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 28 March 2017

TIME: 5.30pm

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

P Chrysal
Interim Chief Executive Officer

City Administration Centre
282 King Street
NEWCASTLE NSW 2300

21 March 2017

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

MINUTES - PUBLIC VOICE COMMITTEE 21 FEBRUARY 2017

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 170221 Minutes of Public Voice Committee

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
F Cordingley (Acting Interim Chief Executive Officer), G Cousins (Director Corporate Services), K Liddell (Acting Director Infrastructure), A Baxter (Acting Director Planning and Regulatory), F Giordano (Manager Legal and Governance), M Blackburn-Smith (Manager Development and Building), Ngaire Baker (Chief of Staff), Kathleen Hyland (Communications Manager) (arrived 5.56pm), Clare Hogue (Community Engagement Coordinator) (arrived 5.56pm), A Knowles (Council Services/Minutes) and Jodie 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 Waterhouse.

The apology submitted on behalf of Councillor Tierney be received. Carried

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

Councillor Clausen
Councillor Clausen declared a less than significant non-pecuniary interest in respect of Item 1 DA 2015/0820 - 30 Fleet Street New Lambton. He declared that he received a non-significant donation during his election campaign from a resident that lives in close proximity to the property and will remain in the chamber to hear the Public Voice session.
Lord Mayor Cr Nuatali Nelmes
The Lord Mayor declared a significant pecuniary interest in respect of Item 1 DA2015/0820 - 30 Fleet Street New Lambton and would recuse herself from the discussions at public voice as close family members live adjacent to the property. The Lord Mayor advised that she would ask the Deputy Lord Mayor to chair the Public Voice session in her absence.

Councillor Rufo
Councillor Rufo declared a non-pecuniary significant interest and conflict in respect of Item 1 DA 2015/0820 - 30 Fleet Street New Lambton. He indicated that he was only advised today that a resident that lives next the development is a work colleague and as such will remove himself from the discussions and hearing.

The Lord Mayor and Councillor Rufo left the chamber.

PUBLIC VOICE SESSIONS

ITEM-1 PV 21/02/2017 - DA2015/0820 - 30 FLEET STREET NEW LAMBTON - DEMOLITION OF DWELLINGS AND OUTBUILDINGS, ERECTION OF 9 ATTACHED TWO STOREY UNITS, ASSOC. SITE WORKS, BOUNDARY ADJUSTMENT, 2 LOT SUBDIVISION (LOT1) AND 7 LOT STRATA SUBDIVISION (LOT13 SEC W)

An application has been received by Council seeking consent for the demolition of dwellings and outbuildings with the erection of nine attached two-storey dwellings. The proposal was notified to neighbouring properties for fourteen days in accordance to Council's policy on two occasions to adjoining property owners.

The initial notification period received 32 submissions with the most recent notification period receiving 36 submissions. Three public voice applications were received during the second notification period.

Susan Morris and Mark Kenny addressed Council and outlined various concerns and their objection in regards to the proposal on behalf of New Lambton residents.

Adam Piper from Piper Planning also addressed Council on behalf of the applicant.

Councilors raised questions on a number of different matters including what is the difference between a multiple dwelling development and row housing. Clarification was sought on the number of dwellings permissible on the site, car parking and visitor parking and whether there is adequate access from the front to the rear of the site.

Councilors also sought details on usability criteria of the landscaped area due to potential storm water and drainage issues on the site.

Mark Kenny advised Councillors that mediation was not entered into.
ITEM-2 PV 21/02/17 - NEWCASTLE INNER CITY BYPASS - RANKIN PARK TO JESMOND

Council resolved at the Ordinary Council meeting held on Tuesday 13 December 2016 to invite a representative from RMS, a McCaffrey Drive resident and a representative from Newcastle Cycleways to present at a Public Voice session in February 2017 on the project together with a briefing from Council Officers on the proposal.

Presentations were received from Ben Ewald on behalf of Newcastle Cycleways Movement and Rob Brook on behalf of McCaffrey Drive Residents.

The Lord Mayor advised Council that Matthew Mate from RMS was invited to attend the Public Voice Session however the RMS had declined the invitation.

Councillors raised questions on a number of issues and were advised that the information and recommendations presented to Council have been provided to the RMS on three separate occasions. Discussions continue to occur between some RMS planners however no current solutions have been offered.

The Lord Mayor requested information on the projected traffic increases and whether the presenters agreed on the estimates provided by RMS.

The meeting concluded at 6.33pm.
MINUTES - BRIEFING COMMITTEE 21 FEBRUARY 2017

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 170221 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
CITY OF NEWCASTLE
Minutes of the Briefing Committee Meeting held in the Council Chambers, 2nd Floor, City Hall, 290 King Street, Newcastle on Tuesday 21 February 2017 at 6.33pm.

PRESENT

IN ATTENDANCE
F Cordingley (Acting Interim Chief Executive Officer), G Cousins (Director Corporate Services), K Liddell (Acting Director Infrastructure), A Baxter (Acting Director Planning and Regulatory), F Giordano (Manager Legal and Governance), M Blackburn-Smith (Manager Development and Building), Ngaire Baker (Chief of Staff), Kathleen Hyland (Communications Manager), Natalie McCabe (Senior Strategist Transport), Jill Gaynor (Manager Strategic Planning) 6.50pm, Patty McCarthy (Team Coordinator Strategic Planning), Clare Hogue (Community Engagement Coordinator), A Knowles (Council Services/Minutes) and Jodie Redriff (Council Services/Webcast).

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

Councillor Waterhouse
Councillor Waterhouse declared a potential significant non-pecuniary interest in respect of Item-3 Newcastle 500 Community Engagement, as previously declared. The potential conflict arises due to residing in the vicinity of the proposed track and will manage the conflict by leaving the chamber when this matter is discussed.

BRIEFING COMMITTEE REPORTS

ITEM-1 BR 21/02/17 - EXHIBITION OF NEWCASTLE INNER CITY BYPASS - RANKIN PARK TO JESMOND

Natalie McCabe, Council's Senior Strategist Transport provided a briefing in response to Council's resolution of 13 December 2016 requesting a Public Voice session and a briefing from Council officers on the proposed Newcastle Inner City Bypass - Rankin Park to Jesmond.

An outline was given around the projects background, the project itself and the key issues that have been raised. Ms McCabe reiterated that both a submission and letters were given to the RMS on Councils position in June and December 2016 together with Council's support for a further investigation of an over/under pass as an alternative option to address cycleway issues. Council Officers will meet with RMS to continue discussions.
Questions raised by Councillor's related to whether Council had undertaken its own traffic modelling and identified any comparisons, any conversations round linking the current rail system, the new policy being developed by Transport NSW and any options Council may have to further impress Council's position on the matter.

MOTION
Moved by Cr Osborne, seconded by Cr Clausen

The briefing be received.

Carried.

ITEM-2  BR 21/02/17 - PROPOSED CHANGES TO PLANNING LEGISLATION

Patricia McCarthy, Team Coordinator, Development and Building, and Jill Gaynor, Manager Strategic Planning, gave a presentation to Council on the NSW Government's draft changes to the Environmental Planning and Assessment Act, 1979 and to receive advice on matters Councillors would like included in Council submission on the draft changes.

