everton Street Hamilton as she had been contacted by a number of objectors of which one was known to her and remained in the Chamber.
Councillor Mackenzie
Councillor Mackenzie declared a less than significant, non-pecuniary conflict of interest in Item 1 - DA2017/01610 - 115 Everton Street Hamilton and managed this conflict by leaving the Chamber for the meeting.

PUBLIC VOICE SESSIONS

Councillors Duncan and Mackenzie removed themselves from the Chamber.

ITEM-1  PV 10/04/18 - DA2017/01610 - 115 EVERTON STREET HAMILTON - DEMOLITION OF DWELLING AND OUTBUILDING AND ERECTION OF TWO ATTACHED DWELLINGS AND ONE LOT INTO TWO LOT SUBDIVISION

Ms Kerry Neinert and Mr Craig Abbs addressed Council and outlined their objections to the Development Application.

Mr Con Verdis, DA applicant and owner, accompanied by Emma Mason, Senior Town Planner, deWitt Consulting addressed Council in support of the Development Application.

Councillors Duncan and Mackenzie returned to the Chamber at the conclusion of the presentations.

The meeting concluded at 6.13pm
RECOMMENDATION

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

ATTACHMENTS

Attachment A: 180410 Briefing Committee 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 Briefing Committee Meeting held in the Council Chambers, 2nd Floor City Hall, 290 King Street, Newcastle on 10 April 2018 at 6.17pm.

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

IN ATTENDANCE
J Bath (Chief Executive Officer), A Jones (Interim Director Corporate Services), J Rigby (Acting Director Infrastructure), J Gaynor (Interim Director Planning and Regulatory), E Kolatchew (Interim Manager Legal and Governance), T Askew (Acting Manager Strategic Planning), N Bavinton (Smart Cities Coordinator), M Murray (Policy Officer, Lord Mayor's Office), C Fields (Executive Officer, Lord Mayor's Office) A Knowles (Council Services/Minutes) and K Sullivan (Council Services/Webcast).

APOLOGIES
MOTION
Moved by Cr Luke, seconded by Cr Church

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

Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS
Nil

BRIEFING COMMITTEE REPORTS

ITEM-3 BR 10/04/18 - CITIES LEADERSHIP INSTITUTE US SMART CITIES TOUR 2017

Ms Katherine O'Regan - Executive Director Cities Leadership Group, Councillor Declan Clausen, Mr Tim Askew, Acting Manager Strategic Planning and Mr Nathaniel Bavinton, Smart Cities Coordinator, provided a briefing to Council on the purpose and outcomes of the US Smart Cities Tour Program 2017.

The briefing outlined a number of direct learnings and outcomes that were brought back from the program. The learnings included various models and initiatives that were currently working well in other cities, together with how Newcastle could apply and implement these to the City's forward models and plans.

Councillors asked a number of questions including learnings for equity and diversity together with privacy concerns in relation to advancing technologies.

The meeting concluded at 7.03pm
MINUTES - PUBLIC VOICE COMMITTEE 15 MAY 2018

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 180515 Public Voice Committee 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
PRESENT

IN ATTENDANCE
J Bath (Chief Executive Officer), A Jones (Interim Director Corporate Services), K Liddell (Director Infrastructure), S Gately (Acting Interim Director Planning and Regulatory), E Kolatchew (Interim Manager Legal and Governance), G Douglass (Interim Manager Development and Building), M Murray (Policy Officer, Lord Mayor's Office), A Knowles (Council Services/Minutes) and J Redriff (Council Services/Webcast).

PRAYER
The Lord Mayor read a prayer and a period of silence was observed in memory of those who served and died so that Council might meet in peace.

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

APOLOGIES

MOTION
Moved by Cr Luke, seconded by Cr Rufo

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

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS
Nil

PUBLIC VOICE SESSIONS

ITEM-1 PV 15/05/18 - DA 2018/00048 - 430 HUNTER STREET NEWCASTLE, 20A & 20B WRIGHT LANE NEWCASTLE - THREE LOTS INTO SEVEN LOT SUBDIVISION AND ASSOCIATED ROAD WIDENING

Mr Steve Dick and Mr Alan Squire addressed Council and outlined their concerns and objections to the development application.

Mr Michael Cassel, CEO of Hunter Development Corporation (HDC) provided an outline of the project to Council in support of the development application.

The meeting concluded at 6.08pm
MINUTES - ORDINARY COUNCIL MEETING 22 MAY 2018

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 180522 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, 290 King Street, Newcastle on Tuesday 22 May 2018 at 5.39pm.

PRESENT
The Lord Mayor (Councillor N Nelmes arrived 5.59pm), Councillors M Byrne, J Church, D Clausen, C Duncan, J Dunn, K Elliott, J Mackenzie, A Robinson, A Rufo, E White and P Winney-Baartz.

IN ATTENDANCE
J Bath (Chief Executive Officer), A Jones (Interim Director Corporate Services), K Liddell (Director Infrastructure), T Askew (Acting Director Planning and Regulatory), E Kolatchew (Interim Manager Legal and Governance), M Cherry (Manager - Rates, Debt Management), D North (Manager Waste Services), I Challis (Interim Manager Projects and Contracts), I Rhodes (Acting Manager Strategic Planning), P Burke (Acting Manager Infrastructure), B Johnson (Media Officer), C Field (Executive Officer - Lord Mayor's Office), M Murray (Policy Officer, Lord Mayor's Office), K Sullivan (Council Services/Minutes) and A Leach (Council Services/Webcasting).

CHAIRPERSON
The Deputy Lord Mayor, Councillor Clausen, stated that the Lord Mayor was running late due to her involvement in a school excursion to Sydney and had requested the meeting commence in her absence.

The Deputy Lord Mayor took the Chair and opened the meeting.

MESSAGE OF ACKNOWLEDGEMENT
The Deputy Lord Mayor read the message of acknowledgement to the Awabakal and Worimi peoples.

PRAYER
The Deputy 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 Church, seconded by Cr Rufo

The apologies submitted on behalf of Councillor Luke be received and leave of absence granted. Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS
Nil.
CONFIRMATION OF PREVIOUS MINUTES

MINUTES - ORDINARY COUNCIL MEETING 1 MAY 2018

MOTION
Moved by Cr Mackenzie, seconded by Cr Duncan

The draft minutes as circulated be taken as read and confirmed subject to Councillor Elliott's name being spelt correctly in the apology moved on her behalf (ie, Elliot to Elliott).

Carried

LORD MAYORAL MINUTE

ITEM-8  LMM 22/05/18 - CITY OF NEWCASTLE NEW SOUTH WALES BUDGET SUBMISSION

PROCEDURAL MOTION
Moved by Cr Duncan, seconded by Cr White

Lord Mayoral Minute Item 8 - City of Newcastle New South Wales Budget Submission, be moved to the end of the Officers Reports to follow Item 51.

Carried

REPORTS BY COUNCIL OFFICERS

ITEM-39  CCL 22/05/18 - EXECUTIVE MONTHLY PERFORMANCE REPORT - APRIL 2018

MOTION
Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

The report be received.

Carried

ITEM-41  CCL 22/05/18 - TABLING PECUNIARY INTEREST RETURNS - PERIOD BETWEEN 1 FEBRUARY 2018 AND 30 APRIL 2018

MOTION
Moved by Cr Mackenzie, seconded by Cr Dunn

Council to note the pecuniary interest returns as tabled by the Chief Executive Officer received from designated persons between 1 February 2018 and 30 April 2018.

Carried
ITEM-50  CCL 22/05/18 - ENDORSEMENT OF EXHIBITION OF AMENDMENT TO ALCOHOL FREE ZONE IN MAYFIELD

MOTION
Moved by Cr Mackenzie, seconded by Cr White

Council resolves to:

i) Place the updated Mayfield Alcohol Free Zone (AFZ) as provided in Attachment A on public exhibition for 30 days.

ii) Receive a report back on the outcomes of the public exhibition.

Carried

ITEM-40  CCL 22/05/18 - QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2018

MOTION
Moved by Cr Dunn, seconded by Cr Winney-Baartz

Council receives the March Quarterly Budget Review Statement (Attachment A) and adopts the revised budget as detailed therein.

Carried

ITEM-42  CCL 22/05/18 - PUBLIC EXHIBITION OF DRAFT DOGS IN OPEN SPACES STRATEGY

MOTION
Moved by Cr Clausen, seconded by Cr Duncan

1. Place the draft Newcastle City Council Dogs in Open Spaces Strategy as outlined at Attachment A on public exhibition for a period of 90 days.

2. That the Lord Mayor writes to Newcastle dog owners who have their email/postal details registered with council with a newsletter summary of the draft Dogs in Open Spaces Strategy for feedback, and information on responsible pet ownership.

3. Receive a report following the public exhibition period.

AMENDMENT
Moved by Cr Elliott, seconded by Cr Church

1. Place the draft Newcastle City Council Dogs in Open Spaces Strategy as outlined at Attachment A on public exhibition for a period of 90 days.

2. That Council writes to Newcastle dog owners who have their email/postal details registered with council with a newsletter summary of the draft Dogs in Open Spaces Strategy for feedback, and information on responsible pet ownership.
3  Receive a report following the public exhibition period.

Defeated

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

Carried

ITEM-43  CCL 22/05/18 - ADOPTION OF WALLSEND PUBLIC DOMAIN AND TRAFFIC PLANS

MOTION
Moved by Cr Dunn, seconded by Cr Byrne

Adopt the Wallsend Public Domain Plan and associated Traffic Management Plan as set out in Attachment A subject to the deletion of the proposed 10 timed car parking spaces in the Kemp Street car park.

The Lord Mayor arrived at the meeting at 5.59pm.

The motion moved by Councillor Dunn and seconded by Councillor Byrne was put to the meeting.

Carried

At 6.03pm, Council resolved for a short recess to allow the Deputy Lord Mayor to step down from the Chair.

The Lord Mayor took the Chair at 6.04pm.

ITEM-44  CCL 22/05/18 - HARRIET STREET, WARATAH - PROPOSED PEDESTRIAN CROSSING NORTH OF HIGH STREET

MOTION
Moved by Cr Winney-Baartz, seconded by Cr Mackenzie

Approve the proposed pedestrian crossing on Harriet Street, Waratah as shown in Attachment A.

Carried unanimously
ITEM-45 CCL 22/05/18 - PUBLIC EXHIBITION OF DRAFT OUTDOOR EXERCISE FACILITY STRATEGY

MOTION
Moved by Cr Winney-Baartz, seconded by Cr White

1 Place the draft Newcastle City Council Outdoor Exercise Facility Strategy on public exhibition for a period of 28 days.
2 Receive a report following the public exhibition period.

Carried unanimously

ITEM-46 CCL 22/05/18 - DELEGATION TO PUBLICLY EXHIBIT THE NEWCASTLE COASTAL ZONE MANAGEMENT PLAN - STOCKTON

MOTION
Moved by Cr Mackenzie, seconded by Cr Church

Council delegate authority to the Lord Mayor and Chief Executive Officer to publicly exhibit the draft Newcastle Coastal Zone Management Plan - Stockton.

Carried unanimously

ITEM-47 CCL 22/05/18 - CALL FOR NOMINATIONS FOR THE COMMUNITY PLACE MAKING PROJECT GRANT PANEL

MOTION
Moved by Cr Clausen, seconded by Cr Dunn

1 That Council appoints representatives as follows:

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<th>Panel</th>
<th>Term of membership</th>
</tr>
</thead>
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<td>Ward 1 Cr John Mackenzie</td>
<td>Community Place Making Grant Panel</td>
<td>22 May 2018 to 11 September 2020</td>
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<tr>
<td>Ward 2 Cr Carol Duncan</td>
<td>Community Place Making Grant Panel</td>
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</tr>
<tr>
<td>Ward 3 Cr Andrea Rufo</td>
<td>Community Place Making Grant Panel</td>
<td></td>
</tr>
<tr>
<td>Ward 4 Cr Matthew Byrne</td>
<td>Community Place Making Grant Panel</td>
<td></td>
</tr>
</tbody>
</table>

2 Panel Facilitator will contact nominated Councillors and advise of the inaugural meeting date.

Carried unanimously
ITEM-48  CCL 22/05/18 - ADOPTION OF NEWCASTLE AFFORDABLE LIVING PLAN

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

A Council resolves to adopt the Newcastle Affordable Living Plan (Plan) as provided in Attachment A.

B That Council writes to the NSW Minister for Planning, Minister for Housing and Special Minister of State, the Hon Anthony Roberts MP, requesting a review of State Environmental Planning Policy No. 70 - Affordable Housing (Revised Schemes) to include The City of Newcastle so that Council can consider opportunities to levy contributions to deliver additional affordable housing in the Newcastle Local Government Area.

Councillor Church identified a significant pecuniary conflict of interest in respect to Part B of the motion in that his employer dealt with a number of developers who may at some time in the future receive a levy contribution request.

He also identified the same interest in Lord Mayoral Minute Item 8 - City of Newcastle New South Wales Budget Submission, as it included mentions of affordable living.

Councillor Church stated that he would leave the Chamber for deliberations on both items and left the Chamber at 6.24pm.

The motion moved by Councillor Clausen and seconded by Lord Mayor, Councillor Nelmes was put to the meeting.  
Carried unanimously

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

ITEM-49  CCL 22/05/18 - WICKHAM AMPENDMENTS - ENDORSEMENT OF AMENDMENT TO NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012

MOTION
Moved by Cr White, seconded by Cr Mackenzie

Council resolves to:

i) Endorse the attached Planning Proposal (Attachment A), prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979.

ii) Forward the Planning Proposal to the Minister for Planning and Environment for Gateway Determination pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.
iii) Receive a report back on the Planning Proposal following the public exhibition.

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

**Against the Motion:** Nil.

Carried

ITEM-51 CCL 22/05/18 - AA COMPANY HOUSE - ENDORSEMENT OF AMENDMENT TO NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012

**MOTION**

Moved by Cr Duncan, seconded by Cr Mackenzie

Council resolves to:

i) Note the attached Gateway Determination (Attachment B), issued by the Department of Planning and Environment on 22 January 2018 to amend Newcastle Local Environmental Plan 2012 (LEP) as outlined in the following table:

<table>
<thead>
<tr>
<th>Suburb</th>
<th>Item Name</th>
<th>Address</th>
<th>Property Description</th>
<th>Significance</th>
<th>Item No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hamilton</td>
<td>AA Company House</td>
<td>195 Denison</td>
<td>Lot 211, DP 1122139</td>
<td>State</td>
<td>I126</td>
</tr>
<tr>
<td>Hamilton</td>
<td>AA Company House (curtilage)</td>
<td>195A Denison</td>
<td>Lot 212, DP 1122139 and Lot 3, DP 153592</td>
<td>Local</td>
<td>I701</td>
</tr>
<tr>
<td>Hamilton</td>
<td>AA Company House (curtilage)</td>
<td>197 Denison</td>
<td>Lot 3, DP 153592</td>
<td>Local</td>
<td>I702</td>
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ii) Exhibit the planning proposal (Attachment A) for 14 days in accordance with gateway determination.
iii) Receive a report back if a written objection is received during consultation with the community as per the requirements of Section 3.34 of the Environmental Planning and Assessment Act 1979 (EP&A Act), otherwise forward the Planning Proposal to the Secretary, for Planning and Environment requesting the proposed amendment to the LEP be made.

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

Against the Motion: Nil.

Carried

LORD MAYORAL MINUTE

ITEM-8 LMM 22/05/18 - CITY OF NEWCASTLE NEW SOUTH WALES BUDGET SUBMISSION

Councillor Church left the Chamber having regard to his declaration of interest made during Item 48 - Adoption of Newcastle Affordable Living Plan.

MOTION

Moved by Lord Mayor, Cr Nelmes

That Council:

1 Notes that the New South Wales Government will hand down the 2018-19 Budget on Tuesday, 19 June 2018;

2 Calls on the New South Wales Government to deliver a number of key priority projects that would benefit the City of Newcastle;

3 Writes to the New South Wales Treasurer, the Hon Dominic Perrottet MP, outlining key projects that should be delivered in the 2018-19 New South Wales Budget, prior to 1 June 2018 including that The City of Newcastle advocates to be included in SEPP 70.

Carried unanimously

Councillor Church returned to the Chamber at the conclusion of the item.
NOTICES OF MOTION

ITEM-9 NOM 22/05/18 - PENSIONER REBATES

MOTION
Moved by Cr Church, seconded by Cr Elliott

1. That Newcastle City Council introduce an additional $100 voluntary annual rebate for eligible pensioners who have lived in the City of Newcastle for five full financial years and that this rebate would be available starting in financial year 2018/2019.

2. That this rebate would be in addition to the Mandatory Pensioner Rebate of $250 per annum which is funded 45% by council and 55% by the NSW State Government.

3. That this voluntary rebate would be reviewed each financial year based on council’s financial position and with regard to the cost of living pressures faced by eligible pensioners at that time.

AMENDMENT
Moved by Cr Clausen, seconded by Cr Dunn

1. Council writes to the State Government and recommends that it consider an improved pensioner concession scheme by indexing the amount of the concession annually in accordance with movements in the CPI or rate-peg - whichever is greater. This scheme should be fully funded by the State Government as is the case with all other States.

2. Council promotes the existing rates assistance provisions available to pensioners by inclusion of advertised material to accompany the annual rates and charges notices.

The amendment moved by Councillor Clausen and seconded by Councillor Dunn was put to the meeting.

Carried

The amendment then became the motion.

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

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

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

Carried
ITEM-10 NOM 22/05/18 - SOLAR UPTAKE

Councillor Robinson left the Chamber at 7.25pm and returned at 7.29pm.

Councillor Rufo left the Chamber at 7.26pm and returned at 7.29pm.

MOTION

Moved by Cr Clausen, seconded by Cr Byrne

That Council:

1 Notes the article in the Sun-Herald on 6 May 2018 (Attachment A) which highlights that Newcastle West is in the bottom 4 suburbs in NSW for solar uptake.

2 Notes the election commitment from the Newcastle Independents to address solar uptake on residential apartment buildings (Attachment B).

3 Notes that 8 months have passed since the September 2017 election and no action has been taken by the Newcastle Independents on this issue.

4 Notes the August 2016 report by Pitt and Sherry for City of Sydney titled ‘Accelerating Net-Zero High-Rise Residential Buildings in Australia’ (Attachment C) which concludes that net-zero residential buildings are technically feasible and cost effective.

5 Receives a report outlining opportunities to help boost solar, electric vehicle and battery storage uptake on residential buildings, particularly on high rise apartment complexes and dwellings owned by pensioners, and considered opportunities to support residents in realising the benefits of solar including schemes similar to the Victorian Solar Savers program being delivered in partnership with local councils.

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

Against the Motion: Nil.

Carried unanimously
**ITEM-11  NOM 22/05/18 - RV DISPOSAL POINTS**

**MOTION**  
Moved by Cr White, seconded by Cr Winney-Baartz

1. Note the media release from the Parliamentary Secretary for the Hunter announcing $500 thousand in funding for RV disposal points in the Hunter (Attachment A).

2. Investigates the installation of new RV Disposal Points within the Newcastle LGA, including by working with the Campervan and Motorhome Club of Australia (CMCA), the NSW Government, Hunter Water, tourism and economic development groups and other stakeholders.

3. Receives a report summarising these opportunities, and any funding requirements.

4. Invites CMCA to present to Council at a future Briefings Committee meeting, noting that CMCA is based in Newcastle.

*Carried*

**ITEM-12  NOM 22/5/18 - NEWCASTLE AS A WELCOMING CITY AND REFUGEE WEEK**

**MOTION**  
Moved by Cr Mackenzie, seconded by Cr Byrne

That Council

- Note the dates for Refugee Week 2018, an initiative of the Refugee Council of Australia, as Sunday 17 June to Saturday 23 June 2018.

- Note the historical leadership of Newcastle Council on refugee and multicultural issues, including as the second city in Australia to declare itself a “refugee welcome zone” in 2004. Further, that Council note the recommitment to that declaration on 28 May 2015.

- Work with the Refugee Council of Australia to promote local community activities that celebrate Refugee Week, as per our commitment in the Newcastle Multicultural Plan (2016-2019).

- Initiate the process of becoming accredited as a Welcoming City by providing a briefing to the Executive and Councillors on key considerations and opportunities of joining the Welcoming City network.

- Prepare a report for the consideration of Councillors, in consultation with local community groups and service providers, that identifies options, opportunities and gaps in Council programs and services that could enhance Council’s support for the settlement of refugees in Newcastle.

*Carried unanimously*
ITEM-13 NOM 22/5/18 - TIGHES HILL COMMUNITY GARDEN

MOTION
Moved by Cr Mackenzie, seconded by Cr White

That Council

- Acknowledges and affirms the contributions of the Tighes Hill Community Garden to Newcastle Council’s strategic priorities outlined in the draft *Newcastle 2030 Community Strategic Plan*, including through:
  - Providing an accessible, inclusive and supportive place that facilitates diverse activity and strengthens social connections
  - Encouraging and supporting active community participation in local environmental projects
  - Providing facilities that encourage social inclusion and community connections
  - Contributing to active and healthy communities, with regard to personal and community physical and mental health and wellbeing
  - Creating and maintaining sustainable, community-based infrastructure to support a liveable environment
  - Demonstrating the value of active citizen engagement in local planning and decision-making processes and shared responsibility for achieving Council’s development goals.

- Provide the Tighes Hill Community Garden with a formal letter of reference in support of their work and achievements to date, and in support of their continuing contributions to the Newcastle community.

- Commit to supporting the relocation of the Tighes Hill Community Garden, if required, through identifying and securing an alternative location and other logistic needs as identified in consultation with the group.

Carried unanimously

CONFIDENTIAL REPORTS

ITEM-7 CON 22/05/18 - CONTRACT 2018/320T - CONSTRUCTION OF SMALL VEHICLE RECEIVAL CENTRE AT SUMMERHILL WASTE MANAGEMENT CENTRE

PROCEDURAL MOTION
Moved by Cr Clausen, seconded by Cr Mackenzie

Council move into confidential session for the reasons outlined in the Business Papers.

Carried

Council moved into confidential session at 7.59pm.

During confidential session a procedural motion was moved by Councillor Rufo and seconded by Councillor Duncan to move out of confidential session and into open Council.
Council reconvened at 8.05pm and the Chief Executive Officer reported the resolutions of confidential session.

MOTION
Moved by Cr Mackenzie, seconded by Cr Robinson

1 Council accept the tender of North Construction and Building Pty Limited in the amount of $5,004,682 (excluding GST) for the construction of the Small Vehicle Receival Centre at Summerhill Waste Management Centre for Contract No. 2018/320T.

2 This confidential report relating to the matters specified in s10A(2)(d) of the Local Government Act 1993 be treated as confidential and remain confidential until Council determines otherwise.

Carried unanimously

ITEM-8 CON 22/05/18 - UNDERTAKING OF URGENT POLLUTION CONTROL WORKS AT SUMMERHILL WASTE MANAGEMENT CENTRE

MOTION
Moved by Cr Clausen, seconded by Cr Dunn

1 Council accepts that, due to extenuating circumstances resulting from the need to undertake urgent pollution control works, a satisfactory result would not have been achieved by going through a tender process.

2 Council notes the contract for $609,378 with Valley Engineering Services Pty Ltd to undertake the necessary stormwater diversion works.

3 This confidential report relating to the matters specified in s. 10A(2)(d) of the Local Government Act 1993 be treated as confidential and remain confidential until Council determines otherwise.

Carried unanimously

The meeting concluded at 8.08pm.
REPORTS BY COUNCIL OFFICERS

ITEM-52  CCL 26/06/18 - EXECUTIVE MONTHLY PERFORMANCE REPORT

REPORT BY: CORPORATE SERVICES
CONTACT: INTERIM DIRECTOR CORPORATE SERVICES / INTERIM 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 May 2018.

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 May 2018 the consolidated YTD actual operating position is a surplus of $0.1m which represents a positive variance of $4.5m against the budgeted YTD deficit of $4.4m. 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 a surplus of $0.4m.

3 The net funds generated as at the end of May 2018 is a surplus of $6.7m (after capital revenues, expenditure and loan principal repayments). This is a positive variance to the YTD budgeted surplus of $1.9m. 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.
### FINANCIAL IMPACT

The variance between YTD budget and YTD actual results at the end of May 2018 is provided in the Executive Monthly Performance Report (Attachment A). Key elements are:

<table>
<thead>
<tr>
<th>Full Year Revised Budget $’000</th>
<th>YTD Revised Budget $’000</th>
<th>YTD Actual Result $’000</th>
<th>Variance $’000</th>
<th>Variance %</th>
<th>Financial Impact +ve / -ve</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Operating Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>156,106 Rates &amp; charges</td>
<td>142,115</td>
<td>142,154</td>
<td>39</td>
<td>0%</td>
<td>+</td>
</tr>
<tr>
<td>82,433 User charges &amp; fees</td>
<td>75,396</td>
<td>76,206</td>
<td>810</td>
<td>1%</td>
<td>+</td>
</tr>
<tr>
<td>9,143 Interest</td>
<td>8,388</td>
<td>8,527</td>
<td>139</td>
<td>2%</td>
<td>+</td>
</tr>
<tr>
<td>10,915 Other operating revenues</td>
<td>10,458</td>
<td>10,652</td>
<td>194</td>
<td>2%</td>
<td>+</td>
</tr>
<tr>
<td>15,905 Grants &amp; contributions - Operating</td>
<td>10,034</td>
<td>10,130</td>
<td>96</td>
<td>1%</td>
<td>+</td>
</tr>
<tr>
<td><strong>274,502 Total Operating Revenue</strong></td>
<td><strong>246,391</strong></td>
<td><strong>247,669</strong></td>
<td><strong>1,278</strong></td>
<td><strong>1%</strong></td>
<td><strong>+</strong></td>
</tr>
</tbody>
</table>

| Operating Expenses              |                           |                         |               |           |                          |
| 96,892 Employee costs           | 87,343                    | 86,861                  | (482)         | -1%       | +                        |
| 3,742 Borrowing costs           | 3,399                     | 3,399                   | 0%            |           | -                        |
| 76,162 Materials & contracts    | 68,062                    | 65,078                  | (2,984)       | -4%       | +                        |
| 41,431 Depreciation & amortisation | 37,506          | 37,506                  | 0%            |           | -                        |
| 49,814 Other operating expenses | 48,971                    | 49,185                  | 214           | 0%        | -                        |
| 6,029 Net Loss from disposal of asset | 5,527 | 5,527 | 0% | - |
| **274,070 Total Operating Expenses** | **250,808** | **247,556** | **(3,252)** | **-1%** | **+** |

Note 1 - Actual and Budget results include an estimate for the Newcastle Airport.
5. **Factors favourably impacting Financial Position**
   
i. **User charges and fees – increase of $0.8m**
   The Summerhill Waste Management Centre has generated above budget income which is partially offset by an increased NSW State Waste Levy expense ($0.7m).

   
   
   
   ii. **Employee costs – decrease of $0.4m**
   Lower than forecast staff costs due to timing of the project program and general vacancies

   
   
   
   iii. **Materials & Contracts – decrease of $3m**
   Expenditure generated by the 2017/18 works program is below the YTD budget at the end of May.

6. **Factors unfavourably impacting Financial Position**
   
i. **Other operating expenses – increase of $0.2m**
   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 ($0.7m).

### Financial Impact Summary

<table>
<thead>
<tr>
<th>Revised Budget</th>
<th>YTD Revised Budget</th>
<th>YTD Actual Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Capital Revenues</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23,393</td>
<td>21,444</td>
<td>19,143</td>
<td>(2,301)</td>
<td>-11%</td>
<td>-</td>
</tr>
<tr>
<td>2,526 Proceeds from the sale of Assets</td>
<td>2,316</td>
<td>2,355</td>
<td>40</td>
<td>2%</td>
<td>+</td>
</tr>
<tr>
<td><strong>25,919 Total Capital Raising revenue</strong></td>
<td>23,759</td>
<td>21,498</td>
<td>(2,261)</td>
<td>-10%</td>
<td>-</td>
</tr>
</tbody>
</table>

| **Net Surplus/(deficit) after capital revenue** | 19,343 | 21,611 | 2,269 | 12% | + |

<table>
<thead>
<tr>
<th><strong>Adjustments for Non Cash Items</strong></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Add back Depreciation</td>
<td>37,506</td>
<td>37,506</td>
<td>0</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Add back loss on Disposal</td>
<td>5,527</td>
<td>5,527</td>
<td>0</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Less land &amp; infrastructure donations</td>
<td>(4,217)</td>
<td>(4,217)</td>
<td>0</td>
<td>0%</td>
<td></td>
</tr>
</tbody>
</table>

| **Funding available for capital expenditure** | 58,158 | 60,427 | 2,269 | 4% | + |

<table>
<thead>
<tr>
<th><strong>Capital Expenses</strong></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Asset renewals</td>
<td>25,629</td>
<td>26,045</td>
<td>416</td>
<td>2%</td>
<td></td>
</tr>
<tr>
<td>2012 SRV Priority Projects</td>
<td>12,610</td>
<td>10,905</td>
<td>(1,705)</td>
<td>-14%</td>
<td>+</td>
</tr>
<tr>
<td>New / upgrade</td>
<td>8,005</td>
<td>8,492</td>
<td>487</td>
<td>6%</td>
<td></td>
</tr>
<tr>
<td>Non-Infrastructure Projects</td>
<td>7,366</td>
<td>5,644</td>
<td>(1,722)</td>
<td>-23%</td>
<td>+</td>
</tr>
<tr>
<td><strong>60,329 Total capital spend</strong></td>
<td>53,610</td>
<td>51,086</td>
<td>(2,524)</td>
<td>-5%</td>
<td>+</td>
</tr>
<tr>
<td>Loan Principal Repayment</td>
<td>2,642</td>
<td>2,642</td>
<td>0</td>
<td>0%</td>
<td></td>
</tr>
</tbody>
</table>

| **6,000 Net Funds Generated / (Used)** | 1,907 | 6,699 | 4,793 | 251% | + |

Note 1 - Actual and Budget results include an estimate for the Newcastle Airport
At the end of May Council has received $2.3m less capital grants and contributions than budgeted. This is a timing variance as it is hard to predict when grants will be received. The full year budget is expected to be met.

Council’s total capital spend at the end of May is $51m. This result is $2.5m or 5% below the YTD budget of $53.6m. The total project spend inclusive of operational and capital expenditure is $78.3m at the end of May compared with a YTD budget of $85m.

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

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

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

No additional risk mitigation has been identified.

RELATED PREVIOUS DECISIONS

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

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”.
CONSULTATION

15 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.

BACKGROUND

16 The presentation of a monthly Executive Performance Report to Council and a workshop exceeds the financial reporting requirements of the Act.

OPTIONS

Option 1

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

Option 2

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

REFERENCES

ATTACHMENTS

Attachment A: Executive Monthly Performance Report - May 2018
Distributed under separate cover
ITEM-53  
CCL 26/06/18 - ADOPTION OF 2018/19 OUR BUDGET AND 2018/19 FEES AND CHARGES

REPORT BY:  
CORPORATE SERVICES

CONTACT:  
INTERIM DIRECTOR CORPORATE SERVICES / INTERIM MANAGER FINANCE

PURPOSE

To adopt the 2018/19 Our Budget (2018-2022 Delivery Program and 2018/19 Operational Plan) and 2018/19 Fees and Charges Register required under the Local Government Act 1993 (Act).

RECOMMENDATION

1 Council adopts the 2018/19 Our Budget in the form as attached at Attachment A, and the 2018/19 Fees and Charges Register in the form as attached at Attachment B.

KEY ISSUES

2 Under section 404 of the Act councils must have a Delivery Program detailing the principal activities it will undertake to achieve the objectives identified in the Community Strategic Plan. Councils are also required to have an annual Operational Plan adopted by the beginning of each financial year which outlines the planned activities for the year as part of the Delivery Program. This year, for the first time, Council will be combining the Delivery Program and Operational Plan into one document to show a more integrated approach. The document will be known as the 2018/19 Our Budget and is provided at Attachment A.

3 Under section 608 of the Act, Council may charge and recover an approved fee for any services it provides. Council's 2018/19 Fees and Charges Register is provided at Attachment B.

4 Financial sustainability is a focus of the 2018/19 Our Budget and this is achieved by maintaining a net operating surplus, renewing and maintaining assets in a sustainable range and utilising evidence based decision making and good governance.

5 The 2018/19 Our Budget includes the approved Special Rate Variation (2015 SRV) of 8% increase in general rate income for a five year period 2015/16 to 2019/20.
FINANCIAL IMPACT

6 The 2018/19 Our Budget has been developed based on the Budget Principles adopted by Council on 18 April 2013 as well as focusing on the renewal of infrastructure assets and restricting debt levels so that Council's net financial liabilities ratio is below 40%.

7 The operating result budgeted for the 2018/19 financial year is a surplus of $6.5m. The operating surplus ensures Council has sufficient financial capacity to maintain the city's assets at a safe, reliable and sustainable level while still responding to our commitments to the community.

<table>
<thead>
<tr>
<th></th>
<th>Adopted Budget 2017/18</th>
<th>Draft Budget 2018/19</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Income</td>
<td>260,210</td>
<td>279,669</td>
<td>19,459</td>
</tr>
<tr>
<td>Total Expenditure</td>
<td>255,405</td>
<td>273,189</td>
<td>17,784</td>
</tr>
<tr>
<td>Operating Surplus (Deficit) for the year</td>
<td>4,805</td>
<td>6,480</td>
<td>1,675</td>
</tr>
</tbody>
</table>

8 The 2018/19 Our Budget includes increased revenues through the 2015 Special Rate Variation increment in-line with the Long Term Financial Plan. However this is offset by higher operational expenditure associated with a record works program of $100m.

9 Operational materials and contracts expenditure is budgeted at the level required to provide a sustainable level of asset maintenance in addition to providing the resources to grow Council's capacity to deliver larger asset renewal programs in the future.
10 The capital expenditure budgeted for the 2018/19 financial year is $67.6m which is consistent with the level of expenditure budgeted to be capitalised in the 2017/18 financial year. The total spend on works inclusive of operational and capital expenditure is budgeted at $100m in the 2018/19 financial year which is $10m more than the $90m works program planned in the 2017/18 Operational Plan.

11 During any given year Council generates cash from its operating activities. This cash is used as a funding source for the works program. It is forecast that $59.3m will be generated from Council's operations to fund the budgeted 2018/19 works program which will result in a net draw down on previously restricted cash of $11.9m.

COMMUNITY STRATEGIC PLAN ALIGNMENT

12 The 2018/19 Our Budget (2018-2022 Delivery Program and 2018/19 Operational Plan) and 2018/19 Fees and Charges Register have been developed as a requirement of the Act and Local Government (General) Regulation 2005. These documents outline how Council will deliver on the seven strategic directions contained in the Newcastle 2030 Community Strategic Plan.
IMPLEMENTATION PLAN/IMPLICATIONS

13 The 2018/19 Our Budget (2018-2022 Delivery Program and 2018/19 Operational Plan) and 2018/19 Fees and Charges Register are required to be adopted by Council by 30 June 2018 following a 28 day public exhibition period. A delay will result in Council not meeting the requirements set out by the Act and Regulation.

RISK ASSESSMENT AND MITIGATION

14 The development of the financial budget is based on a number of assumptions, including assumptions that are outside of Council’s control. This may potentially affect the financial results and the achievement of the objectives in Our Budget (2018-2022 Delivery Program and 2018/19 Operational Plan). The risks associated with these assumptions include:

a) Grant funding from State and Federal Governments is lower than anticipated.

b) Investment returns are lower than assumed.

c) Contributions, for example s. 94, alter from the level predicted.

d) Further cost shifting from other government agencies without offsetting revenue.

e) Inflation increase against costs higher than anticipated.

f) Legislative changes that may lower income streams or increase expenditure.

g) Natural disasters.

15 Implementation of the financial budget will be carefully monitored and necessary adjustments implemented through the quarterly budget review statement.

RELATED PREVIOUS DECISIONS

16 At the Ordinary Council Meeting held on 27 June 2017, Council adopted the 2013-2018 Delivery Program and 2017/18 Operation Plan and the 2017/18 Fees and Charges Register.

17 At the Ordinary Council Meeting held on 27 March 2018, Council resolved:

1 Council endorses the draft amended 2018/2019 commercial Schedule of Fees and Charges for Waste Management collection, disposal and associated services at Attachment A being placed on public exhibition for 28 days.
2 Council approve the adoption of the 2018/2019 commercial Schedule of Fees and Charges for Waste Management collection, disposal and associated services at Attachment A, if no significant adverse submissions are received during the public exhibition period. If significant adverse comments are received then a further report to Council seeking approval will be required at the end of the public exhibition period.

CONSULTATION

18 Two Councillor Workshops were held on 13 March 2018 (Integrated Planning and Reporting Workshop) and 10 April 2018 (Budget Workshop).

19 The draft 2018/19 Our Budget (2018-2022 Delivery Program and 2018/19 Operational Plan) and draft 2018/19 Fees and Charges Register were endorsed on 1 May 2018 and placed on public exhibition for a period of 28 days from 3 May 2018 to 30 May 2018 as required under Essential Element 3.8 of the Division of Local Government Integrated Planning and Reporting Guidelines for local government in NSW March 2013. Council utilised a number of different media formats to ensure the community was informed of the public exhibition period including print and online advertising. A video snapshot was created for online and social media distribution and a range of editorial pieces for both internal and external audiences.

20 A Councillor Workshop was undertaken on 12 June 2018 to update Councillors on the submissions received during the public exhibition period referred to in Paragraph 19 above. Fifty three written submissions were received and a detailed feedback report on those submissions is included at Attachment C.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Gregson Park</td>
<td>15</td>
</tr>
<tr>
<td>Rate Rebate - Light Rail</td>
<td>14</td>
</tr>
<tr>
<td>Sports and Recreation</td>
<td>5</td>
</tr>
<tr>
<td>Cycleways</td>
<td>4</td>
</tr>
<tr>
<td>Fees and Charges</td>
<td>3</td>
</tr>
<tr>
<td>Transport</td>
<td>3</td>
</tr>
<tr>
<td>City development</td>
<td>2</td>
</tr>
<tr>
<td>City Presentation</td>
<td>2</td>
</tr>
<tr>
<td>Long Term Financial sustainability</td>
<td>2</td>
</tr>
<tr>
<td>Consultation</td>
<td>1</td>
</tr>
<tr>
<td>Parking</td>
<td>1</td>
</tr>
<tr>
<td>Open and transparent</td>
<td>1</td>
</tr>
</tbody>
</table>

BACKGROUND

21 Under section 404 of the Act councils must have a Delivery Program detailing the principal activities it will undertake to achieve the objectives identified in the Community Strategic Plan. Councils are also required to have an annual Operational Plan adopted by the beginning of each financial year which outlines the planned activities for the year as part of the Delivery Program.
OPTIONS

Option 1

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

Option 2

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

REFERENCES

ATTACHMENTS

Distributed under separate cover

Attachment B: 2018/19 Fees and Charges Register
Attachment C: 2018/19 Report on Submissions
ITEM-54  CCL 26/06/18 - MAKING OF THE RATES AND CHARGES FOR 2018/19

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

PURPOSE


RECOMMENDATION

1 Council makes the following rates and charges for the 2018/19 financial year:

<table>
<thead>
<tr>
<th>RATE</th>
<th>MINIMUM RATE</th>
<th>AD Valorem Amount Cents in $</th>
<th>BASE AMOUNT</th>
<th>ESTIMATED RATE YIELD P.A. in $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ordinary Rates</td>
<td></td>
<td></td>
<td>$</td>
<td>% of Total Rates</td>
</tr>
<tr>
<td>Residential</td>
<td>Nil</td>
<td>0.218992</td>
<td>724.04</td>
<td>50</td>
</tr>
<tr>
<td>Farmland</td>
<td>$968.00</td>
<td>0.296363</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Business</td>
<td>$968.00</td>
<td>1.805180</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Business Sub-Categories</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major Commercial Shopping Centre - Kotara</td>
<td>$968.00</td>
<td>3.210487</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Major Commercial Shopping Centre - Jesmond</td>
<td>$968.00</td>
<td>4.321563</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Major Commercial Shopping Centre - Waratah</td>
<td>$968.00</td>
<td>4.784879</td>
<td>Nil</td>
<td>Nil</td>
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**Special Rates**

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**TOTAL**                                        |      |         |            |             | 147,265,546
2 An Ordinary Rate of zero point two one eight nine nine two cents (0.218992c) in the dollar with a 50% base charge of seven hundred and twenty four dollars and four cents ($724.04) named RESIDENTIAL, apply to all rateable land in The City of Newcastle Local Government Area (LGA) categorised as Residential.

3 An Ordinary Rate of zero point two nine six three six three cents (0.296363c) in the dollar with a minimum rate of nine hundred and sixty dollars and zero cents ($968.00) named FARMLAND, apply to all rateable land in The City of Newcastle LGA categorised as Farmland.

4 An Ordinary Rate of one point eight zero five one eight zero cents (1.805180c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS, apply to all rateable land in The City of Newcastle LGA categorised as Business except that rateable land determined to be in the Business Sub-Categories - Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City), Suburban Shopping Centres, Suburban Shopping Centres (Inner City), Suburban Shopping Centre - Mayfield, Kotara, Homemaker’s Centre, Kotara, Homemaker’s Centre - South Zone, Kooragang Industrial Coal Zone, Kooragang North Coal Zone, Kooragang Industrial Centre, Kooragang Industrial Centre - Walsh Point, Mayfield North Heavy Industrial Centre, Mayfield North Industrial Centre, Mayfield North Industrial Centre, Mayfield North Future Industrial Development Centre, Carrington Industrial Coal Zone, Carrington Industrial Centre, Carrington Industrial Port Operations Use, Carrington Industrial Coal and Port Zone, Broadmeadow Industrial Centre and Hexham Industrial Centre.

5 An Ordinary Rate of three point two one zero four eight seven cents (3.210487c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - KOTARA, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Kotara located on a site of greater than eight hectares (80,000m²), providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of forty (40) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Kotara.

6 An Ordinary Rate of four point three two one five six three cents (4.321563c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - JESMOND, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Jesmond providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading
as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Jesmond.

7 An Ordinary Rate of four point seven eight four eight seven nine cents (4.784879c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - WARATAH, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Waratah providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Waratah.

8 An Ordinary Rate of five point two five one seven five two cents (5.251752c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - WALLSEND, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Wallsend providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major COMMERCIAL SHOPPING CENTRES - WALLSEND.