Councillors raised questions around whether local clauses will still be available in the DCP, what the changed conditions are around stop work orders, the impacts of s 96 no longer being available for retrospective approvals. Councillors noted that Newcastle is a trial site for the online portal and asked if any information was available on how it would operate.

MOTION
Moved by Cr Osborne, seconded by Cr Luke

The briefing be received.

Carried.

ITEM-3  BR 21/02/17 - NEWCASTLE 500 COMMUNITY ENGAGEMENT

Claire Hogue, Community Engagement Coordinator and Kathleen Hyland, Communications Manager, provided a briefing in response to Council's resolution of 22 November 2016 requesting Council Officers to provide an update on the engagement program for the inaugural Newcastle 500 event to be held in the Newcastle Local Government Area from 22-24 November 2017.
Ms Hogue advised Supercars’ intention to set up a residents information centre in April 2017, including a presence from Destination NSW (DNSW) primarily to provide information on issues that are not Council’s responsibility. Furthermore, a Major Events Resident Working Group (MERWG) would be calling for nominations in March 2017 and a Supercars Committee (not a Council Committee) to include two Council officers and one community member.

Councillors raised questions around the MERWG charter and whether it will be a constituted Council Committee and how members were being selected. Councillors also enquired on the status of a MOU and whether this had been finalised.

**MOTION**
Moved by Cr Osborne, seconded by Cr Rufo

The briefing be received.  

Carried.

The meeting concluded at 7.56pm
MINUTES - ORDINARY COUNCIL MEETING 28 FEBRUARY 2017

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 170228 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
PRESENT
The Lord Mayor (Councillor N Nelmes), Councillors D Clausen, D Compton, T Doyle, J Dunn, B Luke, M Osborne, S Posniak, A Robinson and A Rufo.

IN ATTENDANCE
F Cordingley (Acting Interim Chief Executive Officer), G Cousins (Director Corporate Services), K Liddell (Acting Director Infrastructure), M Blackburn-Smith (Manager Building and Development), F Giordano (Manager Legal and Governance), A Glauser (Manager Finance), K Hyland (Manager Communications and Engagement), K Baartz (Communications Manager), B Johnson (Media Officer), N Bavinton (Smart City Co-ordinator), K Sullivan (Council Services/Minutes) and A Knowles (Council Services/Webcasting).

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

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

Especially remembered were Kristen Keegan and Michael Rauch. Ms Keegan was the Hunter's first female Hunter Business Chamber Chief Executive and passed away at 46 following a short battle with brain cancer.

Michael Rauch was a veteran NBN news cameraman and passed away following a brave battle with cancer.

APOLOGIES

MOTION
Moved by Cr Luke, seconded by Cr Rufo

The apology submitted on behalf of Councillor Waterhouse be received and leave of absence granted. Carried
DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

**Councillor B Luke**
Councillor Luke declared a non-pecuniary less than significant interest in Item-5 - Executive Monthly Performance Report as Council may invest with businesses he is associated with. Councillor Luke said the interest was less than significant as the report to Council was to be received and he was not involved in any decision making processes.

**Councillor Clausen**
Councillor Clausen declared a less than significant non-pecuniary interest in Notice of Motion Item 2 - Ward 4 Capital Works. He stated that the Notice of Motion and accompanying Officers report referenced water mains owned by his employer. He understood his employer to have been in contact with Councillors in respect of the item, however, he had no direct involvement in relation to the matters raised.

CONFIRMATION OF PREVIOUS MINUTES

**MINUTES - ORDINARY COUNCIL MEETING 20 DECEMBER 2016**

The adopted minutes of the Ordinary Council Meeting held on 20 December 2016 were resubmitted to Council for the purpose of seeking Council approval to adopt a corrected version of the procedural motion tabled by the Lord Mayor regarding the Lord Mayoral Minute on the appointment of an Interim Chief Executive Officer.

The draft minutes of the Ordinary Council Meeting held on 20 December 2016 were adopted by Council at the Ordinary Council Meeting held on 24 January 2017 as follows:

> That the Lord Mayoral Minute on the appointment of an Interim Chief Executive Officer lay on the table until the next Ordinary Council Meeting, and that the matter be referred to the Office of Local Government for review.....

The tabled procedural motion on 20 December 2016 was as follows:

> That the Lord Mayoral Minute on the appointment of an Interim Chief Executive Officer lay on the table until the next Ordinary Council Meeting, and that the matter be referred to an **independent** Office of Local Government **accredited conduct reviewer** for review.....

The five previously omitted words are as bolded and underlined above.
MOTION
Moved by Cr Osborne, seconded by Cr Dunn

The revised and corrected minutes as circulated lay on the table in order to confirm the exact wording from the recording / webcast.  

Carried

LORD MAYORAL MINUTE

ITEM-4  LMM 13/12/16 - SELECTION AND APPOINTMENT OF INTERIM CHIEF EXECUTIVE OFFICER

The Lord Mayor stated that the matter was before Council in accordance with Council's resolution of 24 January 2017 that the matter lay on the table with the expectation that Council could discuss the matter at the Ordinary Council Meeting of 28 February 2017.

The Lord Mayor stated that she was of the understanding the investigation was not complete, however, having spoken to both the Office of Local Government and Acting Interim Chief Executive Officer, she received advice that the report may be available in the coming days.

PROCEDURAL MOTION
Moved by Lord Mayor, Cr Nelmes, seconded by Cr Dunn

Council lay the matter on the table until Tuesday 7 March 2017 when Council will hold an Extraordinary Council meeting at commencing at 5.30pm to discuss the matter if the investigation report can be reported back to Council.  

Carried

REPORTS BY COUNCIL OFFICERS

ITEM-5  CCL 28/02/17 - EXECUTIVE MONTHLY REPORT - JANUARY 2017

MOTION
Moved by Cr Clausen, seconded by Cr Osborne

The report be received.  

Carried

ITEM-8  CCL 28/02/17 - STOCKTON LOCAL CENTRE PUBLIC DOMAIN PLAN - PROPOSED TRAFFIC PLAN

MOTION
Moved by Cr Osborne, seconded by Cr Rufo

Council approve the traffic management plan as set out at Attachment A.  

Carried
ITEM-9  CCL 28/02/17 - LLEWELLYN STREET NEIGHBOURHOOD CENTRE, MEREWETHER - PROPOSED TRAFFIC PLAN

MOTION
Moved by Cr Doyle, seconded by Cr Luke

Council approve the Llewellyn Street traffic plan with the following measures:

- Raised threshold with pedestrian crossings and kerb extensions in Llewellyn Street at the corner of Merewether and Dent Streets and in Dent Street east of Llewellyn Street;
- Raised threshold and speed cushions in Llewellyn Street fronting No. 65 and 48; and
- Endorse the 40 km/h hour High Pedestrian Activity Area (HPAA) in Llewellyn Street between Morgan and Merewether Street and forward the matter to Roads and Maritime Services (RMS) for approval and implementation.

Carried

ITEM-11  CCL 28/02/17 - SMART CITIES INTERNATIONAL COLLABORATION

MOTION
Moved by Cr Doyle, seconded by Cr Compton

That Council resolves to endorse the Lord Mayor to sign the MOU with the GSC3.