9 An Ordinary Rate of three point seven one eight eight nine one cents (3.718891c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES – THE JUNCTION, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of The Junction providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of fifteen (15) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major COMMERCIAL SHOPPING CENTRES – THE JUNCTION.

10 An Ordinary Rate of one point eight seven six two five eight cents (1.876258c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES (INNER CITY), apply to all rateable land in The City of Newcastle LGA situated at Newcastle West within the centre of activity defined by Parry, National Park, King and Ravenshaw Streets, being utilised as a Major Commercial Centre (Inner City). "Major Commercial Centre – (Inner City)" being defined as a centre of commercial activity providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20)
specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres (Inner City).

11 An Ordinary Rate of three point zero four zero seven six three (3.040763c) cents in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named **BUSINESS – SUBURBAN SHOPPING CENTRES**, apply to all rateable land in The City of Newcastle LGA, being utilised as a Suburban Shopping Centre. “Suburban Shopping Centre” being defined as a centre of commercial activity situated on a site of greater than 6000m$^2$ which operates and has a dominant use as a Supermarket excepting the land categorised as Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City) or Suburban Shopping Centre - Mayfield. This land is categorised as Sub-category Business - Suburban Shopping Centres.

12 An Ordinary Rate of two point two seven eight four three four cents (2.278434c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named **BUSINESS – SUBURBAN SHOPPING CENTRES – INNER CITY**, apply to all rateable land in The City of Newcastle LGA, being utilised as an Inner City Suburban Shopping Centre. “Inner City Suburban Shopping Centre” being defined as a centre of commercial activity within the suburb of Newcastle West or Hamilton situated on a site of greater than four thousand and nine hundred square metres (4,900m$^2$) which operates as a Supermarket excepting the land categorised as Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City), Suburban Shopping Centre – Mayfield and Suburban Shopping Centres. This land is categorised as Sub-category Business - Suburban Shopping Centres – Inner City.

13 An Ordinary Rate of four point zero one five zero three four cents (4.015034c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named **BUSINESS – SUBURBAN SHOPPING CENTRE - MAYFIELD** apply to all rateable land in The City of Newcastle LGA within the suburb of at Mayfield, being utilised as a Suburban Shopping Centre. “Suburban Shopping Centre” being defined as a centre of commercial activity situated on a site of greater than 1 Hectare.(10,000m$^2$) with a minimum 4,000m2 of floorspace which operates as a Supermarket. This land is categorised as sub-category Business – Suburban Shopping Centre - Mayfield.

14 An Ordinary Rate of one point three eight four zero nine eight cents (1.384098c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named **BUSINESS – KOTARA HOMEMAKER’S CENTRE** apply to all rateable land in The City of Newcastle LGA situated at Kotara, used for commercial purposes, within the centre of activity defined by Lot 501 DP 1174032 and Lots 181 and 182 DP 850168. This land is categorised as sub-category Business – Kotara Homemaker’s Centre.
15 An Ordinary Rate of one point five six eight eight six six cents (1.568866c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – KOTARA HOMEMAKER’S CENTRE - SOUTH ZONE apply to all rateable land in The City of Newcastle LGA situated at Kotara, used for commercial purposes, within the centre of activity defined by Lot 220 DP 1014716. This land is categorised as sub-category Business – Kotara Homemaker’s Centre - South Zone.

16 An Ordinary Rate of one point seven three five two four two cents (1.735242c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – KOORAGANG INDUSTRIAL COAL ZONE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by the suburb of Kooragang being Lot 11 DP 841542, Lot 121 DP 874949, Lot 1 DP 1097327, Lot 5 DP 1097327, Lots 2, 5, 7, 9 DP 775774, Lot 1 DP 775775, Lot 1 DP 869622, Lot 18 DP 1119752. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act located within this centre of activity.

17 An Ordinary Rate of two point three seven three five zero eight cents (2.373508c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – KOORAGANG NORTH INDUSTRIAL COAL ZONE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by the suburb of Kooragang being Lots 2, 3, 6, 16 DP1119752, Lot 61 DP 1184395, Lot 62 DP 1184943, Lot 16 DP 262783, Lots 8 DP 1119752, Lots 29, 30, 31, 32 and 33 DP 1184229, Lots 4, 5, 6, 10, 11, 12 DP 1207051, Lots 3, 7, 8, 9, 13, 14, 15 DP 1207051 and Lot 22 DP 1155723. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act located within this centre of activity.

18 An Ordinary Rate of one point eight six seven one eight six cents (1.867186c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – KOORAGANG INDUSTRIAL CENTRE WALSH POINT apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by the suburb of Kooragang being Lots 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22 DP 234887, Lots 6, 7 DP 262783, Lots 1, 2, 3 DP 557904, Lot 1 DP575674, Lots 2, 6, 7, 8, 9 DP 775772, Lots 11, 12, 13, 14, 17, 18, 19, 20, 22, 23 DP 775773, Lots 2, 4, 5, 7, 8, 9, 10, 14 DP 775775, Lots 29, 31, 32, 33, 35, 37, 38, 39, 40, 41, 42 DP 775776, Lots 44, 45, 46, 47, 48, 49, 50, 51, 53 DP 775777, Lots 60, 61, 62, 63 DP 802700, Lot 3 DP 858206, Lots 2, 4, 5 DP1015754, Lots 201, 202, 203, 204, 205, 206, 208, 210 DP 1017038, Lots 210, 211 DP 1018949, Lots 520, 521 DP 1018950, Lots 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112 DP 1018951, Lots 131, 132 DP 1018952, Lot 362 DP 1104196, Lot 15 DP 1119752, Lot 12, 13 DP 1144748, Lots 1, 2 DP 1184514, Lots 1, 2, 3, 4 DP 1191912, Lots 94, 95 DP 1191913, Lots 41, 42, 43, 44 DP 1193134, Lot 2 DP 1195449, Lots 151, 152, 153 DP 1202468, Lots 91, 92 DP 1202475 and Lot 3 in DP 234288. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act located within this centre of activity.
which is not sub categorised as Business – Kooragang Industrial Coal Zone or not sub categorised as Business – Kooragang North Industrial Coal Zone or not sub categorised Business – Kooragang Industrial Centre. This land is categorised as sub-category Business – Kooragang Industrial Centre Walsh Point.

19 An Ordinary Rate of one point five six nine seven eight cents (1.566978c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – KOORAGANG INDUSTRIAL CENTRE apply to all ratable land in The City of Newcastle LGA within the centre of activity defined by the suburb of Kooragang. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act located in Kooragang which is not sub categorised as Business – Kooragang Industrial Coal Zone or not sub categorised as Business – Kooragang North Industrial Coal Zone or not sub categorised as Business – Kooragang Industrial Centre Walsh Point. This land is categorised as sub-category Business – Kooragang Industrial Centre.

20 An Ordinary Rate of zero point nine eight one three six nine cents (0.981369c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – MAYFIELD NORTH HEAVY INDUSTRIAL CENTRE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land contained within, Lot 225 DP 1013964, Lot 224 DP 1013964, Lot 2 DP 1204573, Lot 2 DP 1184257 and Lot 1 DP 874109. This land is categorised as sub-category Business - Mayfield North Heavy Industrial Centre.

21 An Ordinary Rate of one point five eight two five one cents (1.582551c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – MAYFIELD NORTH INDUSTRIAL CENTRE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by Lot 10 DP 625019, Lot 1 DP 403544, Lot 1 DP 528411, Lot 2 DP 207307, Lot 3 DP 259009, Lot 1 DP 880225, Lots 1, 2 DP 1177466, Lots 36, 37, 38, 39, 40 DP 1191723 Lots 5, 6 and 7 DP 1204575 and Lot 11 DP 625019. This land is categorised as sub-category Business - Mayfield North Industrial Centre.

22 An Ordinary Rate of one point nine eight two two one cents (1.989221c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – MAYFIELD NORTH INDUSTRIAL CENTRE FUTURE DEVELOPMENT apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by Lots 41, 42, 43, 44, 45 in DP 1191982. This land is categorised as sub-category Business - Mayfield North Industrial Centre Future Development.

23 An Ordinary Rate of three point zero seven six eight seven cents (3.076687c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – CARRINGTON INDUSTRIAL COAL AND PORT ZONE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land within Lot 1 DP 1044636 Lots 1, 2 DP 1104199, the land contained within Railway Land Lease
reference number 115/75/2261, Lots 3, 4 DP 1104199, Lots 1, 2, 3 DP1187068, Lot 30 DP 1190075, Lots 8 and 11 DP 1190231, Lots 12, 13, 14, 15, 16 DP 1190232, Lots 110, 111, 113 DP 1191911, Lots 91, 92, 93 DP 1193181, Lots 1, 2, 3 DP 1195231, Lots 219, 220 DP 1195310 and Lots 1, 2, 3 in DP 1218150. This land is categorised as sub-category Business - Carrington Industrial Coal and Port Zone.

An Ordinary Rate of two point two one four four eight three cents (2.214483c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – CARRINGTON INDUSTRIAL CENTRE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land with an area of greater than six hundred square metres (600m²) zoned SP1 – Special Activities under the State Environmental Planning Policy (Three Ports) 2013 and located within the suburb of Carrington and the land known as Lot 1 DP 1097368 excepting that land categorised as Business - Carrington Industrial Coal and Port Zone or the land categorised as Business - Carrington Industrial Port Operations Use. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Carrington Industrial Centre.

An Ordinary Rate of two point four six six zero four five cents (2.466045c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – CARRINGTON INDUSTRIAL PORT OPERATIONS USE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land within Lot 11 DP 1023961, Lot 27 DP 842685 Lot 101 DP 1014244, Lot 1014 DP 1143277, Lot 33 DP 1078910 and Lot 1 DP 834572. This land is categorised as sub-category Business - Carrington Industrial Port Operations Use.

An Ordinary Rate of three point six one two five zero two cents (3.612502c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – BROADMEADOW INDUSTRIAL apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land within Lot 221 DP 1012345. This land is categorised as sub-category Business - Broadmeadow Industrial.

An Ordinary Rate of two point five three four seven one zero cents (2.534710c) in the dollar with a minimum rate of nine hundred and sixty eight dollars and zero cents ($968.00) named BUSINESS – HEXHAM INDUSTRIAL CENTRE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land wholly or partly contained in a “parcel of land” as defined within the Valuation of Land Act NSW 1916, which is in the majority zoned IN3 Heavy Industrial under the Newcastle Local Environmental Plan 2012 and located within the suburb of Hexham excepting Lots 2 and 3 DP 874409 and Lot 1 DP 90824. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business - Hexham Industrial Centre.
28 A Special Rate of two three one eight six four cents (0.231864c) in the dollar named **HUNTER MALL**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Hunter Mall Town Improvement District” as defined in Attachment A for the purpose of defraying the cost of continuing additional horticultural and cleansing services and street furnishings determined to be of special benefit to the said Hunter Mall Town Improvement District.

29 A Special Rate of one zero two five six six cents (0.102566c) in the dollar named **MAYFIELD BUSINESS DISTRICT**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Mayfield Business District” as defined in Attachment B for the purpose of defraying the additional cost of promotion, beautification and development of the Mayfield Business District determined to be of special benefit to the said Mayfield Business District.

30 A Special Rate of one nine four eight seven seven cents (0.194877c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE A**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Hamilton Business District” as defined in Attachment C for the purpose of defraying the additional cost of promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District.

31 A Special Rate of one seven four three nine cents (0.097439c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE B**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Hamilton Business District” as defined in Attachment D for the purpose of defraying the additional cost of promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District.

32 A Special Rate of four eight seven one nine cents (0.048719c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE C**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Hamilton Business District” as defined in Attachment E for the purpose of defraying the additional cost of promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District.

33 A Special Rate of three eight four three nine cents (0.384393c) in the dollar named **WALLSEND BUSINESS DISTRICT - ZONE A**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Wallsend Business District” as defined in Attachment F for the purpose of defraying the additional cost of promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District.

34 A Special Rate of one nine two one nine cents (0.192197c) in the dollar named **WALLSEND BUSINESS DISTRICT - ZONE B**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as
the “Wallsend Business District” as defined in Attachment G for the purpose of defraying the additional cost promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District.

35 A Special Rate of zero point two eight eight two nine five cents (0.288295c) in the dollar named WALLSEND BUSINESS DISTRICT - ZONE C, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Wallsend Business District” as defined in Attachment H for the purpose of defraying the additional cost of promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District.

36 A Special Rate of zero point one one seven one six eight cents (0.117168c) in the dollar named NEW LAMBTON BUSINESS DISTRICT, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “New Lambton Business District” as defined in Attachment I for the purpose of defraying the additional cost of promotion, beautification and development of the New Lambton Business District determined to be of special benefit to the said New Lambton Business District.

37 A Special Rate of zero point two eight four seven three one cents (0.284731c) in the dollar named CITY CENTRE - CITY EAST, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - City East” as defined in Attachment J for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City East determined to be of special benefit to the said City Centre Benefit Area - City East.

38 A Special Rate of zero point zero six three eight eight zero cents (0.063880c) in the dollar named CITY CENTRE - DARBY STREET, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - Darby Street” as defined in Attachment K for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Darby Street determined to be of special benefit to the said City Centre Benefit Area - Darby Street.

39 A Special Rate of zero point one one seven six five one cents (0.117651c) in the dollar named CITY CENTRE - CITY WEST (CLOSE ZONE), apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - City West” as defined in Attachment L for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City West (Close Zone) determined to be of special benefit to the said City Centre Benefit Area - City West (Close Zone).

40 A Special Rate of zero point zero five eight eight two six cents (0.058826c) in the dollar named CITY CENTRE - CITY WEST (DISTANT ZONE), apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area -City West” as defined in Attachment M for the purpose of defraying the additional cost of promotion, beautification and
development of the City Centre Benefit Area - City West (Distant Zone) determined to be of special benefit to the said City Centre Benefit Area - City West (Distant Zone).

41 A Special Rate of zero point two eight four seven three one cents (0.284731c) in the dollar named CITY CENTRE - TOWER apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - Tower” as defined in Attachment N for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Tower determined to be of special benefit to the said City Centre Benefit Area - Tower.

42 A Special Rate of zero point two eight four seven three one cents (0.284731c) in the dollar named CITY CENTRE – MALL, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - Mall” as defined in Attachment O for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Mall determined to be of special benefit to the said City Centre Benefit Area - Mall.

43 A Special Rate of zero point one five nine two two four cents (0.159224c) in the dollar named CITY CENTRE - CIVIC (CLOSE ZONE), apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area – Civic (Close Zone)” as defined in Attachment P for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area – Civic (Close Zone) determined to be of special benefit to the said City Centre Benefit Area – Civic (Close Zone).

44 A Special Rate of zero point zero seven nine six one two cents (0.079612c) in the dollar named CITY CENTRE - CIVIC (DISTANT ZONE), apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area – Civic (Distant Zone)” as defined in Attachment Q for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area – Civic (Distant Zone) determined to be of special benefit to the said City Centre Benefit Area – Civic (Distant Zone).

45 A STORMWATER MANAGEMENT SERVICE CHARGE of twenty five dollars ($25.00) per non-strata property and twelve dollars and fifty cents ($12.50) per Strata/Company Title unit for the provision of stormwater management services. This charge applies to all rateable land categorised as Residential not being an exclusion as outlined in Section 496A(2) of the Act as amended.

46 A STORMWATER MANAGEMENT SERVICE CHARGE of twenty five dollars ($25.00) per three hundred and fifty square metres (350m²) or part thereof, of land area capped at a maximum of $1,000 for each non-strata property. This charge applies to all non-strata or non-company title rateable land categorised as Business or sub-categorised as one of the Business sub-categories referred to in the table within paragraph 1 of this report not being an exclusion as
outlined in Section 496A(2) of the Act as amended or an exclusion outlined in paragraph 48.

47 A STORMWATER MANAGEMENT SERVICE CHARGE of twenty five dollars ($25.00) per three hundred and fifty square metres 350m² or part thereof, of land area occupied by the strata scheme, capped at a maximum of $1,000, divided between each unit based on the unit entitlement of each business lot divided by the total unit entitlement of strata lots within the scheme. This charge applies to all strata or company title rateable land categorised as Business where the dominant use of the strata development is for business purposes, not being an exclusion as outlined in Section 496A(2) of the Act as amended.

48 A STORMWATER MANAGEMENT SERVICE CHARGE of twelve dollars and fifty cents ($12.50) per three hundred and fifty square metres (350m²) or part thereof, of land area capped at a maximum of $500 for each non-strata property. This charge shall only apply where a property's storm water is not discharged to a storm water pipeline that is reliant on a downstream network that Council has a proportion of the ownership of, and maintenance responsibility for. This charge applies to non-strata or non-company title rateable land categorised as Business or sub-categorised as one of the Business sub-categories referred to in the table within paragraph 1 of this report not being an exclusion as outlined in Section 496A(2) of the Act as amended.

49 A DOMESTIC WASTE MANAGEMENT SERVICE CHARGE of three hundred and forty dollars and nine cents ($340.09) for the provision of domestic waste management services for each parcel of rateable land for which the service is available in The City of Newcastle LGA.

50 A BUSINESS WASTE MANAGEMENT SERVICE CHARGE of two hundred and thirty one dollars and fifty one cents ($231.58) for the provision of waste management services (other than domestic waste management services), on each parcel of rateable land categorised as Business or sub-categorised as one of the Business sub-categories referred to in the table within paragraph 1 of this report, for which the service is provided or proposed to be provided in The City of Newcastle LGA.

KEY ISSUES

51 This report formalises the specific rates in the dollar amounts to apply to Council’s Ordinary and Special Rates. Additionally specific charge amounts for waste and storm water management purposes are recommended for adoption.

FINANCIAL IMPACT

52 Making of the Rates and Charges is a statutory requirement to enable rates and charges revenue to be raised and levied as detailed in the 2018/19 Our Budget. The estimated amount of levy to be raised is as per the totals shown in the table within paragraph 1 of this report.
COMMUNITY STRATEGIC PLAN ALIGNMENT

53 The levying of the 2018/19 Ordinary and Special Rates and Charges will enable revenue generation to assist in delivering the seven community strategic directions and associated objectives over the next year.

IMPLICATIONS

54 In accordance with Section 405 of the Act, Council is required by 30 June each year, to adopt an Operational Plan incorporating Council’s Revenue Policy and Rating Structure. This Operational Plan must be adopted by Council prior to the making of the Rates and Charges.

55 Sections 532 and 535 of the Act, require Council to make the Rates and Charges by resolution for the period 1 July 2018 to 30 June 2019. These Rates and Charges must be made by 1 August 2018.

RISK ASSESSMENT AND MITIGATION

56 Failure to make the 2018/19 Rates and Charges by 1 August 2018 will place Council in breach of the Act (Section 533) and delay the due date for payment of the current years Rates and Charges Notices.

57 The making of the Rates and Charges for the year 2018/19 is subject to Council’s adoption of the 2018/19 Our Budget. Should the 2018/19 Our Budget not be adopted by Council, this report should lay on the table until such time as the 2018/19 Our Budget is adopted.

RELATED PREVIOUS DECISIONS

58 At the Ordinary Council Meeting held on 1 May 2018, Council resolved to place the draft 2018/19 Our Budget and draft 2018/19 Fees and Charges Register on public exhibition for 28 days. The documents were on public exhibition from 3 May 2018 to 30 May 2018.

CONSULTATION

59 The draft 2018/19 Our Budget was placed on Public Exhibition from 3 May 2018 to 30 May 201. This document incorporated details of the proposed rating structure for 2018/19.

60 Information about the draft 2018/19 Our Budget and draft 2018/19 Fees and Charges Register were the subject of an advertising campaign including print and online materials. These included advertising at Council libraries and facilities, local press and Council's website.

61 A Councillor Workshop was held on 12 June 2018 to provide Councillors with feedback received during the public exhibition of the draft 2018/19 Our Budget and the draft 2018/19 Fees and Charges Register.
BACKGROUND

62 Subject to the adoption of amounts and rate structure contained within the 2018/19 Our Budget, Council will satisfy the provisions of Section 532 of the Act by making the Rates and Charges for the period 1 July 2018 to 30 June 2019.

OPTIONS

Option 1

63 The recommendations as at Paragraphs 1 - 50. This is the recommended option.

Option 2

64 Council not adopt the Rates and Charges as detailed in this report. The making of the Rates and Charges for the 2018/19 financial year is subject to the elected Council’s adoption of the 2018/19 Our Budget. Should the recommended 2018/19 Our Budget be adopted by Council, this report will formalise the specific Rates in the dollar amounts to apply to Council’s Ordinary and Special rates as referenced within the 2018/19 Our Budget. Should the 2018/19 Our Budget not be adopted by Council, this report should lay on the table until such time as the 2018/2019 Our Budget is adopted. Any delay in making the Rates and Charges may also delay the issuing of rate notices which may have a significant negative cash flow impact on Council. This also places Council in a position where it may breach the Act. This option is not recommended.

REFERENCES

ATTACHMENTS

Attachment A: Schedule A - Hunter Mall
Attachment B: Schedule B - Mayfield Business District
Attachment C: Schedule C - Hamilton Business District - Zone A
Attachment D: Schedule D - Hamilton Business District - Zone B
Attachment E: Schedule E - Hamilton Business District - Zone C
Attachment F: Schedule F – Wallsend Business District - Zone A
Attachment G: Schedule G – Wallsend Business District - Zone B
Attachment H: Schedule H – Wallsend Business District - Zone C
Attachment I: Schedule I - New Lambton Business District - Zone A
Attachment J: Schedule J – City Centre - City East
Attachment K: Schedule K – City Centre - Darby Street
Attachment L: Schedule L – City Centre City West (Close Zone)
Attachment M: Schedule M – City Centre City West (Distant Zone)
Attachment N: Schedule N - City Centre - Tower
Attachment O: Schedule O - City Centre - Mall
Attachment P: Schedule P - City Centre - Civic (Close Zone)
Attachment Q: Schedule Q - City Centre - Civic (Distant Zone)
SCHEDULE A

HUNTER MALL

All those pieces or parcels of land being categorised as Business, situate at Newcastle in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being the area bounded by Hunter, Perkins, King and Brown Streets, and

Also the land contained within the area bounded by Hunter, Wolfe, King and Perkins Streets excluding the land contained in Deposited Plan Number 336771.

Also the land contained within the area bounded by Wolfe, Hunter and Thorn Streets and the generally southern boundaries of Deposited Plans Numbers 84634 and 66888.

Also the land contained within the area bounded by Hunter, Morgan, Laing and Thorn Streets being Lot 3 Deposited Plan Number 600274.

Also the land contained within the area bounded by Laing, Morgan, King and Thorn Streets.

Also the land contained within the area bounded by Morgan Street, the southern side of Hunter and Newcomen Streets and the southern boundaries of part allotment 101 and Deposited Plans Numbers 77846 and 388647.

Also the land contained within the area bounded by Scott, Newcomen, Hunter, Morgan, Keightley and Market Streets excluding the land contained in Deposited Plan Number 81672.

Also the land commencing at the intersection of the southern side of Scott Street with the western side of Market Street and bounded thence by Market and Keightley Streets southerly and westerly to the southwestern corner of Deposited Plan Number 447806 by the western boundary of Deposited Plan Number 447806 northerly to Scott Street, thence by Scott Street easterly to the point of commencement being the land as shown in Deposited Plan Number 447806.

Also the land contained within the area bounded by Hunter, Morgan, Keightley and Market Streets being Lot 2 Deposited Plan Number 600274.

Also the land contained within the area bounded by Hunter, Market, Keightley and Thorn Streets being Lot 1 Deposited Plan Number 600274.

Also the land commencing at the intersection of the southern side of Scott Street with the eastern side of Wolfe Street and bounded by Scott Street easterly to the northeastern corner of Deposited Plan Number 926822 by part to the eastern boundary of Deposited Plan Number 926822 southerly to the northern side of Keightley Street, thence by Thorn, Hunter and Wolfe Streets southerly westerly and northerly to the point of commencement.

Also the land contained within the area bounded by Hunter, Wolfe, Scott and Perkins Streets.
SCHEDULE B

MAYFIELD BUSINESS DISTRICT

All those pieces or parcels of land, categorised as Business, situate at Mayfield in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being the area bounded by Maitland Road, Wernbi Street, Buruda Street and Tourle Street, and

Also the land contained within the area bounded by Maitland Road, Tourle, Winchester and Windeyer Streets.

Also the land contained within the area bounded by Maitland Road, Windeyer, Winchester and Gamack Streets.

Also the land contained within the area bounded by Maitland Road, Gamack, John and Edmund Streets.

Also the land contained within the area bounded by Maitland Road, Edmund, John and Woodstock Streets.

Also the land contained within the area bounded by Maitland Road, Woodstock, Crebert and Elizabeth Streets.

Also the land contained within the area bounded by Maitland Road, Elizabeth, Crebert and Barton Streets.

Also the land contained within the area bounded by Maitland Road, Barton, Crebert and Kerr Streets with the exception of Lot 190 Deposited Plan (hereafter shown as DP 628826.)

Also the land contained within the area bounded by Maitland Road, Kerr, Regent and Hanbury Streets.

Also the land contained within the area bounded by Maitland Road, Hanbury, Dora and Victoria Streets.

Also the land contained within the area bounded by Maitland Road, Victoria, Dora and Church Streets.

Also the land contained within the area bounded by Maitland Road, Church, Thomas and Havelock Streets, with the exception of Lot 148 and Lot 149 DP 975643.

Also the land contained within the area bounded by Maitland Road, Havelock, Curtis and Fawcett Streets, with the exception of that southern part of Lot 75, Section L, DP 975643 now known as number 2 Fawcett Street, Mayfield.
Also the land contained within the area bounded by Maitland Road, Fawcett, Curtis and Carrington Streets, with the exception of Lot 3 DP 10502, Lot 4 DP 10502 and Lot 1 DP 952024.

Also the land contained within the area bounded by Maitland Road, Carrington, Park and Ingall Streets.

Also the land contained within the area bounded by Maitland Road, Ingall, Mounter and Tarin Streets, with the exception of Lot 1 DP 973066.

Also the land contained within the area bounded by Maitland Road, Tarin, Mounter and O'Mara Streets.

Also the land contained within the area bounded by Maitland Road, O'Mara, Mounter, Clara and Selwyn Streets, with the exception of Lot 3, Section A, DP 2703.

Also the land contained within the area bounded by Maitland Road, Burnett, Adrian and Stedman Streets.

Also the land contained within the area bounded by Maitland Road, Gordon, Adrian and Burnett Streets.

Also the land contained within the area bounded by Maitland Road, Frith, Adrian and Gordon Streets.

Also the land contained within the area bounded by Maitland Road, Wilson, Waratah and Frith Streets.

Also the land contained within the area bounded by Maitland Road, Fitzroy, Waratah and Wilson Streets.

Also the land contained within the area bounded by Maitland Road, Denison, Waratah and Fitzroy Streets, with the exception of Lot 2 DP 554930, Lot A DP 386717, Lot 1 DP 515060 and Lot 2 DP 515060.

Also the land contained within the area bounded by Maitland Road, Baker, Waratah and Denison Streets, with the exception of the northern part of Lot 102 DP 787973 now known as number 3 Baker Street Mayfield.

Also the land contained within the area bounded by Maitland Road, Hanbury, Waratah and Baker Streets.

Also the land contained within the area bounded by Maitland Road, Roe, James, Rawson and Hanbury Streets.

Also the land contained within the area bounded by Maitland Road, Valencia, Barclay and Roe Streets.
Also the land contained within the area bounded by Maitland Road, Nile, Newcastle and Valencia Streets.

Also the land contained within the area bounded by Maitland Road, Corona and Myola Streets, the western boundary of Lot 1 DP 737648 Villiers Street and Nile Street.

Also the land contained within the area bounded by Maitland Road, Silsoe, Myola and Corona Streets.

Also the land contained within the area bounded by Maitland Road, the north western side of the railway land known as the Port Waratah Branch Line, the northern side of Litchfield Park, the western side of Litchfield Park, Myola and Silsoe Streets.

Also the land contained within the area bounded by Hanbury, Macquarie, Baker and Waratah Streets.

Also the land contained within the area bounded by Hanbury, Silsoe, Sunnyside, York and Macquarie Streets.

Also the land contained within the area bounded by Hanbury, York and Sunnyside Streets.

Also the land contained within the area bounded by Hanbury, Rawson, May and Macquarie Streets.

Also the land contained within the area bounded by Hanbury, Macquarie, Rawson and Wilkinson Streets.

Also the land contained within the area bounded by Hanbury, Wilkinson, Rawson and Sunderland Streets.

Also the land contained within the area bounded by Hanbury, Sunderland, Rawson and Braye Streets.
SCHEDULE C

HAMILTON BUSINESS DISTRICT - ZONE A

All those pieces or parcels of land, categorised as Business, situate at Hamilton in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being land contained within Lot 1 DP 197426, Lot 1 DP 782441, Lot 1 DP 742567, Lot 1 DP 194617 and Lot 222 DP 711826.

Also the land contained within Lot 4 DP 584533, Lot 12 DP 554939, Lot 1 DP 195437, Lot A DP 163114, Lot B DP 163114, Part Lot 4 Section S DP 258906, Part Lots 4/5 Section S DP 258906 and Lot 5 DP 258906.

Also the land commencing at the intersection of the southern side of Donald Street and the eastern side of Beaumont Street and bounded thence by Beaumont and Cleary Streets southerly and easterly to the south eastern corner of Lot 1, Deposited Plan 195067 also being the western side of a lane 3.05m wide, by the western side of that lane northerly to the north eastern corner of Lot 1, Deposited Plan 744828, by the northern side of that lane and Lot 5, Deposited Plan 112686 easterly, by the eastern boundaries of Deposited Plans 583863, 74659, 744839, 599309 and 810933 northerly to Donald Street, by the southern side of Donald Street westerly to the point of commencement and also the land commencing at the intersection of the southern side of Cleary Street and the eastern side of Beaumont Street and bounded thence by Beaumont and Lindsay Streets southerly and easterly to the south eastern corner of Lot 10, Deposited Plan 730856, by the eastern boundary of Lot 10, Deposited Plan 730856 northerly, by the northern most boundary of Lot 10, Deposited Plan 730856 and the southern most boundary of a reserve for access westerly to the south eastern corner of Lot 1, Deposited Plan 742106, by the eastern boundary of Deposited Plan 742106, 718498 and 736899 generally northerly to Cleary Street, by the southern side of Cleary Street westerly to the point of commencement.

Also the land contained within the area bounded by Lindsay, Beaumont, James and Murray Streets excluding Deposited Plans 735441, 713317, 194444, 195277 and part 151701.

Also the land contained within the area bounded by James, Beaumont, Tudor and Murray Streets excluding, Deposited Plans 159807, 710235 and 600287.

Also the land contained within SP 62579 and Lot 100 DP 624615.

Also the land commencing at the intersection of the southern side of Donald Street and the western side of Beaumont Street and bounded thence by Beaumont and Cleary Streets, southerly and westerly to the south eastern corner of Lot 1, Deposited Plan 515659, by the eastern and northern boundary of Lot 1, Deposited Plan 515659 northerly and westerly, by the western most boundary of Lot 2, Deposited Plan 515659 and Lot 1, Deposited
Plan 745138 northerly, by part of the northern boundary of Lot 1, Deposited Plan 745138 easterly to the south west corner of Lot 111, Deposited Plan 803640 also being the eastern side of a passage or right of way, by the eastern side of that passage or right of way northerly to the north western corner of Lot 1, Deposited Plan 780954 also being the southern side of Donald Street, by the southern side of Donald Street easterly to the point of commencement.

Also the land commencing at the intersection of the southern side of Cleary Street and the western side of Beaumont Street and bounded thence by Beaumont and Lindsay Streets southerly and westerly to the southern eastern corner of Lot 112, Deposited Plan 813877, by the eastern and northern boundary of Lot 112, Deposited Plan 813877 northerly and westerly, by the westernmost and northernmost boundaries of Lot 121, Deposited Plan 789989 northerly and easterly to the western side of a Reserve for Access 3.95 wide, by part of the western and southern side of that Reserve for Access also being boundaries of Lot 121, Deposited Plan 789989 southerly and easterly to the south east corner of that Reserve for Access, by the eastern side of that Reserve for Access also being western boundaries of Deposited Plans 789989, 544553, Lots 45 and 46, Deposited Plan 192673, Deposited Plan 710794 and 739091 northerly to the southern side of Cleary Street, by the southern side of Cleary Street easterly to the point of commencement.

Also the land commencing at the intersection of the southern side of Lindsay Street and the western side of Beaumont Street and bounded thence by Beaumont Street and James Street southerly and westerly to the south western corner of Lot 77, Deposited Plan 700187, by the western boundary of Lot 77, Deposited Plan 700187 northerly, by part of the northern boundary of the abovementioned lot easterly to the south western corner of Part Lot 6, Section B, Deposited Plan 192809 currently known as House No. 100 Beaumont Street, by the western boundaries of No. 100 Beaumont Street, Deposited Plans 799752, 780749 and 797858 northerly to Lindsay Street, by the southern side of Lindsay Street easterly to the point of commencement.

Also the land commencing at the intersection of the southern side of James Street and the western side of Beaumont Street and bounded thence by Beaumont Street and Tudor Street southerly and westerly to the south western corner of Deposited Plan, 82254, by the western boundaries of Parts Deposited Plan 192809, Deposited Plans 82254, 799981, 195662, 604860, 607058, 207918 and 227306 northerly to James Street, by the southern side of James Street to the point of commencement.
SCHEDULE D

HAMILTON BUSINESS DISTRICT - ZONE B

All those pieces or parcels of land, categorised as Business, situate at Hamilton in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being the area bounded by Hudson Street, Swan Street, The Esplanade, Great Northern Railway and Beaumont Street.

Also the land contained within the area partly bounded by Fem and Beaumont Streets being Lot 1 Deposited Plan 75464.

Also the land contained within the area partly bounded by Fem and Beaumont Streets to the north eastern boundary of Part Lot 6 Section F DP 192801 thence to southern boundary of the unnamed laneway.

Also the land contained within the area partly bounded by Fem and Beaumont Streets to the north eastern boundary of Lot B DP 153014 thence to part of the northern boundary of the Lot 1 DP 600440 and to the northern boundary of lot 1 DP 783168.

Also the land contained within the area bounded by Donald, Swan, Hudson and Bennett Streets.

Also the land contained within the area bounded by Donald, Bennett, Hudson and Beaumont Streets excluding the land described in Zone A.

Also the land contained within the area bounded by Donald, Beaumont and Hudson Streets, Public Reserve and Eva Street excluding the land described in Zone A.

Also the land contained within the area bounded by Donald and Eva Streets and Public Reserve.

Also the land contained within the area bounded by Donald, Beaumont, Cleary and Bennett Streets excluding the land described in Zone A.

Also the land contained within the area bounded by Donald, Devon, Cleary and Beaumont Streets excluding the land described in Zone A.

Also the land contained within the area bounded by Beaumont Street, the southern side of Cleary Street to the north western corner of Lot 1 Dp 194848 thence by the western boundary of DP 194848 to the northern boundary of Lot D DP 447913 thence by the western boundary of DP 447913 to the northern side of Lindsay Street thence easterly to the intersection of Beaumont Street excluding the land described in Zone A.
Also the land contained within the area bounded by Cleary, Cameron, Lindsay and Beaumont Streets excluding the land described in Zone A.

Also the land contained within the area bounded by Beaumont Street, the southern side of Lindsay Street to the north western boundary of Lot 1 DP 995927 thence by the western boundary of DP 995927 to the northern boundary of Lot 1 DP 782007 thence by the western boundary of DP 782007 to the northern side of James Street thence easterly to the intersection of Beaumont Street;

Also the land contained within the area bounded by Lindsay, Murray, James and Beaumont Streets excluding the land described in Zone A.

Also the land contained within the area bounded by James, William, Tudor and Milton Streets.

Also the land contained within the area bounded by James, Beaumont, Tudor and William Streets excluding the land described in Zone A.

Also the land contained within the area bounded by James, Murray, Tudor and Beaumont Streets excluding the land described in Zone A.

Also the land contained within the area bounded by James, Cameron, Tudor and Murray Streets.

Also the land contained within the area bounded by James, Lawson, Tudor and Cameron Streets.

Also the land contained within the area bounded by Tudor, William, Denison and Milton Streets.

Also the land contained within the area bounded by Tudor, Beaumont, Denison and William Streets excluding the land described in Zone A.

Also the land contained within the area bounded by Tudor, Murray, Denison and Beaumont Streets excluding the land described in Zone A.

Also the land contained within the area bounded by Tudor, Webster, Denison and Murray Streets.

Also the land contained within the area bounded by Tudor, Crompton, Denison and Webster Streets.

Also the land contained within the area bounded by Tudor, Lawson, Denison and Crompton Streets.
SCHEDULE E

HAMILTON BUSINESS DISTRICT - ZONE C

All those pieces or parcels of land, categorised as Business, situate at Hamilton in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being the area bounded by Gordon Avenue, Denison, Turner and Tudor Streets.

Also the land contained within the area bounded by Turner, Denison, Lawson and Tudor Streets.

Also the land contained within the area bounded by Milton, Denison, Chaucer and Tudor Streets.

Also the land contained within the area bounded by Chaucer, Denison, Bridge and Tudor Streets.

Also the land contained within the area bounded by Bridge, Denison, Steel and Tudor Streets.

Also the land contained within the area bounded by Tudor, Steel, James and Bridge Streets.

Also the land contained within the area bounded by Tudor, Bridge, James and Chaucer Streets.

Also the land contained within the area bounded by Tudor, Chaucer, James and Milton Streets.

Also the land contained within the area bounded by Tudor, Lawson, James and Elcho Streets.

Also the land contained within the area bounded by Tudor, Elcho, James Streets and Gordon Avenue.

Also the land contained within the area bounded by Parry Street, Gordon Avenue and Tudor Street.

Also the land contained within the area bounded by James, Elcho, Lindsay Streets and Gordon Avenue.

Also the land contained within the area bounded by James, Lawson, Lindsay and Elcho Streets.

Also the land contained within the area bounded by Steel Street the eastern boundary of Lot DP and Lots A and B DP and in a westerly direction to the intersection of Lindsay and Steel Streets.
Also the land contained within the area bounded by Lindsay Lawson, Cleary and Elcho Streets.

Also the land contained within the area bounded by Lindsay, Elcho Cleary Streets, Gordon Avenue and Donald Street.

Also the land contained within the area bounded by Cleary, Wilson and Donald Streets.

Also the land contained within the area bounded by Cleary, Lawson, Donald and Wilson Street.
SCHEDULE F

WALLSEND BUSINESS DISTRICT - ZONE A

All those pieces or parcels of land being Business as defined in Section 518 of the Local Government Act, 1993, situate at Wallsend in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being such Business land contained within the centre of activity being the area bounded by Tyrrell Street, Nelson Street, Kemp Street and Low Street, and.

Also the land contained within the area bounded by Tyrrell, Nelson, Dan Rees and Council Streets.

Also the land contained within the area bounded by Tyrrell, Council, Dan Rees Streets and the eastern boundary of the area resumed for storm water channel purposes with the exception of all that part of Lot 51 DP 843945 which is bounded by Council Street, the southern boundary of Lot 1 DP 18215, part of the eastern boundary of the said stormwater channel and the northern boundary of Lot 13 DP 554147.

Also the land contained within the area bounded by Cowper, Brooks, Metcalfe and Campbell Streets.

Also the land contained within the area bounded by Cowper, Metcalfe, Campbell and Murnin Streets.

Also the land contained within the area bounded by Cowper, Irving, Murnin and Campbell Streets.

Also the land contained within Lot 107 DP 813129.

Also the land contained within the area bounded by Dan Rees, Kemp, Low and Cowper Streets and the eastern boundary of Lot 107 DP 813129.

Also the land contained within the area bounded by Low, Kemp and Cowper Streets and the southern and eastern boundaries of Lot 1 DP 232822.

Also the land contained within the area bounded by Robert, George, Kemp and Low Streets.

Also the land contained within the area bounded by Robert, Low and George Streets.

Also the land contained within the area bounded by Charles, Harris and Tyrrell Streets and the western boundaries of Lots 107, 109 and 110 DP 238198.
Also the land contained within the area bounded by Charles, Harris and William Streets and the eastern and northern boundaries of Lot 33 Sec C and the northern and part of the western boundary of Lot 8 Sec C.

Also the land contained within the area bounded by William and Harris Streets and the northern boundaries of part Lots 1, 2 and 3 Sec C DP 111245.

Also the land contained within the area bounded by Tyrrell, Nelson, Boscawen and Harris Streets.

Also the land contained within Lot 20 DP 63875 and Lot 1 DP 738503 known as number 68 Nelson Street Wallsend.

Also the land contained within the area bounded by Cross, Clark and Nelson Streets and the splayed northern boundary of the area resumed for stormwater channel purposes with the exception of Lot 100 DP 825711 known as number 3 Cross Street Wallsend and Lot 6 Sec E DP 977871 known as number 7 Cross Street Wallsend.

Also the land contained within the area bounded by Tyrrell, Council and Nelson Streets and the western boundary of Lot 8 Sec A DP 977871.

Also the land contained within the area bounded by Bunn, Nelson, Council and the eastern boundary of Lot 5 Sec A DP 770396.

Also the land contained within the area bounded by Bunn, Council, Tyrrell Streets and the eastern boundaries of Lot 12 Sec A DP 111245 and Lot 71 DP 551112.

All of the land contained within Lots 1 and 2 Sec A DP 111245 and Lots 1 and 2 DP 212934.
SCHEDULE G

WALLSEND SPECIAL RATE - ZONE B

All those pieces or parcels of land being Business as defined in Section 518 of the Local Government Act, 1993, situate at WallSEND in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being such Business land contained within the centre of activity being the area bounded by Bunn, Kokera, Bousfield and Boundary Streets.

Also the land contained within the area bounded by Boundary, Devon, Tyrrell and Bunn Streets.

Also the land contained within the area bounded by Tyrrell, Bunn, Nelson and Devon Streets.

Also the land contained within the area bounded by Nelson, Devon, Ranclaud and Clark Streets.

Also the land contained within Lot 100 DP 825711 and Lot 6 Sec E DP 977871.

Also the land contained within Lots 20, 22 and 26 DP 21951 Lot 122 DP 619031 Lots 1 and 2 DP 394152 Lot 1 DP 249008 and Pt Lot 12 DP 516075.