Carried

ITEM-12  CCL 28/02/17 - TEMPORARY SUSPENSION OF ALCOHOL FREE ZONES FOR UPCOMING EVENTS

MOTION
Moved by Cr Osborne, seconded by Cr Posniak

i) Council approve the temporary suspension of the AFZ for Beaumont, Cleary, James, Lindsay and Denison Streets, Hamilton, on Sunday 12 March 2017 from 6am to 8pm for the purpose of holding the Beaumont Street Carnivale. This suspension is subject to the event organiser, Hamilton Chamber of Commerce, meeting all requirements of the NSW Police - Newcastle Local Area Command (NSW Police) and Council.

ii) Council approve the temporary suspension of the AFZ for Birdwood Park, Newcastle West, from 18 to 30 March 2017 10am to 10pm for the purpose of holding the Newcastle Fringe Festival - Circus Avalon performances. This suspension is subject to the event organiser, Circus Avalon, meeting all requirements of the NSW Police and Council.
iii) Council approve the temporary suspension of the AFZ in Civic Park, Newcastle, from 17 May 2017 to 4 June 2017 from 8pm to midnight for the purpose of holding Velvet, a Spiegeltent event presented by Newcastle Civic Theatre. This suspension is subject to the event promotor and Newcastle Civic Theatre, meeting all the requirements of the NSW Police and Council.

iv) Council approve the temporary suspension of the AFZ in Keightley Lane, Newcastle on Tuesday 25 April 2017 from 6am to 6pm for the purpose of allowing ANZAC Day activities. This suspension is subject to the event organiser, Newcastle Diggers Club, meeting all the requirements of the NSW Police and Council.

Carried

ITEM-6 CCL 28/02/17 - QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2016

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

Council receives the December Quarterly Budget Review Statement (Attachment A) and adopts the revised budget as detailed therein and as amended below:

Council decrease coastal revitalisation from $1,000,000 to $850,000 and hypothecates $150,000 towards the coastal building and structures budget, in particular, the refurbishment of Cooks Hill Surf Club.

A report to come back to Council reporting on the Stage 1 building works at the Surf Club that Council has funded.

For the Motion: Lord Mayor, Cr Nelmes, Councillors Clausen, Compton, Doyle, Dunn, Osborne, Posniak, Robinson and Rufo.

Against the Motion: Councillor Luke.

Carried

ITEM-7 CCL 28/02/17 - BERESFIELD LOCAL CENTRE PUBLIC DOMAIN PLAN - PROPOSED TRAFFIC PLAN

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

Approve the traffic management plan as set out in Attachment A.

At this stage of the meeting Councillor Robinson declared a non-pecuniary non-significant interest in this item stating that he and a family member had purchased property in Beresfield.
Councillor Robinson left the Chamber for the remainder of discussion on the item. The motion moved by the Lord Mayor and seconded by Councillor Dunn was put to the meeting.

Carried

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

**ITEM-10  CCL 28/02/17 - MINMI EAST PRECINCT (STAGE 1B) DEVELOPMENT - PROPOSED UPGRADE WORKS TO MINMI ROAD**

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

Approve the upgrade works, as in Attachment A, proposed by the applicant in the Minmi Road reserve with the following three amendments recommended by the Newcastle City Traffic Committee (NCTC):

i) Installation of a traffic signal instead of the proposed central roundabout adjoining the proposed mixed-use land uses and bus stops.
ii) Installation of a second set of bus stops near the eastern boundary of the development.
iii) Upgrade of the Blue Gum Hills Regional Park intersection to a Channelised Right-Turn (CHR) intersection instead of the proposed carriageway widening on the northern side of the intersection.

**PROCEDURAL MOTION**
Moved by Cr Dunn, seconded by Cr Osborne

The matter lay on the table until such time as a proposal is received by Council which includes provision for two lanes either way along this stretch of Minmi Road.

Carried

**ITEM-13  CCL 28/02/17 - DA2016/01457 - 73 DARLING STREET HAMILTON SOUTH - DEMOLITION OF STRUCTURES, ERECTION OF GRANDSTAND / CLUBHOUSE, ASSOCIATED CAR PARK AND SITE WORKS**

**MOTION**
Moved by Lord Mayor, Cr Nelmes, seconded by Cr Osborne

1 That the application for the demolition of structures, erection of grandstand / clubhouse, associated car park and site works be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions (refer to Attachment B of the development assessment report, which is Attachment A to this report).

2 That those persons who made submissions be advised of Council’s determination.
ITEM-14 CCL 28 02 17 - NEWCASTLE EAST BUILDING HEIGHTS - ADOPTION OF AMENDMENT TO NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012

In moving the motion Councillor Osborne added a part (iii).

MOTION
Moved by Cr Osborne, seconded by Cr Posniak

Council resolves to:

i) endorse the attached planning proposal (Attachment A) to amend the Height of Building Maps of the Newcastle LEP 2012 in relation to land bounded by Hunter, Newcomen, King and Perkins Streets, Newcastle.

ii) forward the planning proposal to the Department of Planning and Environment (DPE) requesting that a draft Local Environmental Plan be prepared and made pursuant to section 59(1) of the Environmental Planning & Assessment Act 1979 (EP&A Act).

iii) The building heights be amended in line with the decision of the Joint Regional Planning Panel of 28 April 2016.

At this stage of the meeting Councillor Luke declared a non pecuniary conflict of interest in Item 14 - Newcastle East Building Heights - Adoption of Amendment to Newcastle Local Environmental Plan. He stated that although the motion now referenced a past decision of the JRPP, as a member of the JRPP Councillor Luke advised he would leave the Chamber for the remainder of discussion.

For the Motion: Lord Mayor, Cr Nelmes, Councillor Clausen, Compton, Doyle, Dunn, Osborne, Posniak, Rufo and Robinson.

Against the Motion: Nil. Carried unanimously

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

ITEM-1 NOM 28/02/17 - LIGHTING COWPER STREET BRIDGE CARRINGTON

MOTION
Moved by Cr Posniak, seconded by Cr Dunn

1 Council review the choice of pedestrian lighting on the Cowper Street Bridge with the aim to replace it with a type that is energy efficient and more in keeping with the original design and shape and respects the heritage values of the entrance to the heritage community of Carrington.

Such review address budget implications and options and a report come back to Council at the Ordinary Council meeting to be held on 26 April 2017.

2 Council adopt an integrated lighting solution, including consideration of iconic areas such as entries to suburbs, around the Throsby Creek area with specific emphasis on improving lighting on the Carrington side of the creek.

3 Before any such plan is adopted Council consult with the Throsby Creek community as to their lighting needs.

Carried unanimously

At this stage of the meeting the Lord Mayor declared a less than significant non pecuniary interest in the previously discussed Item 6 - Quarterly Budget Review Statement - December 2016 stating that she held a standing declaration because several family members were members of the Merewether, Cooks Hill and Stockton Surf Clubs. She stated that discussion in relation to this item had concerned Surf Clubs.

Councillor Rufo declared a less than significant non pecuniary interest in the previously discussed Item 6 - Quarterly Budget Review Statement - December 2016 stating that a family member was a member of the Dixon Park Surf Life Club.