Also the land contained within the area bounded by George, James, John and the western boundaries of Lots 100 DP 830522 and Lot 1 DP 215847.

Also the land contained within the area bounded by George, Robert, James and John Streets.

Also the land contained within the area bounded by John and Robert Streets and the northern boundaries of Lot B DP 215067 Lot 1 DP 785573 and Lot 2 DP 227626 and the western boundary of Lot 2 DP 227626.
SCHEDULE H

WALLSEND SPECIAL RATE - ZONE C

All those pieces or parcels of land being Business as defined in Section 518 of the Local Government Act, 1993, situate at Wallsend in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being such Business land contained within the centre of activity being all the land contained within Lot 51 DP 843945.
SCHEDULE 1

NEW LAMBTON BUSINESS DISTRICT - ZONE A

All those pieces or parcels of land categorised as being Business as defined in Section 518 of the Local Government Act, 1993, situate at New Lambton in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being such Business land contained within the centre of activity being the area bounded by Victoria Street, Regent Street, Portland Place and Evescourt Road, and

Also the land contained within the area bounded by Victoria Street, Cromwell Street, Portland Place and Regent Street.

Also the land contained within the area bounded by Victoria Street, Evescourt Road, Regent Street and Russell Road.

Also the land contained within the area bounded by Victoria Street, Cromwell Street, Regent Street and Russell Road.

Also the land contained within the area bounded by Alma Lane, Cromwell Street, Regent Street and Russell Road.

Also the land contained within the area bounded by Alma Lane, Cromwell Street, Regent Street and Alma Road.

Also the land contained within the area bounded by Alma Lane, Cromwell Street, Royal Place and Alma Road.

Also the land contained within the area bounded by Lambton Lane, Rugby Road, Regent Street and Alma Road.

Also the land contained within the area bounded by Lambton Lane, Rugby Road, Lambton Road and Alma Road.
SCHEDULE 1

CITY CENTRE - CITY EAST

All those pieces or parcels of land, categorised as Business, situate at Newcastle in The City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being the area bounded by Hunter, Newcomen, Scott and Bolton Streets.

Also the land contained within the area bounded by Hunter, Bolton, Scott and Watt Streets being the area bounded by Hunter, Watt, Scott and Pacific Streets, and also the land contained within the area bounded by Hunter, Bolton, King and Newcomen Streets.

Also the land contained within the area bounded by Hunter, Watt, King and Bolton Streets.

Also the land contained within the area bounded by Hunter, Pacific, King and Watt Streets.

Also the land contained within the area bounded by King, Bolton, Church and Newcomen Streets with the exception of Lot 1 Deposited Plan 709455, Part Lot 73 DP 63392 and the land in DP 301980.

Also the land contained within the area bounded by King, Watt, Church and Bolton Streets.

Also the land contained within the area bounded by Hunter, Perkins, Scott and Wolfe Streets.

Also the land contained within the area bounded by Hunter, Wolfe, Scott, Market, Keightley and Thorn Streets.

Also the land contained within the area bounded by Hunter, Thorn, Keightley and Market Streets.

Also the land contained within the area bounded by Hunter, Market, Keightley and Morgan Streets.

Also the land contained within the area bounded by Hunter, Morgan, Keightley, Market, Scott and Newcomen Streets.

Also the land contained within the area bounded by Hunter, Wolfe, King and Perkins Streets.

Also the land contained within the area bounded by Hunter, Thorn, King and Wolfe Streets.
Also the land contained within the area bounded by Hunter, Morgan, Laing and Thorn Streets.

Also the land contained within the area bounded by Hunter, Newcomen, King and Morgan Streets.

Also the land contained within the area bounded by King, Thorn, Laing, and Morgan Streets.

Also the land commencing at the intersection of the eastern side of Perkins Street with the southern side of King Street and bounded thence easterly by the southern side of King Street to Wolfe Street, thence southerly by the western side of Wolfe Street to the northern side of a Right of Way known as Noster Place, thence westerly by the northern side of Noster Place to the eastern boundary of Lot 100 Deposited Plan 812931, thence westerly by the southern boundary of Lot 100 Deposited Plan 812931 to the eastern boundary of Lot 4 Deposited Plan 511096, thence northerly by the eastern boundary to the northern boundary of Lot 4 Deposited Plan 511096, thence westerly by the northern boundary of Lot 4 Deposited Plan 511096 to the eastern side of Perkins Street thence northerly by the eastern side of Perkins Street to the point of commencement.

Also the land commencing at the intersection of the southern side of King Street with the western side of Newcomen Street and bounded thence southerly by the western side of Newcomen Street to the north east corner of Lot 4 Deposited Plan 594939, thence westerly by the northern boundary of Lot 4 Deposited Plan 594939, thence northerly by the western boundaries of Part Allotment 90, Allotments 91,92, 93 and 95 City of Newcastle (Deposited Plan 54152) to the southern side of King Street, thence easterly by the southern side of King Street to the point of commencement.

Also the land contained within Strata Plan 21188 being known as No 342 Hunter Street.

Also the land contained within Lot 1 Deposited Plan 615094 being No 336 Hunter Street.

Also the land contained within the area bounded by Wharf Road, the eastern boundary of Lot 1 Deposited Plan 747803, the former Great Northern Railway and Argyle Street.

Also the land contained within the area bounded by Hunter, Crown, King and Darby Streets.

Also the land contained within the area bounded by Hunter, Brown, King and Crown Streets.

Also the land contained within the area bounded by Hunter, Perkins, King and Brown Streets.
Also the land commencing at the intersection of the southern side of King Street with the western side of Brown Street and bounded thence southerly by the western side of Brown Street to the northern side of a private lane known as Congregational Lane, thence westerly by the northern side of Congregational Lane, thence southerly by the eastern boundaries of Strata Plan 14504 and Lot 1012 Deposited Plan 577948, thence westerly by part of the southern boundary of Lot 1012 Deposited Plan 577948, thence southerly by the eastern most boundary of Lot 1 Deposited Plan 531497, thence westerly by the southern boundary of Lot 1 Deposited Plan 531497, thence southerly by part of the eastern boundary of Lot 25 Deposited Plan 786533, thence westerly by the southern boundary of Lot 25 Deposited Plan 786533, thence northerly by the western boundary of Lot 25 Deposited Plan 786533 to the southern side of King Street, thence generally easterly by the southern side of King Street to the point of commencement.

Also the land commencing at the intersection of the eastern side of Brown Street with the southern side of King Street and bounded thence easterly by the southern side of King Street to Perkins Street, thence southerly by the western side of Perkins Street to the southern boundary of Lot 2 Deposited Plan 565144, thence, westerly by the northern side of Carlton Street, thence northerly by the eastern most boundary of Lot 1 Deposited Plan 822197, thence westerly by part of the southern boundary of Deposited Plan 64384 to the eastern side of Brown Street, thence northerly by the eastern side of Brown Street to the point of commencement.
SCHEDULE K

CITY CENTRE - DARBY STREET

All those pieces or parcels of land, categorised as Business, situate at Newcastle in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being the land commencing at the intersection of the eastern side of Darby Street with the southern side of King Street and bounded thence easterly by the southern side of King Street, part of the northern boundary of Lot 2 Deposited Plan 514776 and Lot 1 Deposited Plan 120163, thence southerly by the eastern boundaries of Lots 1 and 2 Deposited Plan 120163 and Part Lot A Deposited Plan 402271, thence westerly by the northern boundary of Lot 150 Deposited Plan 582406, thence southerly by the western boundary of Lot 150 Deposited Plan 582406 to the northern side of Tyrrell Street, thence westerly by the northern side of Tyrrell Street, thence northerly by the eastern side of Darby Street to the point of commencement.

Also the land contained within the area bounded by Darby Street, Tyrrell Street, the western boundary of Lot 102 Deposited Plan 786055 and Queen Street.

Also the land commencing at the intersection of the northern side of Bull Street with the eastern side of Darby Street and bounded thence northerly by the eastern side of Darby Street, thence westerly by the southern side of Queen Street to the western boundary of the private lane, thence generally southerly by the western boundary of that private lane and the western boundary of a private lane as shown on Deposited Plan 95076, thence easterly by the northern boundary of Lot 114 Deposited Plan 702624, thence southerly by the western boundary of Railway Street, thence westerly by the southern most boundary of Lot 2 Deposited Plan 436454, thence southerly by the eastern boundaries of Lot 1 Deposited Plan 741902 and Lot 1 Deposited Plan 740217, thence easterly by a northern boundary of Lot 1 Deposited Plan 740217, thence southerly by the western side of Railway Street, thence westerly by the southern boundary of Lot 1 Deposited Plan 740217, thence southerly by the eastern boundaries of Lots 262, 263, 264 and 265 Deposited Plan 615688 and Lot 1 Deposited Plan 60745, thence easterly by the northern boundary of Lot 1 Deposited Plan 732964, thence southerly by the eastern boundary of Lot 1 Deposited Plan 732964, thence easterly by the southern boundary of Lot 1 Deposited Plan 711571, thence southerly by the western side of Railway Street, thence westerly by the southern boundary of Lot 1 Deposited Plan 779210, thence southerly by the western boundary of Deposited Plan 321534, thence easterly by the northern boundary of Lot 2 Deposited Plan 112771, thence southerly by the western side of Railway Street, thence westerly by the northern boundary of Lot 1 Deposited Plan 780544, thence southerly by the eastern boundaries of Lot 1 Deposited Plan 780544, Part Lot 30 Deposited Plan 978941, Lot 1 Deposited Plan 738649 and the western side of a private lane to Bull Street, thence westerly by the northern side of Bull Street to the point of commencement.

Also the land commencing at the intersection of the southern side of Queen Street with the western side of Darby Street and bounded thence southerly by the western side of Darby Street, thence westerly by the northern side of

...
Council Street, thence northerly by the western boundaries of Lot 1 Deposited Plan 784154 and Lot 1 Deposited Plan 741680, thence westerly by the southern boundary of Lot 1 Deposited Plan 742501 thence northerly by the western boundaries of Lot 1 Deposited Plan 742501 and Lot 70 Deposited Plan 706980, thence easterly by the southern boundary of Strata Plan 20224, thence northerly by the eastern boundaries of Strata Plan 20224 and Lot 13 Deposited Plan 251602, the western boundaries of Lot 8 Deposited Plan 251602, Lot 1 Deposited Plan 745048 and Lot 204 Deposited Plan 631586, thence easterly by the northern boundary of Lot 203 Deposited Plan 631586, thence northerly by the western boundary of Lot 3 Deposited Plan 741688, thence easterly by the northern boundary Lot 3 Deposited Plan 741688, thence northerly by the eastern most boundary of Deposited Plan 798130 to the southern side of Queen Street, thence easterly by the southern side of Queen Street to the point of commencement.

Also the land commencing at the intersection of the southern side of Council Street with the western side of Darby Street and bounded thence southerly by the western side of Darby Street, thence westerly by the northern side of Bull Street, thence northerly by the eastern boundary of No 28 Bull Street being Part Lot 16 Section G Deposited Plan 978941, thence westerly by the southern boundary of Lot 1 Deposited Plan 714722, thence northerly by the western boundaries of Lot 1 Deposited Plan 741722 and Lots 142 and 141 Deposited Plan 740376, thence westerly by a southern boundary of Lot 141 Deposited Plan 740376, thence northerly by the eastern side of Dawson Street, thence easterly by the northern boundary of Lot 141 Deposited Plan 740376, thence northerly by the western boundaries of Lot 2 Deposited Plan 779300, Lot 1 Deposited Plan 780698, Part Lot 12 Section G Deposited Plan 978941 and Lots 1 and 2 Deposited Plan 741985 to Council Street, thence easterly by the southern boundary of Council Street to the point of commencement.
SCHEDULE I

CITY CENTRE - CITYWEST (CLOSE ZONE)

All those pieces and parcels of land, categorised as Business, situate at Newcastle in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being the area bounded by Hunter Street, (also known as Maililand Road) to the Northern prolongation of Selma Street, the former Great Northern Railway and Railway Street.

Also the land contained within the area bounded by Hunter Street, Railway Street, Tighes Street, the former Great Northern Railway, Stewart Avenue, Beresford Lane and Cooper Street.

Also the land contained within the area bounded by Hunter Street, Cooper Street, Beresford Lane and Stewart Avenue.

Also the land contained within the area bounded by Hunter Street, Stewart Avenue, Beresford Lane and Florence Street.

Also the land contained within the area bounded by Beresford Street, Hannell Street, Beresford Lane and Stewart Avenue.

Also the land contained within the area bounded by Hunter Street, Florence Street, Beresford Lane and Hannell Street.

Also the land contained within the area bounded by Hunter Street, Hannell Street, the former Great Northern Railway and Worth Place.

Also the land contained within the area bounded by Hunter, Denison, Parry and Tudor Streets.

Also the land contained within the area bounded by Hunter, Wood, Parry and Denison Streets.

Also the land contained within the area bounded by Hunter Street, Stewart Avenue, Parry Street and Wood Street.

Also the land contained within the area bounded by Hunter Street, National Park Street, King Street and Stewart Avenue.

Also the land contained within the area bounded by Hunter, Steel, King and National Park Streets.

Also the land contained within the area bounded by Hunter Street, Devonshire Street, King Street and Steel Street.

Also the land contained within the area bounded by Hunter Street, Union Street, King Street and Devonshire Street.
Also the land contained within the area bounded by King, National Park and Parry Streets.

Also the land commencing at the intersection of the eastern side of Stewart Avenue with the southern side of Parry Street and bounded thence easterly by the southern side of Parry Street to the western boundary of Lot A DP 158805, thence southerly by the western boundary of Lot A DP 158805, thence westerly by the southern boundaries of Deposited Plans 32614, 741790, 797031 and 736327 to the eastern side of Stewart Avenue, thence northerly by the eastern side of Stewart Avenue to the point of commencement.

Also the land contained within the area bounded by King, Steel, Parry and National Park Streets.

Also the land contained within the area bounded by King, Ravenshaw, Parry and Steel Streets.

Also the land contained within the area bounded by King, Union, Bull and Ravenshaw Streets with the exceptions of the land in Deposited Plan 95195.

Also the land bounded by Union, Hunter, Laman and the eastern boundary of lot 1 Deposited Plan 67823, part of the northern boundary of lot 1 in Deposited Plan 87872, the eastern boundary of lot 1 in Deposited Plan 1010094 and the western boundaries of lot 451 in Deposited Plan 748689, lot 1 in Deposited Plan 770100 and lot 1 Deposited Plan 1205381.
SCHEDULE M

CITY CENTRE - CITY WEST (DISTANT ZONE)

All those pieces or parcels of land, categorised as Business, situate at Newcastle in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being the area bounded by Parry, Arnott, Bull and Union Streets.

Also the land contained within the area bounded by Parry, Ravenshaw, Hall and Arnott Streets.

Also the land contained within the area bounded by Ravenshaw, Bull, Dick and Hall Streets.
SCHEDULE N

CITY CENTRE - TOWER

All those pieces or parcels of land, categorised as Business, situate at Newcastle in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being the land contained within Strata Plan 21188 being known as No 342 Hunter Street.

Also the land contained within Lot 1 Deposited Plan 615094 being No 336 Hunter Street.

Also the land contained within the area bounded by Wharf Road, the eastern boundary of Lot 1 Deposited Plan 747803, the former Great Northern Railway and Argyle Street.

Also the land contained within the area bounded by Hunter, Crown, King and Darby Streets.

Also the land contained within the area bounded by Hunter, Brown, King and Crown Streets.

Also the land contained within the area bounded by Hunter, Perkins, King and Brown Streets.

Also the land commencing at the intersection of the southern side of King Street with the western side of Brown Street and bounded thence southerly by the western side of Brown Street to the northern side of a private lane known as Congregational Lane, thence westerly by the northern side of Congregational Lane, thence southerly by the eastern boundaries of Strata Plan 14504 and Lot 1012 Deposited Plan 577948, thence westerly by part of the southern boundary of Lot 1012 Deposited Plan 577948, thence southerly by the eastern most boundary of Lot 1 Deposited Plan 531497, thence westerly by the southern boundary of Lot 1 Deposited Plan 531497, thence southerly by part of the eastern boundary of Lot 25 Deposited Plan 786533, thence westerly by the southern boundary of Lot 25 Deposited Plan 786533, thence northerly by the western boundary of Lot 25 Deposited Plan 786533 to the southern side of King Street, thence generally easterly by the southern side of King Street to the point of commencement.

Also the land commencing at the intersection of the eastern side of Brown Street with the southern side of King Street and bounded thence easterly by the western side of Perkins Street to the southern boundary of Lot 2 Deposited Plan 565144, thence, westerly by the northern side of Carlton Street, thence northerly by the eastern most boundary of Lot 1 Deposited Plan 822197, thence westerly by part of the southern boundary of Deposited Plan 64384 to the eastern side of Brown Street, thence northerly by the eastern side of Brown Street to the point of commencement.
SCHEDULE Q

CITY CENTRE - MALL

All those pieces or parcels of land, categorised as Business, situate at Newcastle in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being the land contained within the area bounded by Hunter, Perkins, Scott and Wolfe Streets.

Also the land contained within the area bounded by Hunter, Wolfe, Scott, Market, Keightley and Thorn Streets.

Also the land contained within the area bounded by Hunter, Thorn, Keightley and Market Streets.

Also the land contained within the area bounded by Hunter, Market, Keightley and Morgan Streets.

Also the land contained within the area bounded by Hunter, Morgan, Keightley, Market, Scott and Newcomen Streets.

Also the land contained within the area bounded by Hunter, Wolfe, King and Perkins Streets.

Also the land contained within the area bounded by Hunter, Thorn, King and Wolfe Streets.

Also the land contained within the area bounded by Hunter, Morgan, Laing and Thorn Streets.

Also the land contained within the area bounded by Hunter, Newcomen, King and Morgan Streets.

Also the land contained within the area bounded by King, Thorn, Laing, and Morgan Streets.

Also the land commencing at the intersection of the eastern side of Perkins Street with the southern side of King Street and bounded thence easterly by the southern side of King Street to Wolfe Street, thence southerly by the western side of Wolfe Street to the northern side of a Right of Way known as Noster Place, thence westerly by the northern side of Noster Place to the eastern boundary of Lot 100 Deposited Plan 812931, thence westerly by the southern boundary of Lot 100 Deposited Plan 812931 to the eastern boundary of Lot 4 Deposited Plan 511096, thence northerly by the eastern boundary to the northern boundary of Lot 4 Deposited Plan 511096, thence westerly by the northern boundary of Lot 4 Deposited Plan 511096 to the eastern side of Perkins Street thence northerly by the eastern side of Perkins Street to the point of commencement.
Also the land commencing at the intersection of the southern side of King Street with the western side of Newcomen Street and bounded thence southerly by the western side of Newcomen Street to the north east corner of Lot 4 Deposited Plan 594939, thence westerly by the northern boundary of Lot 4 Deposited Plan 594939, thence northerly by the western boundaries of Part Allotment 90, Allotments 91,92, 93 and 95 City of Newcastle (Deposited Plan 54152) to the southern side of King Street, thence easterly by the southern side of King Street to the point of commencement.
SCHEDULE P

CITY CENTRE - CIVIC (CLOSE ZONE)

All those pieces and parcels of land, categorised as Business, situate at Newcastle in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being the area bounded by Hunter Street, Worth Place, Lane adjoining the Great Northern Railway and the eastern boundary of Lot 8 Deposited Plan 18256.

Also the land contained within the area bounded by Hunter Street, the western boundary of Lot 100 Deposited Plan 809262, the Great Northern Railway and Merewether Street.

Also the land contained within the area bounded by Hunter Street, Merewether Street, The Great Northern Railway and the eastern boundary of Lot 101 Deposited Plan 546335.

Also the land contained within the area bounded by Merewether Street, Centenary Road, Argyle Street and the Great Northern Railway.

Also the land contained within the area bounded by Hunter Street, Union Lane, King Street and Union Street.

Also the land contained within the area bounded by Hunter Street, Auckland Street, King Street and Union Lane.

Also the land commencing at the intersection of the eastern side of Auckland Street with the southern side of Hunter Street and bounded thence on the southern side of Hunter Street easterly to the western boundary of a private road known as Wheeler Place, thence southerly by that western side of Wheeler Place to the northern boundary of a private road known as Christie Street, thence westerly by that northern side of Christie Street, a northern boundary of Lot 1 Deposited Plan 225689 and the northern boundary of Lot 2 Deposited Plan 225689 to the eastern side of Auckland Street, thence northerly by that eastern side of Auckland Street to the point of commencement.

Also the land contained within the area bounded by Hunter, Burwood and King Streets and the private road known as Wheeler Place.

Also the land contained within the area bounded by Hunter, Darby, King and Burwood Streets.

Also the land commencing at the intersection of the eastern side of Union Street with the southern side of King Street and bounded thence easterly to the eastern boundary of No 285 King Street being Part Lot 71 Section C Deposited Plan 978941, thence southerly by the eastern boundary of No 285 King Street,
CITY OF NEWCASTLE

Ordinary Council Meeting 26 June 2018

SCHEDULE Q

CITY CENTRE - CIVIC (DISTANT ZONE)

All those pieces and parcels of land, categorised as Business situate at Newcastle in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being the land contained within the area bounded by Wharf Road, Argyle Street, Centenary Road and Merewether Street.
ITEM-55  CCL 26/06/18 - INTEREST ON OVERDUE RATES AND CHARGES FOR 2018/19

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

PURPOSE

To establish the rate of interest to be charged by Council in respect of overdue rates and charges for the 2018/19 rating year.