ITEM-2 NOM 28/02/17 - WARD 4 CAPITAL WORKS

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

That Council:

1 Identify and treat the following works as a priority:

   (i) Wallsend bridge replacement/upgrade;
   (ii) Minmi Road footpath and road widening between Cowper Street and Macquarie Street, Wallsend;
   (iii) Water main replacement and road re-sealing Anderson Drive, Tarro; and
   (iv) Wallsend and Beresfield town centre public domain plan.
2 Provide Councillors with a detailed timetable for completion of the above works by way of Officers report at the next ordinary Council meeting.

3 Provide a monthly update on the progress of the above works with reference to the relevant timetable and provide an explanation for any delay, by way of Officers report at each ordinary Council meeting until the completion of the works.

**For the Motion:** Lord Mayor, Cr Nelmes, Councillors Clausen, Compton, Doyle, Dunn, Osborne, Posniak and Robinson.

**Against the Motion:** Councillors Luke and Rufo.

**Carried**

ITEM-3 NOM 28/02/17 - SAFETY ALONG THROSBY CREEK

**ORIGINAL MOTION**

Noting that

a) Newcastle City Council has adopted the *Safe City Plan 2017-2020* which supports Council's *Newcastle 2030 Community Strategic Plan* for Safe and Vibrant Public Spaces and a Caring and Inclusive Community, and

b) Council staff have previously investigated the installation of lighting along the shared pathway along Throsby Creek from Industrial Drive to Lewis Street and determined that the only option available to Council is to install above ground solar lighting similar to that installed at Honeysuckle,

Council:

1 Allocates funding in the 2017/18 Budget to design and install above ground solar lighting along the shared pathway along Throsby Creek from Industrial Drive to Lewis Street, and

2 Investigates popular shared pathways across the city that would benefit from the installation of lighting and includes an appropriate budgetary provision in the 2017/18 Budget.

Councillor Osborne moved the recommendation of the accompanying Officers report submitted in Council's Business Papers.
MOTION
Moved by Cr Osborne, seconded by Cr Doyle

Council:

1 Allocate funds in the 2017/18 budget to undertake further investigation and develop a concept design for the path from the vicinity of Lewis Street to Hannell Street, which addresses CPTED principles.

Such concept design be in keeping with the review to be undertaken on the Cowper Street lights.

2 Commence the Lewis Street to Hubbard Street lighting replacement and upgrade project (estimated cost of $345,000) in 2017/18.

3 Undertake investigation of key shared paths throughout Newcastle and develop a position on the appropriateness of lighting provision.  

Carried unanimously

ITEM-4 NOM 28/02/17 - PILOT STUDY TO ESTABLISH LOCAL CHARACTER

MOTION
Moved by Cr Osborne, seconded by Cr Doyle

Noting that

The Newcastle Development Control Plan 2012 does not include any common understanding of the existing or desired future local character of Tighes Hill and provisions that would ensure that elements of historical interest that contribute to the character of Tighes Hill are protected,

Council:

1 Allocates funding in the 2017/18 Budget to undertake a Pilot Study of the local character of Tighes Hill, and engage with the local community with the following objectives:

a) To describe a common understanding about the key significant features of the neighbourhood character of the area,

b) To come to an understanding of the desired future character of the area,

c) To write Development Control Plan provisions that specify design solutions and controls to ensure that future development is compatible with the existing and desired character of the area and that elements of historical interest that contribute to the character of Tighes Hill are protected,
d) To provide a project framework to roll out this work to all suburbs of Newcastle, and

With a report back to Council at the Ordinary Council meeting of 26 April 2017.

2 Establish a specific Working Party comprising Councillors, local residents/representatives from the Tighes Hill Community Group and the Throsby Villages Alliance, representatives from heritage organisations, planning professionals from the community and council staff to guide the project. Carried

ITEM-5 NOM 28/02/17 - CLIMATE CHANGE POLICY

MOTION
Moved by Cr Doyle, seconded by Cr Osborne

Noting that

1 The NSW Government released its *NSW Climate Change Policy* Framework in December 2016 setting a target of net-zero emissions by 2050;

2 Council’s current *Strategic Climate Policy* (2010, revised 2012) states Council’s intention to:

   a) Regularly review its plans, strategies, policies and benchmarks, where their content may be affected by climate change, to ensure they remain current as the science of climate change develops.

   b) Ensure that Council’s actions, decisions and policy response to climate change remains current and reflects Council’s operational capacity, community expectations and changes in climate change scenarios.

and,

3 The 2008 statistics regarding share of carbon emissions from business (83%), residential (15.4%), education (1.3%) and Council (0.4%) quoted in Council’s *NEWCASTLE 2020 Carbon and Water Management Action Plan*, indicate that most of the necessary focus in combating climate change in the Newcastle LGA is through working with business and residents.
CITY OF NEWCASTLE

Ordinary Council Meeting 28 March 2017

Council resolves:

A To prepare a draft policy and associated management plan to address the urgent need for action on climate change and to complement the NSW State Government’s Climate Change Policy Framework.

The policy and management plan will revise and augment Council’s current Strategic Climate Policy Carbon and Water Management policy (2015) and NEWCASTLE 2020 Carbon and Water Management Action Plan.

The draft policy and associated management plan will include:

i) targets of 100% of electricity demand in the form of renewable energy use and zero net emissions for council operations

ii) a target timeframe for these objectives that will achieve a balance between the urgency of the climate challenge and council’s capacity.

iii) Measures to promote and support local renewable energy suppliers

iv) Measures that council can adopt for its own operations that reduce emissions

v) Schemes that will help small businesses to be water and energy efficient

vi) Regulatory measures that will ensure energy efficiency and maximise use of renewable energy sources within the LGA

vii) Relevant planning controls and compliance measures

viii) Advocacy measures to reduce the large carbon footprint associated with Newcastle’s industry, especially those associated with port operations

ix) Raising community awareness through educational, promotional and communications projects and materials

B To receive a report back from officers on how Council can achieve its existing 2020 targets and fast track achieving 100% renewables, zero net emissions and the associated budgetary implications so that we can include these measures in the budget and management plan.

C To call on the state and federal governments to work together to come with a transition plan to ensure a just transition for workers and communities including increased funding for TAFE and programs especially in areas of energy efficiency and renewable energy.

PROCEDURAL MOTION
Moved by Cr Osborne, seconded by Cr Luke

Parts A - B and C be moved in seriatim.

Carried
CITY OF NEWCASTLE

Ordinary Council Meeting 28 March 2017

MOTION
Moved by Cr Doyle, seconded by Cr Osborne

Council resolves:

A  To prepare a draft policy and associated management plan to address the urgent need for action on climate change and to complement the NSW State Government’s Climate Change Policy Framework.

The policy and management plan will revise and augment Council’s current Strategic Climate Policy Carbon and Water Management policy (2015) and NEWCASTLE 2020 Carbon and Water Management Action Plan.

The draft policy and associated management plan will include:

i) targets of 100% of electricity demand in the form of renewable energy use and zero net emissions for council operations
ii) a target timeframe for these objectives that will achieve a balance between the urgency of the climate challenge and council’s capacity.
iii) Measures to promote and support local renewable energy suppliers
iv) Measures that council can adopt for its own operations that reduce emissions
v) Schemes that will help small businesses to be water and energy efficient
vi) Regulatory measures that will ensure energy efficiency and maximise use of renewable energy sources within the LGA
vii) Relevant planning controls and compliance measures
viii) Advocacy measures to reduce the large carbon footprint associated with Newcastle’s industry, especially those associated with port operations
ix) Raising community awareness through educational, promotional and communications projects and materials

B  To receive a report back from officers on how Council can achieve its existing 2020 targets and fast track achieving 100% renewables, zero net emissions and the associated budgetary implications so that we can include these measures in the budget and management plan.

For the Motion: Lord Mayor, Cr Nelmes, Councillors Clausen, Doyle, Dunn, Osborne and Posniak.

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

Carried
MOTION
Moved by Cr Doyle, seconded by Cr Osborne

C To call on the state and federal governments to work together to come with a transition plan to ensure a just transition for workers and communities including increased funding for TAFE and programs especially in areas of energy efficiency and renewable energy.

For the Motion: Lord Mayor, Cr Nelmes, Councillors Clausen, Compton, Doyle, Dunn, Luke, Osborne, Posniak, Robinson and Rufo.

Against the Motion: Nil.

Carried Unanimously

ITEM-6 NOM 28/02/17 - PERFORMING ANIMALS IN CIRCUSES

MOTION
Moved by Cr Doyle, seconded by Cr Osborne

That Council:

A Reaffirms its prohibition of the use of performing exotic animals in circuses on council owned land.

B Respects widespread community concern that the welfare of animals is given recognition through appropriate regulation and legislation at a local state and national level.

C Calls on all state government agencies that are responsible for the leasing of land within the Newcastle Local Government Area for circus use to implement a policy of prohibition on the use of performing exotic animals in circuses.

In order to enact this resolution Council’s interim Chief Executive Officer will write to relevant state government agencies expressing council’s objection to the use of performing animals in circuses anywhere in the Newcastle Local Government Area.

Following discussion Councillor Doyle clarified that the last paragraph was Part D. She amended it to read as follows:

D Write to our adjacent councils in the Hunter recommending their consideration of a similar position towards exotic circus animals.

PROCEDURAL MOTION
Moved by Cr Rufo, seconded by Cr Luke

Parts A - C and D be moved in seriatim.

Carried
During discussion on this item Councillor Osborne queried that there was a rumour Councillor Tierney had resigned from Council.

The Acting Interim Chief Executive Officer confirmed that Councillor Tierney had tendered her written resignation to himself prior to the meeting and that the resignation was effective immediately.

**MOTION**  
Moved by Cr Doyle, seconded by Cr Osborne

That Council:

A Reaffirms its prohibition of the use of performing exotic animals in circuses on council owned land.

B Respects widespread community concern that the welfare of animals is given recognition through appropriate regulation and legislation at a local state and national level.

C Calls on all state government agencies that are responsible for the leasing of land within the Newcastle Local Government Area for circus use to implement a policy of prohibition on the use of performing exotic animals in circuses.

Carried

**MOTION**  
Moved by Cr Doyle, seconded by Cr Osborne

D Write to our adjacent councils in the Hunter recommending their consideration of a similar position towards exotic circus animals.

Carried

The meeting concluded at 8.35pm.
REPORTS BY COUNCIL OFFICERS

ITEM-21 CCL 28/03/17 - EXECUTIVE MONTHLY PERFORMANCE REPORT - FEBRUARY 2017

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

PURPOSE

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

a) Monthly financial position and year to date (YTD) performance against the 2016/17 Operational Plan as at the end of February 2017.

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

RECOMMENDATION

1 The report be received.

KEY ISSUES

2 As at the end of February 2017, the consolidated YTD actual operating position was a surplus of $9.6m which represents a positive variance of $3.7m against the budgeted YTD surplus of $5.9m. 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 2016/17 is an operating surplus of $4.6m.

3 The February YTD position includes $8.4m of revenue items which are either one-off or cannot be applied to meet operational expenditure ($3.6m Special Rate Variation revenue, $1.8m consolidation of Newcastle Airport result, $1.3m stormwater management service charge, $1m local road grants which fund capital works and $0.7m for the recoupment of prior year losses). When these items are removed Council’s sustainable underlying operating position as at the end of February was a surplus of $1.2m.

4 The net funds generated as at the end of February 2017 was a surplus of $17.3m (after capital revenues, expenditure and loan principal repayments). This is a positive variance to the YTD revised budget of $11.2m. 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

5 The variance between YTD revised budget and YTD actual results as at the end of February 2017 is provided in the Executive Monthly Performance Report (Attachment A). Key elements are:

<table>
<thead>
<tr>
<th>Full Year</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>
<th>Commitments $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Revenue</td>
<td>144,941</td>
<td>96,638</td>
<td>66,888</td>
<td>9,740</td>
<td>9,170</td>
<td>6,079</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>248,264</td>
<td>165,376</td>
<td>168,377</td>
<td>4,648</td>
<td>5,871</td>
<td>9,612</td>
</tr>
<tr>
<td>Total Operating Revenue Less Operating Expenditure</td>
<td>23,853</td>
<td>15,902</td>
<td>16,755</td>
<td>853</td>
<td>5%</td>
<td>+</td>
</tr>
<tr>
<td>Note 1 - Actual and Budget results include an estimate for the Newcastle Airport</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Note 2 - Budget revised at December 2016</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
6 Factors favourably impacting Financial Position
   i User charges & fees – increase of $1.7m
      The Summerhill Waste Management Centre (SWMC) has generated above
      budget income ($1.2m) which is partially offset by an increased NSW State
      Waste Levy expense. In addition, Council is also achieving higher than
      budgeted income through the hire of facilities in our parks ($0.2m), and
      Development and Building assessments ($0.2m).

   ii Interest on investments – increase of $0.2m
      Interest Income exceeded budget due to total portfolio holdings being
      greater than anticipated and interest rates higher than forecast.

   iii Other operating revenues – increase of $1m
      Other revenues exceeded budget due to higher parking fine revenue ($0.3m)
      and the recoupment of prior year investment losses ($0.2m). A range of
      small items make up the remaining $0.5m variance to budget.

   iv Employee costs – decrease of $1.1m
      There is a timing variance in the delivery of Council training ($0.5m) with the
      remaining variance in forecast staff costs ($0.6m) due to the timing of the
      project program and general vacancies.

   iv Materials & contracts – decrease of $1.4m
      Lower than forecast operational costs due to the scheduling of project work
      in Strategic Planning ($1.4m) and Cultural Facilities ($0.4m). This is partially
      offset by above budget operational expenditure generated by the asset
      renewal program ($0.6m).

   v Net loss from disposal of assets – decrease of $0.6m
      Asset write off expense is related to the delivery of the works program as
      assets are disposed of during the renewal process. There is a positive YTD
      variance in the net loss on disposal of assets caused by a timing variance in
      the delivery of the asset renewal program. It is still forecast that both the
      renewal program and net loss from disposal of assets will be met at the end
      of the financial year.

7 Factors adversely impacting Financial Position
   i Other operating expenses – increase of $2.3m
      Expenditure on the NSW State Waste Levy is higher than anticipated due to
      soil that has been imported to the SWMC site ($2.7m). This is a timing
      variance and Council will receive a credit as the soil as expected to be
      exported again.