RECOMMENDATION

1 Council adopts the rate of 7.5% per annum on interest on overdue rates and charges for the 2018/19 rating year. This is the maximum allowable by the Minister for Local Government.

2 The rate of interest on overdue rates and charges that are deferred against an eligible ratepayer’s estate for the 2018/19 rating year be fixed at 2.9% per annum.

KEY ISSUES

3 Council has the discretion to set the rate of interest in respect of overdue rates and charges each year. However, it must not exceed the limit specified by the Minister for Local Government (Minister). On 20 March 2018 the Minister advised that the maximum rate of interest payable on overdue rates and charges for the 2018/19 rating year is 7.5% per annum.

4 In order to maintain a sufficient deterrent to the late payment of rates and charges it is proposed the maximum rate of interest allowable by the Minister apply to overdue rates and charges. This rate is 7.5% per annum. By comparison, the maximum rate for the 2017/18 year was also 7.5% per annum with this rate resolved for use by Council at the Ordinary Council Meeting held on 27 June 2017.

5 Council also continues to provide a discounted interest rate on overdue rates and charges deferred against a ratepayer’s estate. The discounted rate for the 2017/18 rating year was 3.1% pa. For the 2018/19 rating year the discounted rate has been determined at 2.9% pa. Council has previously resolved that the deferral of rates and charges against a ratepayer’s estate should attract a lower rate of interest commensurate with Council’s weighted average rate of return earned on surplus cash invested.
FINANCIAL IMPACT

6 Imposition of interest on overdue rates and charges will ensure cash flow is maintained and will deter the late payment of debts. Estimated annual income from interest charges is $290,000 based on historical levels of arrears.

COMMUNITY PLAN STRATEGIC ALIGNMENT

7 Interest on Overdue Rates and Charges for the 2018/19 rating year will enable revenue generation to assist in delivering the seven community strategic directions and associated objectives over the next year.

IMPLEMENTATION PLANNING / IMPLICATIONS

8 The collection of overdue rates and charges is undertaken by existing Council staff as an integral part of their daily activities.

RISK ASSESSMENT AND MITIGATION

9 The Local Government Act 1993 (Act) provides for interest charges to accrue on unpaid rates and charges at the interest rate resolved by Council. Provision is also made within the Act to allow special payment arrangements where ratepayer hardship exists.

10 If the rate of interest is set too low there is a risk that it may be considered as a relatively cheap form of finance thereby resulting in an increase in arrears. This situation would disadvantage the majority of ratepayers who pay their rates by the due date. Setting the interest rate at the maximum rate allowable by the Minister mitigates this risk. There are specific provisions available to pensioners and any ratepayers experiencing genuine financial hardship.

RELATED PREVIOUS DECISIONS

11 The recommendation contained in this report is consistent with existing practice and follows the adoption of interest on overdue rates and charges for 2017/18 at the Ordinary Council Meeting held on 27 June 2017.

CONSULTATION

12 The Minister annually establishes the maximum interest rate on overdue rates and charges in accordance with section 566 of the Act. All ratepayers are advised of the applicable rate of interest on their annual Rates and Charges Instalment Notices. Negotiation of interest free payment periods and waiving of interest charges are options available and were advertised within Council’s draft 2018/19 Our Budget (2018-2022 Delivery Program and 2018/19 Operational Plan).
BACKGROUND

Interest Charges

13 In respect of eligible pensioners, the current practice provides that interest on overdue rates and charges shall:

(i) Not be applied where the net rates and charges are paid in full in the current year or suitable arrangements to pay are entered into; and

(ii) Be waived where arrears of net rates and charges are paid in accordance with an arrangement in subsequent years, except as provided for postponement of rates and charges under section 585 of the Act.

14 The practice of waiving interest charges for eligible pensioners who make arrangements to pay their rate obligation remains unchanged.

Writing off Accrued Interest

15 The Act provides that special payment arrangements may be implemented and interest charges be waived where these charges cause hardship to the ratepayer, or where circumstances exist that the late payment of the outstanding rates and charges was caused by reasons beyond the control of the ratepayer. Council's practice is consistent with these requirements.

Defer Rates and Charges Against Estate

16 Ratepayers may, subject to annual written applications and assessment, be eligible to defer the payment of rates and charges, allowing them to accrue against their estates.

17 Council previously resolved at the Ordinary Council Meeting held on 27 June 2017 that the deferral of rates and charges against the estate should attract a lower rate of interest somewhat commensurate with Council's investment rate.

18 The benchmark used and considered appropriate is Council's weighted average rate of return earned on surplus cash invested. This is currently 2.9% per annum as at 30 April 2018.

OPTIONS

Option 1

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

Option 2

20 Council resolves not to adopt the recommendations set out in Paragraphs 1 and 2 and adopts alternate interest rates and different practices for the waiving of interest charges for eligible pensioners. This is not the recommended option.
REFERENCES

ATTACHMENTS

Nil.
ITEM-56 CCL 26/06/18 - MAKING OF THE RATE - HUNTER CATCHMENT CONTRIBUTION AND COMMISSION FOR THE YEAR COMMENCING 1 JULY 2018

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

PURPOSE

To authorise the collection of the Hunter Catchment Contribution at the rate established by NSW Government - Hunter Local Land Services for the 2018/19 rating year for those rateable assessments for which it is applicable and to endorse the rate of commission, as established by the Hunter Local Land Service, to be applied by Council for the collection of the Contribution on their behalf.

RECOMMENDATION

1 (a) Council notes that the NSW Governments Hunter Local Land Services has established the Hunter Catchment Contribution rate for the 2018/19 rating year at 0.011100 of a cent in the dollar on all relevant properties within the Newcastle Local Government Area (LGA), with a land value in excess of $300.

(b) Council endorses the making, levying and collection of the Hunter Catchment Contribution on behalf of Hunter Local Land Services as the rate detailed in Paragraph 1(a) above.

2 Council endorses the rate of commission payable to Council for the collection of the 2018/19 Catchment Contribution at 5% of Hunter Catchment Contributions collected, as determined by Hunter Local Land Services.

KEY ISSUES

3 Council, on behalf of Hunter Local Land Services, is obliged to levy the Hunter Catchment Contribution on all relevant properties within the Newcastle LGA with a land value in excess of $300 as per requirements of The Local Land Services Act 2013 and the Local Land Services Regulation 2014. Hunter Local Land Services has set the rate in the dollar that will apply to those rateable assessments liable to be charged the catchment contribution at 0.011100 for the 2018/19 rating year.

4 The proposed rate of commission, payable by Hunter Local Land Services to Council for acting on their behalf, in the levying and collection of the 2018/19 Hunter Catchment Contribution is 5% of all monies collected, which is the maximum allowable under the legislation.
In order to comply with legislation, Council must continue to levy the Hunter Catchment Contribution on its annual Rates and Charges Notices. The levy, less the commission payable to the Council, is passed on to Hunter Local Land Services.

The funds collected by Council on behalf of Hunter Local Land Services are used by this Authority for managing the land, vegetation and water resources within the Hunter Catchment Area. This is done via various rehabilitation and flood mitigation projects.

FINANCIAL IMPACT

The estimated total levy to be collected from the catchment contribution is $2.61 million. Based on the recommendations at Paragraphs 1 and 2, the estimated commission earned by Council and withheld from this levy for the 2018/19 rating year is $130,500. This is sufficient to cover the administrative costs incurred by Council in collecting and dispersing the levy.

COMMUNITY STRATEGIC PLAN ALIGNMENT

The collection of the Hunter Catchment Contribution at the rate established by NSW Government - Hunter Local Land Services for the 2018/19 rating year will enable revenue generation to assist in delivering the seven community strategic directions and associated objectives over the next year.

IMPLEMENTATION PLANNING / IMPLICATIONS

The provisions of the Local Land Services Regulation 2014 require Council to collect this levy on behalf of Hunter Local Land Services. Information relating to the Hunter Catchment Contribution is outlined each year on Council's annual Rates and Charges Notices.

RISK ASSESSMENT AND MITIGATION

Failure to make the 2018/19 Hunter Catchment Contribution by 1 August 2018 will place Council in breach of the Local Government Act 1993 and the Local Land Services Regulation 2014, which may delay the levying of Council’s rates and charges.

RELATED PREVIOUS DECISIONS

The Hunter Catchment Contribution has been collected by Council since 1976. This report proposes confirmation of existing practice and follows the adoption of the rate for the previous rating year at the Ordinary Council Meeting held on 27 June 2017.
BACKGROUND

12 In accordance with the provisions of the Local Land Services Regulation 2014 and the Local Government Act 1993, Council is required to levy and collect the Hunter Catchment Contribution on behalf of Hunter Local Land Services.

13 By Government Gazette dated 25 May 2018, Hunter Local Land Services confirms that the 2018/19 Hunter Catchment Contribution will be 0.011100 of a cent in the dollar. The rate of commission, set by Hunter Local Land Services, payable to Council for the levying and collection of the Hunter Catchment Contribution remains at 5%.

OPTIONS

Option 1

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

Option 2

15 Council resolves not to levy the Hunter Catchment Contribution in accordance with the Local Land Services Regulation 2014. Failure to make the 2018/19 Hunter Catchment Contribution by 1 August 2018 will place Council in breach of the Local Government Act 1993. This is not the recommended option.

REFERENCES

ATTACHMENTS

Nil.
ITEM-57 CCL 26/06/18 - ADOPTION OF DONATIONS PROGRAM POLICY

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

PURPOSE

To recommend that Council adopts the Donations Program Policy following a 28 day public exhibition period.

RECOMMENDATION

1 That Council resolves to adopt the Donations Program Policy at Attachment A.

KEY ISSUES

2 At the Ordinary Council Meeting held on 27 March 2018 Council resolved to place the draft Donation Program Policy on public exhibition from Wednesday 4 April to Friday 4 May 2018.

3 Council did not receive any submissions during the exhibition period.

FINANCIAL IMPACT

4 A budget has been provided for donations in the Office of the Chief Executive Officer in the 2018/19 Our Budget. Council will review this as part of the annual budget process.

5 Additional financial and staff resourcing is not required in implementing the Policy.

COMMUNITY STRATEGIC PLAN ALIGNMENT

6 Vibrant and Activated Public Places and Open and Collaborative Leadership.

IMPLEMENTATION PLAN/IMPLICATIONS

7 There is a body of work that will need to be undertaken as a result of the adoption of the Policy. Aligning the Policy and Procedures with existing Council practices, particularly with respect to the Community Assistance Programs and similar, is anticipated to require the most significant resourcing.

RISK ASSESSMENT AND MITIGATION

8 The Policy ensures that Councillors and Council Officers comply with Section 356 (1), (2) and (3) of the Local Government Act 1993 when making donations.
RELATED PREVIOUS DECISIONS

9 At the Ordinary Council Meeting held on 27 March 2018 Council resolved to place the draft Donation Program Policy on public exhibition from Wednesday 4 April to Friday 4 May 2018.

CONSULTATION

10 The public exhibition period provided an opportunity for submissions to be made online and feedback to be given in respect of the Policy.

BACKGROUND

11 Adoption of the Donations Program by Council facilitates approvals of requests for donations in accordance with sections 356 and 377(1)(q) of the Local Government Act 1993.

OPTIONS

Option 1

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

Option 2

13 Council does not adopt the recommendation as at Paragraph 1. This is not the recommended option.

REFERENCES

ATTACHMENTS

Attachment A: Donations Program Policy
Donations Program Policy

Newcastle City Council       July 2018
## Donations Program Policy

<table>
<thead>
<tr>
<th>Policy title</th>
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<tr>
<td>Policy owner</td>
<td>Director Corporate Services</td>
</tr>
<tr>
<td>Policy expert/writer</td>
<td>Manager Finance</td>
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<tr>
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<tr>
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<td>Council</td>
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<td>Relevant strategic direction</td>
<td>Vibrant and Activated Public Places</td>
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<td>Relevant legislation/codes (reference to specific sections)</td>
<td>Local Government Act 1993 - Section 356</td>
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| Related policies/documents | 2030 Community Strategic Plan  
Operational Plan  
Delivery Program  
Register of Delegations and Authorisations  
Register of Financial Authority  
Records Management Policy (NCC)  
Code of Conduct (NCC)  
Managing Conflicts of Interest in the Public Sector (ICAC) |
| Related forms         | Donations Program Guidelines  
Donations Program Request Form |
| Required on website   | Yes |
| Authorisations        | Yes |
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Part A  Preliminary

1.1 Council acknowledges the contributions made by charitable organisations in the Local Government Area (LGA) and where possible commits limited funds to help these organisations achieve their objectives.

2 Purpose

2.1 The purpose of this policy is to:
   2.1.1 establish a consistent, equitable and transparent process for responding to requests for Donations;
   2.1.2 ensure all requests are given equitable consideration;
   2.1.3 ensure the funding of Donations represent value for money for Council;
   2.1.4 ensure funds provided by Council to charitable organisations are allocated in the most effective and accountable manner; and
   2.1.5 ensure this policy and associated procedures comply with the Local Government Act 1933 - Section 356 (1), (2) and (3).

3 Definitions

3.1 Donation is a financial contribution made by Council without consideration or conditions other than the Donation must be used in accordance with Council's objectives and have a demonstrated benefit to the community.

3.2 Council means Newcastle City Council

3.3 Charitable organisation means a registered charity as listed on the ACNC Register.

4 Scope

4.1 This Policy applies to all requests for Donations.

5 Principles

5.1 Council commits itself to the following principles:
   5.1.1 Accountability and transparency - the Policy provides a framework for the transparent and merit-based provision of support and a system of accountability; and
   5.1.2 Equality - equitable assessment of each request received;

Part B  Request, assessment and payment

6 Funding limits

6.1 Council resources are limited and not all requests will be funded.

6.2 Council does not guarantee to fund any Donation to the full amount requested.
6.3 The elected Council determines the budget for Donations and sets a minimum and maximum amount annually as part of the Operations process.

6.4 When the annual budgetary limit is reached, no further requests will be considered.

6.5 Applications will be assessed as per Annexure A.

6.6 Where a Donation is approved, this is not to be taken as an ongoing commitment to funding for following years.

6.7 Requests will be considered on a financial year basis, and organisations may apply once per financial year.

6.5 To ensure equality consideration of Donations, organisations receiving two consecutive years of funding will not be considered for the following two years.

6.6 Donations will not be considered after 30 June in the year of a Council Election.

7 Eligibility Criteria

7.1 To be eligible, requests must:

7.1.1 Be on the Donations Program Request Form, and all sections must be completed.

7.1.2 Demonstrate a link to the Newcastle LGA, and any proposed activity must take place in the Newcastle LGA.

7.1.3 Be submitted by a registered charity organisation.

7.1.4 Demonstrate how the Donation will benefit the people of Newcastle and be aligned to Council’s Community Strategic Plan.

7.1.5 Not be from a Government Department, with the exception of educational institutions proposing an event that is open to students throughout the Newcastle LGA, and/or brings students from throughout the region to the City, and benefits the wider Newcastle community.

7.1.6 Not be from individuals, commercial businesses or political parties.

8 Assessment and approval of requests

8.1 Requests must demonstrate how the Donation meets the eligibility criteria in section 7.

8.2 Requests will be reviewed and approved as per Annexure A, and an Assessment Panel will be established and made up of:

8.2.1 Manager Finance; and

8.2.2 two other Council staff representatives nominated by the Manager Finance.

9 Payments and tax invoice

9.1 Upon authorisation from Council’s Chief Executive Officer, the successful applicant will supply Council with a valid Tax Invoice for the authorised amount.
9.2 All invoices must be received before the end of the financial year in which the donation was awarded and the activity held.

10 Reporting

10.1 Organisations receiving funding will be required to complete a brief statement of account within 30 days of the expenditure of the donation, including a photograph if possible.

10.2 This information will be tabled in an annual report to Council.

Annexure A

<table>
<thead>
<tr>
<th>Request for Donation</th>
<th>Authority</th>
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<tr>
<td>Applications less than $2,500</td>
<td>Chief Executive Officer in consultation with the Lord Mayor</td>
</tr>
<tr>
<td>Applications greater than $2,500</td>
<td>Chief Executive Officer on recommendation from the Assessment Panel in consultation with the Lord Mayor</td>
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ITEM-58    CCL 26/06/18 - PUBLIC EXHIBITION OF THE COUNCILLOR EXPENSES AND FACILITIES POLICY
REPORT BY: CORPORATE SERVICES
CONTACT: INTERIM DIRECTOR CORPORATE SERVICES / ACTING MANAGER FINANCE

PURPOSE

To place the Draft Councillor Expenses and Facilities Policy (Policy) on public exhibition for a period of 28 days.

RECOMMENDATION

1 Council places the Draft Councillor Expenses and Facilities Policy at Attachment A on public exhibition for the period 2 July 2018 to 29 July 2018.

KEY ISSUES

2 Section 252 of the Local Government Act 1993 (NSW) (Act) requires the Policy to be adopted by the elected Council within the first 12 months of each Council term.

3 Section 253 of the Act provides that Council must place the Policy on public exhibition for a period of at least 28 days.

4 The Office of Local Government (OLG) released a model template, the Model Better Practice Template Councillor Expenses and Facilities Policy (Model Policy Template) on 27 June 2017.

5 The Policy at Attachment A aligns with the Model Policy Template.

6 It has been normal practice for Council to be presented with a copy of the existing Policy with track changes to identify where amendments to the Policy are proposed. While the content of the Model Policy Template is largely consistent with Council's existing policy, the structure and sequence of sections is different. Given the changes to the structure of the document, providing track changes in this instance is unworkable.

7 Accordingly, the following sections are highlighted for the attention of Councillors as substantive changes from Council's existing policy:

   i) Proposed renaming of Policy for consistency with Model Policy Template;
ii) Update to maximum expenses relating to Australian Institute of Company Directors course to more accurately reflect course enrolment expenses along with associated travel and accommodation costs. The course cost is approximately $8,000. An increase from $3,000 to $4,000 is deemed appropriate. When combined with the Professional Development funding this addresses the shortfall for travel and accommodation;

iii) Clarification in relation to attendance at Local Government NSW Annual Conference or National General Assembly. Previously expenses for the National General Assembly were deducted from individual Councillors' professional development budget. However it is considered more appropriate for the National General Assembly to be treated in the same manner as the Local Government NSW Annual Conference and there be a total budget for Council's representation rather than a per Councillor basis;

iv) Incorporation of Model Policy Template provisions regarding special requirements;

v) Clarification in relation to staff of the Lord Mayor's Office presented more consistently with the Model Policy Template. This provides greater clarification from Council's existing policy;

vi) Greater clarification linking the payment of expenses to be in accordance with Council's policies;

vii) Incorporation of Model Policy Template provisions regarding insurance and legal assistance (largely consistent with Council's previous provisions);

viii) Incorporation of Model Policy Template provisions regarding auditing and breaches; and

ix) Reporting on Councillor expenses to be presented to Council monthly.

8 Minor changes to the Policy include:

i) Incorporation of Model Policy Template provisions referencing to travel allowance rates set out in the NSW Crown Employees (Public Service Conditions of Employment) where existing policy listed an amount;

ii) Greater clarity in respect of the budgeted amount for refreshments and sustenance - Lord Mayoral meetings;

iii) Clarification regarding information and communication devices and equipment provision and expenses; and

iv) Clarification regarding expenses incurred by the Deputy Lord Mayor when deputising for the Lord Mayor.
v) Clarification that expenses and facilities are paid in addition to an annual fee set by the Local Government Remuneration Tribunal and that Council may make contributions to a complying superannuation fund on behalf of a Councillor (this is not a change in practice but documentation of an existing practice within the Policy).

9 A table is provided at Attachment B providing comparison to Lake Macquarie City Council, City of Sydney, City of Parramatta and Wollongong City Council's Councillor expenses policies. Council's budgeted amounts are comparable with these councils and is more closely aligned with the Model Policy Template.

FINANCIAL IMPACT

10 The expenses and costs provided for in the Policy have been taken into consideration in formulating Council's annual budget. Therefore, there are no other financial implications from adopting the Policy.

COMMUNITY STRATEGIC PLAN ALIGNMENT

11 This Policy aligns with the strategic direction of Open and Collaborative Leadership in Council's Community Strategic Plan. In particular, it achieves Objective 2: Considered decision-making based on collaborative, transparent and accountable leadership, as set out in the Open and Transparent Governance Strategy which details the actions Council will take to achieve this strategic direction.

IMPLEMENTATION PLAN/IMPLICATIONS

12 Council staff will make arrangements to place the Policy on public exhibition for the period 2 July 2018 to 29 July 2018.

13 Council staff will present a final Policy in a report to the elected Council after taking into account any submissions received during the public exhibition period.

RISK ASSESSMENT AND MITIGATION

14 If the Policy is placed on public exhibition and subsequently adopted, Council will comply with the Act and the Local Government (General) Regulation 2005.

RELATED PREVIOUS DECISIONS

15 At the Ordinary Council Meeting held on 24 November 2015, Council adopted the current Policy.

CONSULTATION

16 The public exhibition provides for a period of consultation with the public.
BACKGROUND

17 On 27 June 2017, the OLG released a new Model Policy Template. Council's existing policy included most of the provisions of the Model Policy Template and as such it was considered appropriate for a new policy to be adopted in June 2018 (in the new Council term).