8 As at the end of February 2017, commitments raised against operating
   expenses totalled $3.9m. The commitments represent both the work currently
   being undertaken and awaiting invoice as well as the work planned for the
   future.
The month of February returned an operating surplus of $3.8m which is $0.9m above the revised monthly budget. The main variances to budget were related to lower operational project work $0.4m and lower than forecast net loss from disposal of assets ($0.5m). The February surplus was also above the monthly average of $1m as Council's main revenue source (rates) is steady while the pattern of expenditure tends to fluctuate with a disproportionate amount of work scheduled for delivery in the final quarter of the financial year.
10 Council’s total capital spend at the end of February is $32.1m. This result is $7.9m below the YTD revised budget. The total works spend inclusive of operational and capital expenditure is $43.1m at the end of February compared with a revised budget of $50.2m.

11 As at the end of February, commitments raised against capital work totalled $27.2m. The commitments represent both the work currently being undertaken and awaiting invoice as well as the work planned for the future. Major commitments include:

i **Building renewal – $4.4m**
Commitments include $2.1m in relation to works on the southern façade of City Hall.

ii **Environmental asset renewal – $4.8m**
Commitments include $1.9m for completion of a sea wall at South Newcastle, $0.7m for the Stockton seawall, and $1.5m of work planned on Council’s stormwater management systems.
iii **Waste Projects – $6.5m**
Commitments include the contract to design and construct the next waste cell (cell 9) required at SWMC ($5.9m).

12 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**

13 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**

14 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

15 No additional risk mitigation has been identified this month.

RELATED PREVIOUS DECISIONS

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

17 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".

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

CONSULTATION

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

OPTIONS

Option 1

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

Option 2

21 Council resolves to vary the recommendation in the respect of the proposed receipt of the report. This is not the recommended option.

BACKGROUND

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

ATTACHMENTS

Attachment A: Executive Monthly Performance Report - February 2017
Distributed under separate cover
ITEM-22  CCL 28/03/17 - ENDORSEMENT OF SIX MONTHLY REVIEW OF 2013-2017 DELIVERY PROGRAM

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

PURPOSE

To provide a report to Council outlining progress on the principal activities detailed in the 2013-2017 Delivery Program, in accordance with the provision of Section 404(5) of the Local Government Act 1993 (Act).

RECOMMENDATION

1 The Six Monthly Review of Council's progress with respect to the principal activities detailed in the 2013-2017 Delivery Program as per Attachment A be received.

KEY ISSUES

2 To comply with s. 404(5) of the Act, Council must ensure that regular progress reports are completed as to its progress with respect to the principal activities detailed in the 2013-2017 Delivery Program. The Act requires progress reports to be provided at least every six months.

FINANCIAL IMPACT

3 Staff time associated with the preparation of the report will be met from existing operational budgets. There are no other direct financial implications arising from the report.

COMMUNITY STRATEGIC PLAN ALIGNMENT

4 The Six Monthly Review outlines Council’s performance against the seven strategic directions documented within the Newcastle 2030 Community Strategic Plan.

IMPLEMENTATION PLAN/IMPLIEDATIONS


RISK ASSESSMENT AND MITIGATION

6 Not applicable.
RELATED PREVIOUS DECISIONS

7 The 2013-2017 Delivery Program and 2016/17 Operational Plan were adopted at the Ordinary Council Meeting held on 28 June 2016.

8 The audited 2015/16 Annual Financial Statements were received and adopted at the Ordinary Council Meeting held on 25 October 2016.

9 The 2015/16 Annual Report was received at the Ordinary Council Meeting held on 22 November 2016.

CONSULTATION

10 Staff from the relevant Business Units within Council have provided input into the Six Monthly Review as required.

11 Best practice reports from other councils have been used as a reference source to help guide the structure of the Six Monthly Review.

OPTIONS

Option 1

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

Option 2

13 Council resolves not to receive the Six Monthly Review. This is not the recommended option.

BACKGROUND

14 The 2013-2017 Delivery Program directly aligns with the seven strategic directions identified in the Newcastle 2030 Community Strategic Plan (CSP) endorsed by Council at the Ordinary Council Meeting held on 25 June 2013.

15 A Delivery Program is required to be prepared every four years following a local government general election. The Delivery Program, Operational Plan and other IP&R documents are subsequently required to be reviewed annually and adopted by 30 June of the relevant year.

16 The Six Monthly Review has been prepared to report on Council's progress against the strategic objectives and performance measures outlined in the 2013-2017 Delivery Program as required by the Act.

17 The Six Monthly Review addresses the seven key focus areas identified in the Community Strategic Plan: Connected City, Protected and Enhanced Environment, Vibrant and Activated Public Places, Caring and Inclusive Community, Liveable and Distinctive Built Environment, Smart and Innovative City and Open and Collaborative Leadership.
REFERENCES

ATTACHMENTS

Distributed under separate cover
ITEM-23  CCL 28/02/17 - MOTIONS AND ATTENDANCE AT NATIONAL GENERAL ASSEMBLY

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

PURPOSE

To nominate attendees and a voting delegate for the 2017 Australian Local Government Association's National General Assembly (NGA) of Local Government being held in Canberra, from Sunday 18 June to Wednesday 21 June 2017 (refer to Attachment A for further details).

RECOMMENDATION

1 Council determines the Councillors to attend the 2017 Australian Local Government Association's National General Assembly (NGA) of Local Government.

2 Council nominates and approves Councillor/s [insert name/s] to attend the NGA.

3 If Council determines and approves that more than one Councillor will attend the NGA, Council determines which Councillor will be the voting delegate.

4 Council nominates and approves Councillor [insert name/s] as Council's voting delegate at the NGA.

KEY ISSUES

5 The theme of this year's NGA is 'Building Tomorrow's Communities'.

6 Council is entitled to one voting delegate in the debating session. If more than one Councillor attends, Council will need to determine who the voting delegate will be.

7 Councillors were invited to submit motions to Council Services by Friday 3 March 2017 for inclusion in this report for Council endorsement. No motions were received.

FINANCIAL IMPACT

8 Councillor(s) attendance at the NGA will be funded from the relevant Councillor's Professional Development Budget. There is an annual limit of $5,000 for reimbursement of professional expenditure for each Councillor.
9 Approximate costs involved per delegate are:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration (Monday 19 June to Wednesday 21 June)</td>
<td></td>
</tr>
<tr>
<td>Early bird (payment received on or before 5 May 2017)</td>
<td>929.00</td>
</tr>
<tr>
<td>Registration Regional Development Forum (Sunday 18 June)</td>
<td>225.00</td>
</tr>
<tr>
<td>Social functions (optional)</td>
<td></td>
</tr>
<tr>
<td>Buffet dinner (Monday 19 June)</td>
<td>100.00</td>
</tr>
<tr>
<td>NGA Dinner Parliament House (Tuesday 20 June)</td>
<td>130.00</td>
</tr>
<tr>
<td>Accommodation (4 nights approx. between $210- $355 per night)</td>
<td>1420.00 (max)</td>
</tr>
<tr>
<td>Sustenance: up to $150 per day (4 days)</td>
<td>600.00</td>
</tr>
<tr>
<td>Travel</td>
<td></td>
</tr>
<tr>
<td>Option 1</td>
<td></td>
</tr>
<tr>
<td>Flights Newcastle to Canberra (incl. approximate taxi costs)</td>
<td>600.00</td>
</tr>
<tr>
<td>Option 2</td>
<td></td>
</tr>
<tr>
<td>Train from Newcastle to Canberra via Sydney – return</td>
<td>130.00</td>
</tr>
<tr>
<td>Option 3</td>
<td></td>
</tr>
<tr>
<td>Bus from Newcastle to Canberra via Sydney - return</td>
<td>160.00</td>
</tr>
<tr>
<td>Option 4</td>
<td></td>
</tr>
<tr>
<td>Private vehicle (estimated reimbursement at $0.64/ km)</td>
<td>570.00</td>
</tr>
</tbody>
</table>

**Approximate cost per delegate up to $4,004.00**

* Calculation is an estimate based on early bird registration and maximum cost of travel and accommodation.

COMMUNITY STRATEGIC PLAN ALIGNMENT

10 Open and Collaborative Leadership.

IMPLEMENTATION PLAN/IMPLICATIONS

11 The Payment of Expenses and Provision of Facilities to Councillors Policy provides each Councillor with an annual limit of $5,000 for professional development expenditure.

12 On 24 February 2017, Councillors received a memo regarding the 2017 NGA and were advised to check with Council Services as to whether their individual Professional Development budget would cover the cost. No enquiries were received.

RISK ASSESSMENT AND MITIGATION

13 This is an opportunity to contribute to the development of national government policy.
RELATED PREVIOUS DECISIONS

14 On 22 March 2016, Council determined Councillor Clausen to attend the National General Assembly and nominated Councillor Clausen as Council’s voting delegate.

CONSULTATION

15 Nil.

OPTIONS

Option 1

16 Council adopts the recommendation as shown at Paragraphs 1 - 4. This is the recommended option.

Option 2

17 Council does not send a delegate to the NGA or submit any motions. This option is not recommended.

BACKGROUND

18 Nil.

REFERENCES

ATTACHMENTS

Attachment A: Letter from the President of the Australian Local Government Association
17 February 2017

Newcastle City Council
PO Box 489
NEWCASTLE NSW 2300

To the Mayor, Councillors and CEO (please distribute accordingly)

2017 National General Assembly of Local Government – Call for Motions

The Australian Local Government Association (ALGA) is the national peak advocacy body for local government. ALGA's work includes but is not limited to the establishment of national policy and extensive liaison and lobbying with departments, Ministers and other parliamentarians at the Commonwealth level to achieve better outcomes for local councils.

The ALGA Board is comprised of delegates from each member association who refer matters of national relevance to the ALGA Board for consideration at regular Board meetings.

The 2017 National General Assembly of Local Government (NGA), to be held in Canberra from 18 to 21 June, is an opportunity for individual councils to identify matters of national relevance to the sector and to submit notices of motion to seek support at the NGA for these matters to be considered by ALGA as national policy, for its advocacy role or for more immediate action by ALGA on behalf of the sector.

On behalf of the ALGA Board I am writing to invite your council to participate in the 2017 NGA by submitting a notice of motion.

In doing so, please note the ALGA Board is calling for motions under the theme of 'Building Tomorrow’s Communities'. This year, the NGA will focus debate on motions that address how councils can work in partnership with the Australian Government in particular to meet the current and future needs of local communities.

To assist you and your council to identify motions that address the theme of the NGA, the ALGA Secretariat has prepared the attached short discussion paper. You are encouraged to read all of the sections of the paper, but are not expected to respond to every question in each section. Your motion/s can address one or all of the issues identified in the discussion paper.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally;
2. be consistent with the themes of the NGA;

3. complement or build on the policy objectives of your state and territory local government association;

4. be from a council which is a financial member of their state or territory local government association;

5. propose a clear action and outcome; and

6. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

In accordance with previous NGAs, the ALGA Board will consider notices of motions for inclusion in the NGA agenda and will align similar motions, prioritise motions according to the NGA theme and take any other steps required to facilitate an effective and productive NGA outcome for participants.

Motions should be lodged electronically using the online form available on the NGA website at: www.alga.asn.au. All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council. Motions should be received by ALGA no later than 11:59pm on Friday 21 April 2017, electronically in the prescribed format. Any administrative inquiries can be directed to ALGA by calling 02 6122 9400.

I encourage you to ensure the views of your council and your community are represented at the 2017 NGA and accordingly look forward to receiving your council’s notice of motion.

In addition to those councils sending delegates to debate motions, we welcome the attendance of all elected members and staff who are interested in this year’s NGA theme and the engaging list of speakers and sessions we have planned for the event. The NGA will be held during a sitting week and you may also wish to consider meeting with a parliamentarian before, during or after the NGA to pursue matters of specific interest to your region or council.

In closing, please accept my thanks for all the work you do on behalf of your local community and I look forward to welcoming you at the 2017 NGA - the premier event for Australian councils.

Yours sincerely,

Mayor David O’Loughlin
President, Australian Local Government Association

cc: State and Territory Local Government Associations
National General Assembly of Local Government
Building Tomorrow’s Communities
18 - 21 June 2017

Call for Motions Discussion Paper
Submitting Motions

The National General Assembly of Local Government (NGA) is an important opportunity for you and your council to influence the national policy agenda.

To assist you to identify motions that address the theme of the NGA, the Australian Local Government Association (ALGA) Secretariat has prepared this short discussion paper. You are encouraged to read all of the sections of the paper, but are not expected to respond to every question in each section. Your motion/s can address one or all of the issues identified in the discussion paper.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally
2. be consistent with the themes of the NGA
3. complement or build on the policy objectives of your state and territory local government association
4. be submitted by a council which is a financial member of their state or territory local government association
5. propose a clear action and outcome
6. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Motions should generally be in a form that seeks the NGA's support for a particular action or policy change at the Federal level which will assist local governments to meet local community needs. For example: That this National General Assembly call on the Federal Government to restore indexation to local government financial assistance grants.

Motions should be lodged electronically using the online form available on the NGA website at: www.alga.asn.au. All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council. Motions should be received by ALGA no later than 11:59pm on Friday 21 April 2017.

Please note that for every motion it is important to complete the background section on the form. Submitters of motions should not assume knowledge. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-Committee as well as by state and territory local government associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the sub-committee considers the importance and relevance of the issue to local government. Please note that motions should not be prescriptive in directing how the matter should be pursued. With the agreement of the relevant council, motions may be edited before inclusion in the NGA Business Papers to ensure consistency. If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association, and will not be included in the NGA Business Papers.
Introduction

This year, debate at the NGA will focus on the role of Local Government in building tomorrow’s communities. The discussions will look at how councils can work in partnership with the Australian Government to meet the current and future needs of local communities.

Tomorrow’s communities will undoubtedly be shaped by the ambition and drive of their people, as well as the investments that governments, businesses and individuals make in people, infrastructure and the places we live and work.

In the Australian context, governments at all levels must focus on creating the environment for people and businesses to innovate and prosper in both cities and the regions. Government service delivery needs to be appropriate and responsive to the needs of communities, and appropriate infrastructure must be provided to drive productivity and social equity.