OPTIONS

Option 1

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

Option 2

19 Council does not proceed with placing the Policy on public exhibition. This is not the recommended option as Council will be in breach of section 253 of the Act and the current Policy will remain in place.

REFERENCES

17-17 Office of Local Government Circular - Councillor Expenses and Facilities Policy – Better Practice Template

ATTACHMENTS

Attachment A: Draft Councillor Expenses and Facilities Policy
Attachment B: Comparison - Councillor Expenses and Facilities policies

Distributed under separate cover
ITEM-59  CCL 26/06/18 - ADOPTION OF CODE OF MEETING PRACTICE

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

PURPOSE

The purpose of this report is to recommend the adoption of Council's revised Code of Meeting Practice following a 42 day public exhibition period.

RECOMMENDATION

1 That Council resolves to adopt the revised Code of Meeting Practice at Attachment A.

KEY ISSUES

2 Key Council policies are required to be adopted by the elected Council within the first 12 months of each term. It is good practice that all policies required to be adopted by the elected Council also be adopted in this timeframe.

3 Section 361 of the Local Government Act 1993 (NSW) (Act) provides that Council must place on public exhibition for a period of 42 days a revised Code of Meeting Practice.

4 On 27 March 2018 Council resolved to publicly exhibit a revised Code of Meeting Practice concurrently with the Office of Local Governments (OLG) draft Model Code of Meeting Practice for the period 31 March to 11 May 2018. The revised Code of Meeting Practice is largely consistent with the Model Code of Meeting Practice. Council considers it is following best practice.

5 During the exhibition period Council did not receive any submissions from the public. A staff member identified some minor changes which have been considered and incorporated where appropriate (refer to track changes).

FINANCIAL IMPACT

7 Nil.

COMMUNITY STRATEGIC PLAN ALIGNMENT

8 The Code of Meeting Practice aligns with the strategic direction of Open and Collaborative Leadership in Council's Community Strategic Plan. In particular, it achieves Objective 2: Considered decision-making based on collaborative, transparent and accountable leadership, as set out in the Open and Transparent Governance Strategy which details the actions Council will take to achieve this strategic direction.
IMPLEMENTATION PLAN/IMPLICATIONS

9 Council staff will make arrangements to update versions of the Code of Meeting Practice on Council’s website and as published otherwise.

RISK ASSESSMENT AND MITIGATION

10 Regular review of Council’s policies reduces risk by ensuring information remains current.

RELATED PREVIOUS DECISIONS

11 At the Ordinary Council Meeting held 27 March 2018 Council resolved to place the Code of Meeting Practice on public exhibition concurrently with the OLG draft Model Code of Meeting Practice.

12 At the Ordinary Council Meeting held on 12 March 2013, Council adopted the current Code of Meeting Practice.

CONSULTATION

13 The public exhibition process provides for a period of consultation with the public.

BACKGROUND

14 On 6 December 2017, the Office of Local Government (OLG) released a new draft Model Code of Meeting Practice for the purposes of consultation. Once the OLG finalises the Model draft, councils will be required to adopt the new amended version in due course. This is not expected to occur until late 2018.

15 In line with Council’s resolution from the 27 March 2018, Council will notify Councillors when the OLG’s Model Code of Meeting Practice is adopted.

OPTIONS

Option 1

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

Option 2

17 Council does not adopt the revised Code of Meeting Practice. This is not the recommended option.

REFERENCES

ATTACHMENTS

Attachment A: Revised Code of Meeting Practice Distributed under separate cover
PURPOSE

The purpose of this report is to recommend the adoption of charters for the following Council advisory committees:

i) Coastal Revitalisation Consultative Committee (CRCC);

ii) Environmental Advisory Committee (EAC);

iii) Newcastle Floodplain Risk Management Advisory Committee (NFRMAC); and

iv) Newcastle Cycling Advisory Committee (NCAC).

The Charters (Attachments A, B, C & D) will replace previous Charters or Terms of Reference for each Committee.

RECOMMENDATION

1 Council resolves to:

   i) Adopt the Coastal Revitalisation Consultative Committee Charter at Attachment A.

   ii) Adopt the Environmental Advisory Committee Charter at Attachment B.

   iii) Adopt the Newcastle Floodplain Risk Management Advisory Committee Charter at Attachment C.

   iv) Adopt the Newcastle Cycling Advisory Committee Charter at Attachment D.

   v) Notes the Schedule of Meeting Dates for the Committees at Attachment E.

KEY ISSUES

2 A review of the governance framework supporting advisory committees has been undertaken. As a result of the review:
i) A standard advisory committee charter template has been developed. The charter includes key governance aspects of a committee.

ii) A new requirement requiring advisory committees to complete an annual review of performance has been included in the standard charter. Performance reviews will be endorsed by the committee and reported to the elected Council.

iii) A webpage for each committee containing key details of the committee has been developed. The webpage will be administered and kept up to date by the committee facilitator.

3 A review of the Charters has been undertaken and it is proposed that the new draft Charters (Attachments A-D) be adopted to govern the committees.

4 Following the annual performance reviews to be completed in September 2018, Council staff will provide a report back to the elected Council on the effectiveness of each of the committees along with recommendations on changes to composition and structure, as necessary.

5 The existing Terms of Reference for the CRCC does not contain a revision date or dissolution clause and does not reflect current organisational structure or governance requirements.

6 Under the existing EAC Constitution, the committee was to be dissolved on 5 August 2016. A new Charter is yet to be adopted.

7 The NFRMAC is currently operating under the Terms of Reference for the Newcastle City-wide Floodplain Risk Management Committee.

8 The NCAC is currently operating under the Charter adopted by Council at its meeting of 13 December 2016.

9 To ensure the guiding documents for Council's advisory bodies are brought into line with Council's Open and Transparent Governance Strategy it is necessary to have the revised Charters adopted by the elected Council.

FINANCIAL IMPACT

10 There is no financial impact associated with adoption of the report recommendations.

COMMUNITY STRATEGIC PLAN ALIGNMENT

11 The CRCC was established to provide strategic guidance for the implementation of the Coastal Revitalisation Program, and a forum for Council and primary external stakeholders (NSW Department of Primary Industries (Lands) and Hunter Surf Life Saving) to provide consultation in the delivery of Coastal Revitalisation projects. The Committee also acts as the advisory body for the Coastal Reserve Trust.
12 The EAC provides strategic advice and guidance on, and assistance in the development of, environmental strategies for Newcastle City Council relating to climate change, biodiversity, air, coast, estuary, water and floodplain management, and waste.

13 The NFRMAC was established to address the requirements of the NSW Floodplain Development Manual and ensure Council is fulfilling its obligation to manage flood risk in the Newcastle Local Government Area in accordance with the principles of the NSW Floodplain Development Manual and the *Local Government Act 1993* (NSW). The Committee considers and makes recommendations to Council on appropriate development controls to reduce flood risk.

14 The NCAC provides advice and recommendations on implementing, monitoring and reviewing adopted cycling strategies. Its other key purpose is for sharing of information with a view to contributing to resolving cycling issues.

**IMPLEMENTATION PLAN/IMPLICATIONS**

15 The key responsibility of the committees is to provide strategic advice and guidance to Council on legislation, project identification and prioritisation, and to monitor project delivery and outcomes. These committees are critical in the development and implementation of Council's Operational and Delivery Plans and ensuring Council is meeting its legislative requirements.

**RISK ASSESSMENT AND MITIGATION**

16 There are no statutory or political impacts, personal or reputational risks associated with adopting the report recommendations as stated.

**RELATED PREVIOUS DECISIONS**


18 The EAC was established on 17 November 2009, with the most recent Committee Constitution approved by the General Manager in March 2013 with a committee dissolution date of 5 August 2016.

19 The NFRMAC was established by Council on 4 December 2012 with Councillor Dunn appointed as Chairperson.

20 Council resolved to establish the Newcastle Cycling Working Party in February 2009. The Cycling Working Party was re-established as the NCAC and a revised charter adopted on 13 December 2016. The Terms of Reference allowed for its dissolution on 5 August 2016.

21 Members of the current elected Council were appointed to each of the committees by Council resolution on 24 October 2017.
22 At the Ordinary Council Meeting held on 27 March 2018 Council noted the organisational design that resolved that the composition and structure of advisory committees be reviewed following its completion to ensure effective Councillor and community input into decision, and appropriate oversight and governance of the organisation.

CONSULTATION

23 Not applicable.

BACKGROUND

24 The CRCC was established in 2012 and meets quarterly to review progress and provide guidance on future implementation. In October 2017 the Lord Mayor Councillor Nelmes as well as Councillors Winney-Baartz and Duncan were nominated to be representatives on the committee from 25 October 2017 to 11 September 2020 inclusive, with Councillor Rufo nominated as an alternate Councillor representative. The most recent meeting of the CRCC was held in December 2017.

25 The EAC last met in June 2016, with future Committee meetings deferred until local government amalgamation processes were complete. In October 2017 Councillors Clausen, MacKenzie and White were nominated to be representatives on the committee from 25 October 2017 to 11 September 2020 inclusive.

26 Prior to 2009, an informal Flood Committee, facilitated by Development and Building was established to discuss projects relating to flood management. The Newcastle Floodplain Risk Management Working Party was established under the EAC in 2010 as part of the preparation of the Wallsend and City Wide Flood Plans. Following the adoption of the Flood Plans, a recommendation was put up to the EAC to convert the working party to a committee, and the NFRMAC was established by Council on 4 December 2012 with Councillor Dunn appointed as Chairperson. The NFRMAC Terms of Reference were approved by the General Manager in 2013. The last meeting of the committee was in June 2016.

27 Following consideration of the Notice of Motion 13/12/16 - Re-establishment of Council's Cycling Working Party and convert to Advisory Committee, Council resolved to re-establish the Cycling Working Party as the NCAC. At that time, a new charter was adopted, which included provision for dissolution of the committee one day prior to Council's next ordinary election and included members appointed under the previous terms of reference. In October 2017, Councillors Clausen, MacKenzie and Elliott were appointed as representatives. The last meeting of the Committee was held 5 April 2018.

OPTIONS

Option 1

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

29 Council resolves not to adopt the new draft charters. This is not the recommended option.

REFERENCES

ATTACHMENTS

Attachment A: Coastal Revitalisation Consultative Committee Charter
Attachment B: Environmental Advisory Committee Charter
Attachment C: Newcastle Floodplain Risk Management Advisory Committee Charter
Attachment D: Newcastle Cycling Advisory Committee Charter
Attachment E: Schedule of Advisory Committee Meeting Dates from 1 July 2018 to 31 December 2018

Attachments distributed under separate cover
ITEM-61  CCL 26/06/18 - ADOPTION OF CHARTERS FOR DISABILITY INCLUSION, GURAKI AND YOUTH COUNCIL ADVISORY COMMITTEES

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

PURPOSE

The purpose of this report is to recommend the adoption of a number of charters for three Council advisory committees.

i) Disability Inclusion Advisory Committee

ii) Guraki Aboriginal Advisory Committee

iii) Youth Council Committee

The Charters (Attachments A, B & C) will replace the previous Charters or Terms of Reference for each Committee.

RECOMMENDATION

1  i) Council adopts the Disability Inclusion Advisory Committee Charter at Attachment A.

   ii) Council adopts the Guraki Aboriginal Advisory Committee Charter at Attachment B.

   iii) Council adopts the Youth Council Committee Charter at Attachment C.

   iv) Council adopts the Schedule of Meeting Dates for the above Committees at Attachment D.

KEY ISSUES

2  A review of the governance framework supporting advisory committees has been undertaken. As a result of the review:

   i) A standard advisory committee charter template has been developed. The charter includes key governance aspects of a committee.

   ii) A new requirement requiring advisory committees to complete an annual review of performance has been included in the standard charter. Performance reviews will be endorsed by the committee and reported to the elected Council.
iii) A webpage for each committee containing key details of the committee has been developed. The webpage will be administered and kept up to date by the committee facilitator.

4 Following the annual performance reviews to be completed in September 2018, Council staff will provide a report back to the elected Council on the effectiveness of each of the committees along with recommendations on changes to composition and structure, as necessary.

4 Existing charters have been transferred to the current templates and it is proposed that the new draft charters (Attachments A - C) be adopted to govern the committees.

5 To ensure the guiding documents for Council's advisory bodies are brought in line with Council's *Open and Transparent Governance Strategy 2017* it is necessary the updated charters be adopted by the elected Council.

**FINANCIAL IMPACT**

6 There is no financial impact associated with the adoption of the report recommendations.

**COMMUNITY STRATEGIC PLAN ALIGNMENT**

7 These charters directly contribute to achieving Caring and Inclusive Community and Open and Collaborative Leadership. The updated charters also contribute to achieving the following strategies of Council:

8 *Open and Transparent Governance Strategy 2017*: The recommendation delivers on Strategy 3.6 Consideration of the community's advice on Council issues and 3.7 Councillor participation on community issues.

9 *Social Strategy 2016-2019*: The recommendation delivers on action 7.3 Continue to support community focused strategic advisory committees (eg. Guraki, Youth (also CSP 7.3c) and their activities)


**IMPLEMENTATION PLAN/IMPLICATIONS**

11 The simplified format will improve the ease of interpretation of the committee charters.

**RISK ASSESSMENT AND MITIGATION**

12 There are no statutory or political impacts, personal or reputational risks associated with adopting the report recommendations as stated.
RELATED PREVIOUS DECISIONS

13 At the Ordinary Council Meeting held on 24 October 2017 Council appointed members of the current elected Council to each of the committees.

14 At the Ordinary Council Meeting held on 24 October 2017 Council resolved to adopt the Draft Disability Inclusion Advisory Committee (DIAC) Charter.

15 At the Ordinary Council Meeting held on 26 April 2016 Council resolved to adopt the revised Newcastle Youth Council Committee Charter.

16 At the Ordinary Council Meeting held on 22 March 2016 Council resolved to adopt the revised Guraki Aboriginal Advisory Committee Charter.

17 At the Ordinary Council Meeting held on 27 March 2018 Council noted the organisational design that resolved that the composition and structure of the advisory committees be reviewed following its completion to ensure effective Councillor and community input into decision, and appropriate oversight and governance of the organisation.

CONSULTATION

18 The charters have been updated in line with the current charter template.

BACKGROUND

19 The Committees referred to in this report were created by Council resolutions and are considered to be strategic advisory in nature. Each committee provides advice to Council on matters that have been identified by the community as being of importance and contribute to positive outcomes in terms of community well-being, diversity and social inclusion.

OPTIONS

Option 1

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

Option 2

21 Council resolves not to adopt the committee charters for the Disability Inclusion Advisory Committee, Guraki Aboriginal Advisory Committee and Youth Council Committee. This is not the recommended option.
REFERENCES

ATTACHMENTS

Attachment A: Disability Inclusion Advisory Committee Charter
Attachment B: Guraki Aboriginal Advisory Committee Charter
Attachment C: Youth Council Committee Charter
Attachment D: Schedule of Meeting Dates for Disability Inclusion Advisor Committee, Guraki Aboriginal Advisory Committee and Youth Council Committee

To be distributed under separate cover
ITEM-62 CCL 26/06/18 - ADOPTION OF THE DRAFT ABORIGINAL HERITAGE MANAGEMENT STRATEGY

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

PURPOSE

Adopt the Aboriginal Heritage Management Strategy 2018-2021 following a four week public exhibition period.

RECOMMENDATION

1 Council resolves to adopt the Aboriginal Heritage Management Strategy 2018-2021 (AHMS) as provided in Attachment A.

KEY ISSUES

2 The AHMS was placed on public exhibition for a period of four weeks as per the Council resolution of the Ordinary Council Meeting held on 27 February 2018 from Monday 5 March 2018 to Tuesday 3 April 2018. Two submissions (Attachment B) were received in response to the exhibition.

3 The AHMS will promote greater awareness in the development sector of the need to integrate Aboriginal cultural heritage into decision making early in the preparation of development and infrastructure planning. This will result in improved design outcomes, story-telling when appropriate and greatly reduced risks associated with construction delays if heritage places are encountered during the demolition construction phase of development.

FINANCIAL IMPACT

3 The AHMS was developed within existing resources. The document will inform future actions in the Delivery Program and Operational Plan. For new programs, projects and services, funding will be sought through Council's budget processes or through grant funding when available.

COMMUNITY STRATEGIC PLAN ALIGNMENT

4 The AHMS provides guidance to Council staff and the community for the respectful and effective management of Aboriginal heritage, including identified cultural values. It sets out achievable actions which will deliver against the strategic objectives of the Newcastle 2030.

Caring and Inclusive Community

Vibrant and Activated Public Places
IMPLEMENTATION PLAN/IMPLICATIONS

5 The AHMS was developed within the allocated project budget of $25,000. It is envisaged that the implementation of the strategy will be allied with a range of Aboriginal cultural awareness training opportunities for Council staff that intersect with cultural heritage management as part of Council’s development assessment and/or delivery of works programs. Implementation of the AHMS actions will be reported back to Council annually under the terms of the NSW Integrated Planning and Reporting Framework.

RISK ASSESSMENT AND MITIGATION

6 There is no risk to Council adopting the AHMS. The strategy will guide Council to effectively meet its responsibilities under the terms of NSW National Parks and Wildlife Regulation 2009 (Regulation 80B).

RELATED PREVIOUS DECISIONS

7 At the Ordinary Council Meeting held on 27 February 2018 Council resolved to:

   i) Place the draft Aboriginal Heritage Management Strategy Attachment A on public exhibition for 4 weeks.

   ii) Receive a report back on the outcomes of the public exhibition.

8 At the Ordinary Council Meeting held on 24 February 2015 Council resolved to prepare an Aboriginal Heritage Management Strategy for the sustainable management and protection of Aboriginal cultural heritage in the Newcastle Local Government Area.

CONSULTATION

9 The AHMS was promoted across a range of media including newspaper, hard copy and social media. Council’s online Have Your Say portal was also utilised during the exhibition period. A copy of the AHMS was placed in the Newcastle City Council central administration building and Newcastle Region Library. Council’s Guraki Aboriginal Advisory Committee membership was advised by email of the document’s exhibition and invited to provide feedback.

10 Despite the limited community response (two submissions) to the exhibited draft document, meetings were held in May 2018 with the Chief Executive Officers of The Awabakal Local Aboriginal Land Council and the Worimi Local Aboriginal Land Council to understand their feedback on the AHMS. This feedback has been incorporated into the AHMS action table. The NSW Office of Environment and Heritage (Regional Heritage Operations Metro North Region) was also contacted to review the AHMS and this feedback has also been included in the strategy.
The NSW State Government has committed to reforming the way Aboriginal cultural heritage is managed through the creation of a stand-alone Aboriginal Cultural Heritage Act. At the time of writing this report the draft Bill to Parliament on this matter is being developed. Council has been advised by the NSW Office of Environment and Heritage to continue with the implementation of AHMS with a view to amending the document as required when the new legal framework is in place.

OPTIONS

Option 1

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

Option 2

Council resolves not to adopt the Aboriginal Heritage Management Strategy. This would not enable Council to discharge its due diligence responsibilities under Regulation 80B of the NSW National Parks and Wildlife Regulation 2009. This is not the recommended option.

REFERENCES

ATTACHMENTS

Attachment A: Aboriginal Heritage Management Strategy 2018-2021

Attachment B: Summary - Submissions

To be distributed under separate cover
ITEM-63  CCL 26/06/18 - ENDORSEMENT OF EAST END STAGE ONE - STREETSCAPE PLAN

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

PURPOSE
For Council to adopt the East End Stage One - Streetscape Plan.

RECOMMENDATION
1  Council resolves to adopt the East End Stage One - Streetscape Plan (the Plan) as provided in Attachment A.

KEY ISSUES
2  The Plan was placed on public exhibition for a period of four weeks from Monday 2 April 2018 and closing on Monday 30 April 2018 as per the Council resolution at the Ordinary Council Meeting held on 27 March 2018.

4  The exhibition period resulted in 37 surveys completed and two written submissions. Feedback contained in these submissions was overwhelmingly positive. There were some suggestions that can be addressed in the detailed design phase of the project. No amendments to the Plan are required based on the exhibition period feedback. A summary of feedback and responses are documented in Attachment B and C.

5  Attachment B and C shows there is strong support for the wide pedestrian paths and outdoor dining, separated cycleway, formal avenue of trees and improved lighting and seating.

FINANCIAL IMPACT
6  The Plan was developed within existing resources and will inform future actions in the Delivery Program and Operational Plan. For new programs, projects and services, funding will be sought through Council's budget processes or through grant funding when available.
COMMUNITY STRATEGIC PLAN ALIGNMENT

7 The Plan strongly supports the need for improved public spaces and an innovative city. The key themes and objectives that relate to the Plan are:

- Connected City
- Vibrant and Active Public Places
- Smart and Innovative City

IMPLEMENTATION PLAN/IMPLICATIONS

9 The Plan has been developed within existing resources. Actions will be implemented by the Council's Infrastructure Directorate and be integrated into relevant work programs and operational plans. Funding will be sought through the usual budget processes or through external grant funding when available.

RISK ASSESSMENT AND MITIGATION

10 There are no corporate risks associated with the Plan. Media interest is expected and will be addressed as it arises through a communications plan.

RELATED PREVIOUS DECISIONS

11 The Hunter Street Revitalisation Masterplan Strategy (Strategy) was endorsed by Council at the Ordinary Council Meeting held on 14 December 2010 and the development of a streetscape plan for the East End was one of the 44 actions listed in the Strategy and also identified the East End as a catalyst project in the revitalisation of the city.

12 At the Ordinary Council Meeting held on 27 March 2018 Council resolved to release the Draft East End Stage One - Streetscape Plan for public exhibition for 4 weeks.

CONSULTATION

13 The Plan was placed on public exhibition for a four week period through Council's consultation portal Newcastle Your Say.

14 Formal advertisement of the exhibition period occurred in the Newcastle Herald as per Council exhibition period guidelines including two display and one statutory advertisement in the Newcastle Herald.

15 Social media and a media release were utilised to prompt people to have their say on the Plan.

16 Hard copies of the Plan were placed on exhibition at the City Administration Centre, Wallsend Library and Newcastle Regional Library.
17 A direct flyer drop to businesses within the area was undertaken by the communications team encouraging feedback on the Plan.

6 The open response section highlighted some common areas of concern:

i) The increase in the speed limit from 10km/hr to 40km/hr was mentioned five times in the open response section. The main concern is for the removal of the current shared zone provision. Converting Hunter Street from a shared zone to a standard ‘high street’ design will improve the amenity of the street, consistency in the road treatment and provide clear delineation between vehicles, cyclists and pedestrian spaces. Overall these changes will improve the attractiveness of the streetscape and reduce space conflicts in the area. The design has been assessed and endorsed by the Newcastle City Council Traffic Committee.

ii) Five comments discussed parking availability in Market Street, especially for Newcastle Post Office usage. Four comments requested increased parking options and one comment requested the removal of all vehicles from Market Street. Vehicle access is required for both business and residents in Market Street and will be maintained in the Plan. The current parking arrangements allow five standard parking spaces at a 90 degree angle. The Plan still provides three parallel parking spaces directly in front of the post office and parking is maintained nearby in Hunter Street with a new connecting equitable access ramp in Market Street.

iv) Other comments received were either supportive or will be resolved within the detailed design phase of the project.

BACKGROUND

18 Council unanimously adopted the Hunter Street Revitalisation Masterplan (HSRM) Strategic Framework (Framework) at the Ordinary Council Meeting held on 14 December 2010. The Framework identifies the East End as a catalyst project in the revitalisation of the city.

19 The State Government’s Newcastle Urban Renewal Strategy (2012) and Newcastle Urban Renewal Strategy (2014) also recognise the location as a catalyst area.

OPTIONS

Option 1

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

Option 2

21 Council resolved not to adopt the East End Stage One - Streetscape Plan. This is not the recommended option.

REFERENCES
Nil

ATTACHMENTS

Attachment A: East End Stage One - Streetscape Plan

Attachment B: East End Stage One - Streetscape Plan - Public Exhibition Report

Attachment C: East End Stage One - Streetscape Plan - Issue Analysis -

To be distributed under separate cover.
ITEM-64  CCL 26/06/18 - ENDORSEMENT OF NEWCASTLE 2030 COMMUNITY STRATEGIC PLAN

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

PURPOSE

To seek Council's endorsement of the Newcastle 2030 Community Strategic Plan (CSP) following public exhibition and review of submissions.

RECOMMENDATION

1 Council resolves to endorse the Newcastle 2030 Community Strategic Plan (Attachment A).

KEY ISSUES

2 As required by the Local Government Act 1993, Sect 402 - following an Ordinary Election of Councillors, the Council must review the Community Strategic Plan before 30 June 2018.

3 The CSP was placed on public exhibition for 28 days from 3 May 2018 to 30 May 2018. A total of nine submissions were received in response to the exhibition and are in Attachment B.

4 Key comments made in the submissions related to:
   i) Type of developments occurring
   ii) Sporting infrastructure
   iii) Provision of safe cycling pathways
   iv) Parking
   v) What has changed in the plan as a result of engagement

5 The CSP has been reviewed following consideration of nine submissions received during the exhibition period. Minor changes have been made to the document; most of the issues raised are supported by existing strategies within the Plan.
FINANCIAL IMPACT

6 Endorsement of the CSP will be undertaken within the existing operational budget.

COMMUNITY STRATEGIC PLAN ALIGNMENT

7 The review of the CSP provides the basis for ongoing alignment of Council's decision-making processes, strategies and activities with the aspirations of the Newcastle community. It directly contributes to achieving Open and Collaborative Leadership.

IMPLEMENTATION PLAN/IMPLICATIONS

8 The strategies in the CSP will assist in shaping the strategic framework for Council’s operations through development of Council's four-year Delivery Program and one-year Operational Plan and other key strategic documents.

RISK ASSESSMENT AND MITIGATION

9 Ongoing communication and stakeholder involvement will be critical to the implementation of the CSP.

10 Ongoing review of the community indicators is critical to ensure relevant data continues to be collected and new data sources are sought that provide outcome, not just output measures of success in implementation of this plan.

RELATED PREVIOUS DECISIONS

11 At the Ordinary Council Meeting held on 1 May 2018 Council endorsed to place the draft Newcastle 2030 Community Strategic Plan (Revised 2018) on public exhibition for 28 days.

CONSULTATION

12 The CSP was placed on public exhibition for 28 days from 3 May 2018 to 30 May 2018, in accordance with the Local Government Act (1993) and the adopted Community Engagement Strategy for the Newcastle 2030 CSP. An engagement webpage was set up to enable downloading of the relevant documents and receive submissions. The engagement webpage was showcased on all Library public access computers. The webpage was also publicised using social media (Twitter, Facebook and LinkedIn), through NovoNews and the Council Intranet and webpages, and with print advertising in the Newcastle Herald.

13 During this time:

i) Visits to the project engagement website: 4,900

ii) Submission surveys completed: 7 (1 organisation, 6 individuals)
iii) Download of draft Newcastle 2030 CSP document: 381

14 All written submissions were made available on the project webpage as per the adopted Community Engagement Strategy.

15 The draft CSP was based on the outcomes of community engagement undertaken from late May 2017 to early November 2017. Approximately 2,700 community members participated in engagement activities, including surveys, workshops (community and stakeholder), events, digital ideas wall, a budget simulator, visioning competition and service priorities posters. The outcomes of the community engagement indicated community support for the Newcastle 2030 vision and strategic objectives, and have assisted Council to refine the key strategies that contribute to achieving the 2030 vision. A separate report detailing all initial consultation findings is available online at https://www.newcastleyoursay.com.au/Better-together.

BACKGROUND

16 Each Local Government Area in NSW must have a CSP that has been developed and endorsed by the Council. A CSP identifies the main priorities and aspirations for the future of the LGA covering a period of at least 10 years from when the plan is endorsed.

17 The CSP is a core element in Council’s Integrated Planning and Reporting Framework. The requirement for Councils to develop the processes and elements within the IP&R Framework is contained in clause 402 of the NSW Local Government Act 1993.

18 Council’s inaugural Newcastle 2030 Community Strategic Plan (2011) and the associated community engagement strategy were acknowledged by the Division of Local Government as best practice and promoted for use as leading examples to other Councils.

OPTIONS

Option 1

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

Option 2

20 Council resolves not to endorse the Newcastle 2030 Community Strategic Plan. This is not the recommended option.
REFERENCES

ATTACHMENTS

Attachment A: Newcastle 2030 Community Strategic Plan

Attachment B: Summary of public exhibition submissions in response to the draft Newcastle 2030 Community Strategic Plan

To be distributed under separate cover
NOTICES OF MOTION

ITEM-14 NOM 26/06/18 - FACILITATING THE ADOPTION OF ELECTRICITY MICROGRIDS IN NEWCASTLE

COUNCILLOR: J MACKENZIE

PURPOSE

The following Notice of Motion was received on 14 June 2018 from the abovenamed Councillor.

MOTION

That Council

1. Notes that Newcastle Council was the first local government in Australia to commit to action to reduce climate change impacts under the Cities Power Partnership, a Climate Council program that brings together Australian cities and towns that are driving solutions around climate change.

2. Notes that one of Council’s commitments under the Partnership related to increased energy efficiency, including the use of energy-efficient and smart-controlled LED lighting trials for Newcastle’s main roads and inner city.

3. Notes the contribution that electricity microgrids powered by renewable energy and using Smartgrid technology to balance loads have made to energy efficiency where implemented. Further, electricity microgrids are an innovative solution to reducing electricity costs, decentralising production and management, and reducing greenhouse gas emissions, and are consistent with Council’s priorities identified in both the Newcastle Smart City Strategy and the Newcastle 2020 Carbon and Water Management Action Plan.

4. Prepare a report on ways for Council to become part of an embedded electricity microgrid and ways to promote and to facilitate the development of microgrids in the community. This report should also consider opportunities for microgrids to cross Newcastle Council boundaries into neighbouring LGAs.

BACKGROUND

Newcastle City Council has a long history of acting to reduce its electricity consumption and carbon emissions. During the delivery of Council’s Greenhouse Action in Newcastle (2001-2008) plan, the Council reduced its emissions by 13.6% below 1995 levels despite adding a significant number of additional facilities and operations.
This progress has continued through the Newcastle 2020 Carbon and Water Management Action Plan (adopted in 2011). This Action Plan enabled the Smart Buildings Smart Workforce project which involved a range of energy efficiency upgrades and retrofits at high-use social, cultural and recreational facilities and key Council operational buildings and facilities. The project achieved a reduction in Council’s electricity consumption by over 1.45 million kilowatt-hours a year, with associating annual savings of 1500 tonnes of carbon pollution and $240,000 in electricity costs. The Action Plan has also facilitated the rollout of solar photovoltaic (PV) systems with installations at the City Works Depot at Waratah (91.26 kW), Newcastle Art Gallery (86.25 kW) Newcastle City Library (44.28 kW), Wallsend Library (80.08 kW), New Lambton Library (9.9 kW), No.1 Sportsground (10.2 kW including 14kWh battery storage), No.2 Sportsground (20.16 kW including 22kWh battery storage) and the Newcastle Museum (99.75 kW). This brings the total amount of solar PV installed on Council-owned buildings to 442 kW.

By 2020, Newcastle City Council aims to achieve the following energy and resource management goals:

- 30% carbon footprint reduction
- 50% potable water usage reduction
- 30% electricity usage reduction
- 20% reduction in our use of fossil-based liquid fuels
- 30% of our electricity supplied from low carbon sources; and
- 80% of Newcastle’s streetlights using best practice energy technology.

As Newcastle Council works towards the 2020 Carbon and Water Management Action Plan, the 2017-2012 Smart City Strategy provides complementary objectives to achieve its targets, including construction of a 5MW Solar Farm and battery storage to offset Council electricity use, undertaking LGA wide street lighting upgrades to LED, continuing the rollout of rooftop Solar PV and battery storage across Council facilities, supporting the uptake of electric vehicles for Council fleet and providing electric vehicle charging infrastructure across the city.

A key objective of the Newcastle 2020 Carbon and Water Management Action Plan is to lead the transition to a low carbon economy by positioning our city as a global testing ground for innovative technologies and behavioural change programs that have the capacity to be adopted into the mainstream.

The uptake of solar, battery storage and other distributed energy resources by households, businesses and agencies is occurring in tandem with the rapid deployment of other edge of grid technologies. These technologies maximise participation and decentralisation in the energy system, creating efficiencies and resilience in our energy production and distribution. In combining smart technology with decentralised energy production, microgrids aggregate diverse, distributed low-carbon resources, providing cost-effective, clean, reliable power to those within it, and providing relief and grid services to the larger grid around it. Newcastle City Council is a prime location to take advantage of microgrid technology, whilst serving as a proving ground for city-scale microgrid integration.
ATTACHMENTS

Nil.
ITEM-15 NOM 26/06/18 - COMMUNITY PARTICIPATION PLANS

COUNCILLORS: K ELLIOTT AND J CHURCH

PURPOSE

The following Notice of Motion was received on 14 June 2018 from the abovenamed Councillors.

MOTION

That Council officer's provide Councillors with a presentation on the process for adhering to the community participation changes in the EP&A Act and provide a timeframe for implementation including information on:

- Developing a community participation plan
- Developing a local strategic planning statement
- Adhering to community participation principles
- Proposed consultation tools to support community participation

BACKGROUND

The NSW Parliament passed the Environmental Planning and Assessment Amendment Act 2017 in late 2017 to update the Environmental Planning and Assessment Act 1979 (EP&A Act). The amendment marked the biggest changes to the State’s planning legislation in almost 40 years.

The updated Act (still known as the Environmental Planning and Assessment Act 1979) came into effect from March 1 with most of the changes commencing from this date.

Others will take longer to come into effect as they require further guidance and consultation, predominantly with councils.

Community Participation plans

Each planning authority under the EP&A Act will have to prepare a Community Participation Plan to explain how it will engage the community in plan-making and development decisions. This will apply to:

- All local councils in NSW
- NSW Government agencies that are planning authorities under Part 5 of the EP&A Act
- The Secretary of the Department of Planning and Environment
- Greater Sydney Commission
- Independent Planning Commission (formerly known as the Planning Assessment Commission)
- Regional and local planning panels
Councils may choose to incorporate the Plans into the broader community engagement strategies they prepare under local government legislation, but must ensure the document meets the requirements of the EP&A Act, including that the council has had regard to the new community participation principles.

Community participation plans are to be published on the NSW planning portal and will be regularly reviewed. A proposed plan will be publicly exhibited for at least 28 days.

The Department of Planning and Environment (DP&E) will develop a suite of tools to assist councils in developing and implementing their plans.

**Community Participation Principles**

When preparing community participation plans, planning authorities will need to have regard to 8 community participation principles that are set out in the EP&A Act.

1. The community has a right to be informed about planning matters that affect it.
2. Planning authorities should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.
3. Planning information should be in plain language, easily accessible and in a form that facilitates community participation in planning.
4. The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
5. Community participation should be inclusive and planning authorities should actively seek views that are representative of the community.
6. Members of the community who are affected by proposed major development should be consulted by the proponent before an application for planning approval is made.
7. Planning decisions should be made in an open and transparent way and the community should be provided with reasons for those decisions (including how community views have been taken into account).
8. Community participation methods (and the reasons given for planning decisions) should be appropriate having regard to the significance and likely impact of the proposed development.

**Statement of reasons for decisions**

- Decision-makers will be required to give reasons for their decisions to help community members to see how their views have been taken into account.
• The statement of reasons will need to be proportionate to the scale and impact of the decision. Therefore, less complex projects can have a simple statement of the reasons while more detailed information will be needed for large, complex projects about how the decision was made.
• Planning authorities making complex decisions will be encouraged to include a summary page to make it easier for community members to understand the reasons.
• The statement of reasons will need to highlight considerations such as community concerns that are particularly important to the decision. These will then be taken into account in any future decisions about any modifications to a project.
• The Department will develop guidance material to help decision-makers set out their reasons.

**Stronger consultation requirements for major projects**

For State significant development, applicants will be required to demonstrate how they consulted with the community prior to lodgment. The Department will require this as part of the applicant’s environmental impact statement (EIS). This update is tied to the program of work the Department is carrying out to review Environmental Impact Assessment for State significant projects in NSW.

One of the proposed changes will require proponents to engage with the community and other stakeholders during the scoping phase of an EIS to gain their perspective on the relevant matters to be considered in the EIS and identify areas of potential concern as early as possible.

Other related initiatives by the Department include Draft Social Impact Assessment Guidelines and Community Consultative Committee Guidelines.

**Up to date consultation tools**

The Department of Planning and Environment is exploring options to improve the suite of tools available to consent authorities to improve their engagement capacity.

This includes new guidance materials, online tools and applications and case studies of effective and innovative ways to engage the community, particularly on strategic planning.

It will also release new community consultation guidelines to consider new tools such as social media, online campaigns and the NSW Planning Portal (https://www.planningportal.nsw.gov.au)

This guidance material will also address the consultation and engagement requirements of specialist audiences, including consultation with Aboriginal communities in planning decisions.
Upfront strategic planning to guide growth and development

The amendments include a new requirement for councils to develop and publish a local strategic planning statement.

The statements are part of the strategic planning framework in the EP&A Act (which include a Region Plan, District Plan and Local Environmental Plan) and will be developed by councils in consultation with the community.

They will focus on the vision and priorities for land use in the local area and will set out the strategic context within which the LEP has been developed addressing:

- the rationale behind the application of zones and development controls
- how strategic priorities at the regional and/or district level are given effect at the local level
- land use objectives and priorities identified through the council’s Community Strategic Plan process

Local strategic planning statements

The new statements are different to Community Strategic Plans (prepared under the Local Government Act) as the Community Strategic Plans have a broader focus on achieving the long term social, environmental and economic aspirations of the community.

They are the governing document for the council in its strategic business planning across all of its activities. However, Councils will be able to draw on land use strategies prepared under their Community Strategic Plans in developing the local strategic planning statements.

The Local Strategic Planning Statements will be exhibited for a mandatory minimum 28-day period in line with other strategic planning documents in the Act.

Councils must prepare and make a Local Strategic Planning Statement and review the statement at least every 7 years.

Implementation of the Act

- The Government is taking a staged approach to the commencement of the new Act to ensure a smooth transition by providing time for councils, communities, industry and practitioners to understand and prepare for the new requirements, including by updating their documents and forms to reflect the new structure of the Act.
- New features such as community participation plans and local strategic planning statements will be introduced over time to ensure all stakeholders can prepare for changes, supported by appropriate guidance, templates and other resources.
- Councils will be given a reasonable period to prepare their local strategic planning statements. This will be set to align with the regional and district planning processes.
The Government will help local councils prepare their local strategic planning statements by providing guidance material and model statements.

ATTACHMENTS

Nil
CONFIDENTIAL REPORTS

ITEM-9 CON 26/06/18 - PROVISION OF BANKING SERVICES - CONTRACT NO. 2018/419T

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

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.

GROUNDS 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 tenders for Provision of Banking Services for Contract No. 2018/419T.

B It is contrary to the public interest to discuss tenders in an open meeting because the information provided to Council by tenderers is provided on the basis that it will be treated by Council as commercial-in-confidence. A practice of disclosing sensitive commercial information to the public, including competitors, could result in the withholding of such information by tenderers. This would lead to a reduction in the supply of information relevant to Council's decision. A disclosure of confidential information by Council could result in Council being the subject of litigation for breach of confidence.
C The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.
ITEM-10 CON 26/06/18 - DISTRICT SPORT AND RECREATION COMPLEX, 40 CREEK ROAD, MARYLAND

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

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)(d) 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) the discussion of the item in a closed meeting:
  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.

GROUNDS FOR CLOSING PART OF THE MEETING

In respect to Section 10D(2) the grounds of the Act 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) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

B The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.

C The matter is of a commercial nature and involves the transfer of land to Council. There are a number of stipulations from the land owner in respect of the matter including the requirement for confidentiality until such time as the land transfer is resolved by council.
ITEM-11  CON 26/06/18 - TENDER FOR TREE WORKS SERVICES - CONTRACT 2018/414T

REPORT BY:  INFRASTRUCTURE
CONTACT:  DIRECTOR INFRASTRUCTURE / INTERIM MANAGER CIVIL WORKS

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.

GROUNDS 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 tenders for Tree Work Services for Contract No: 2018/414T.

B It is contrary to the public interest to discuss tenders in an open meeting because the information provided to Council by tenderers is provided on the basis that it will be treated by Council as commercial-in-confidence. A practice of disclosing sensitive commercial information to the public, including competitors, could result in the withholding of such information by tenderers. This would lead to a reduction in the supply of information relevant to Council's decision. A disclosure of confidential information by Council could result in Council being the subject of litigation for breach of confidence.
C  The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.
ITEM-12 CON 26/06/18 - TENDER FOR TREE PLANTING AND TREE ESTABLISHMENT SERVICES - CONTRACT 2018/415T

REPORT BY: INFRASTRUCTURE
CONTACT: DIRECTOR INFRASTRUCTURE / INTERIM MANAGER CIVIL WORKS

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.

GROUND 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 tenders for Tree Planting & Establishment Services for Contract No: 2018/415T.

B It is contrary to the public interest to discuss tenders in an open meeting because the information provided to Council by tenderers is provided on the basis that it will be treated by Council as commercial-in-confidence. A practice of disclosing sensitive commercial information to the public, including competitors, could result in the withholding of such information by tenderers. This would lead to a reduction in the supply of information relevant to Council's decision. A disclosure of confidential information by Council could result in Council being the subject of litigation for breach of confidence.

C The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.
ITEM-13  CON 26/06/18 - CIVIC ELECTRICAL SUBSTATION UPGRADE WORKS - CONTRACT 2018/410T

REPORT BY: INFRASTRUCTURE
CONTACT: DIRECTOR INFRASTRUCTURE / INTERIM MANAGER PROJECTS AND CONTRACTS

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.

GROUNDS 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 tenders for Civic Electrical Substation Upgrade for Contract No.: 2018/410T.

B It is contrary to the public interest to discuss tenders in an open meeting because the information provided to Council by tenderers is provided on the basis that it will be treated by Council as commercial-in-confidence. A practice of disclosing sensitive commercial information to the public, including competitors, could result in the withholding of such information by tenderers. This would lead to a reduction in the supply of information relevant to Council's decision. A disclosure of confidential information by Council could result in Council being the subject of litigation for breach of confidence.
C The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.