Local government strives, wherever possible, to assist communities to be productive, innovative and cohesive. Councils can enhance their capacity to respond to new and unforeseen challenges and identify opportunities to help communities build resilience and increase overall prosperity.

The Australian Government has shown that it understands and appreciates that Local Government’s strength lies in its capacity to identify and respond to the diverse and emerging needs of communities across Australia. The Australian Government has also shown its commitment to working with Local Government to achieve real and meaningful outcomes for local and regional communities.

ALGA is calling for notices of motions that outline policy suggestions or principles the Australian Government can implement to support Local Government. Notices of motions that meet the criteria will be included in the NGA Business Papers and debated at the NGA. Motions carried at the NGA will be considered by the ALGA Board, and will be forwarded to the Australian Government for their information, response and potential implementation.

Supporting our Cities

The Australian Government has recently focused greater attention on the role of cities, and the Government’s potential role in supporting them to be liveable, accessible and productive. Great cities attract, retain and develop increasingly mobile talent and organisations, encouraging them to innovate, create jobs and support growth.

Increased urbanisation is a major issue, globally and within Australia. The populations of Australia’s major cities are at record levels, with the 2011 Census finding that 88.9 per cent of Australians live in urban Australia – people are following jobs to urban centres. The overwhelming majority of jobs are located in cities, which is where most new jobs are being created. Australia is among the most urbanised countries in the world. More than 75 per cent of Australia’s population lives in the country’s 20 largest cities, with more than 60 per cent alone living in Australia’s 5 largest cities: Sydney, Melbourne, Brisbane, Perth and Adelaide.

The economic output of our major cities has grown and their importance to the national economy should not be underestimated. However, alongside that growth there is greater demand on transport systems than ever before. Issues of space and the potential conflicts of usability continue to
challenge us, along with the utility and long term capacity of freight hubs, ports and airports and the movement of goods and people.

The Australian Government released its Smart Cities Plan in April 2016. The plan is just one of the ways that the Commonwealth aims to build an agile, innovative and prosperous nation. Key elements of the plan include establishing City Deals (one for each capital city and one for a regional centre in each state), the $50 million Smart Cities and Suburbs Program (to fund innovative technology solutions to fix complex local problems) and the establishment of an Infrastructure Financing Unit to look at alternative infrastructure financing options such as value capture.

The Australian Government’s National Innovation and Science Agenda (NISA), released in December 2015, is another strategy to encourage innovation, growth and productivity, and to increase Australia’s capacity to compete in a global market. The NISA focuses on four key pillars - culture and capital, collaboration, talent and skills and government as an exemplar. These pillars provide a framework for Australian innovation policy with initiatives worth $1.1 billion over four years designed to drive smart ideas that create business growth, local jobs and global success. From supporting start-ups and entrepreneurial activity to fostering R&D and developing the networks of people and technology that support innovation, NISA aims to improve Australia’s ability to compete internationally and to harness new sources of growth to deliver the next age of economic prosperity in Australia.

The NISA also looks to address the educational requirements to position our children for the future given that 75 per cent of jobs in the fastest-growing industries in the next 5 to 10 years are likely to require science, technology, engineering and mathematics (STEM) skills. In developing their NGA motions, councils are encouraged to think about and focus on the strategic ways that the Australian Government can support Australian cities.

Supporting Regional Australia

The Australian Government has renewed its focus on our regions and regional development policy. Following the 2016 Federal election, Senator Fiona Nash was appointed Minister for Regional Development and Minister for Local Government and Territories. With the portfolio being elevated to Cabinet, the appointment was seen as a very positive step for local government and for regional development in Australia.

In November, last year the Government released details of the new Building Better Regions Fund (BBRF). The BBRF will invest $297.7 million over four years in infrastructure projects and community investments to create jobs, drive economic growth and build stronger regional communities into the future. Minister Nash has indicated that the Government will release the Australian Regional Development Policy Statement early this year, which will highlight and focus political attention on Australia’s regions.

Local governments are well-positioned to design, create and, above all, maintain tomorrow’s communities. Whether these communities are metropolitan, urban, regional or remote, their local council knows the people best and understand the unique strengths of the area.

In developing their NGA motions, councils are encouraged to think about and focus on the strategic ways that the Australian Government can support regional Australia.
NGA Themes

ALGA is calling for motions for this year’s NGA to explore the theme Building Tomorrow’s Communities as well as the following six sub-themes:

1. Governance – community driven planning and development
2. Innovation – identifying and harnessing the key pillars of growth
3. Liveability – maximising amenity, design and community cohesion
4. Data driven public policy – using high quality data to grow the evidence base
5. Social capital – improving the capacity of citizens and optimising workforce trends
6. Technology and Infrastructure – identifying and investing in tomorrow’s foundations.

This discussion paper provides some background and poses a number of questions for councils to consider when developing notices of motion for the NGA. This paper is not intended to limit the discussion or thinking around the theme, local governments roles or the sub-themes.

1. Governance – community driven planning and development

Good governance is essential to tomorrow’s communities. Ensuring appropriate structures and institutions are in place to oversee the planning and development of the community is as critical as ensuring the community’s access and involvement in these structures. The governance structures of tomorrow will cross traditional borders as cities grow, regions are redefined and their functionality (e.g. environment, economic, social) changes.

Tomorrow’s governance arrangements encompass, but go beyond, our current institutions, tools, or structures. Tomorrow’s governance issues may often involve several layers of competency within agencies from across the different levels of government. Our communities need to consider not only the geographical borders but the very definition of these bodies as they grow to incorporate public, private, not-for-profit and community representation.

In strengthening governance, councils are looking to maximise community involvement in governance structures as well as considering ways to extend committees and sub-structures that inform and guide councils. Councils are also considering how best to encourage future leaders to get involved in local government.

In developing your council’s notice of motion you may wish to consider:

- What support do you need from the Commonwealth to improve the governance arrangements in your community?

2. Innovation – identifying and harnessing the key pillars of growth

There are examples in Australia, and around the world, where local authorities have embraced innovation to increase economic activity in their communities. This promotes entrepreneurship, boosts the local workforces, diversifies the economic base and helps to future-proof communities.
Councils have successfully enhanced their community's innovative spirit and reputation by: developing new innovation and commercial precincts such as in the City of Boston; improving council business and service delivery by capitalising on new technology such as using apps to enhance community engagement and communication or deliberately directing council business to support local start-up businesses such as in the City of Melbourne; and identifying changes in local industry and workforce trends, and adopting proactive strategies to ensure the community's ability to capitalise on the work of the future and areas of future economic growth such as in the North Melbourne region.

Underpinning these efforts are the networks and connections between people and technology. Innovation and experimentation are key, much like the ability to manage and leverage constant change. Innovation is an ongoing process. Councils need to extend and develop their networks with businesses, service providers and developers. Councils also need to consider how information can be used and shared, and how they can best harness technology to build and foster growth in their communities.

In developing your council’s notice of motion, you may wish to consider:

- What support do you need from the Commonwealth to improve innovation within your community?

3. Liveability – maximising amenity, design and community cohesion

Defining “community” can sometimes be difficult. In cities, we may commute many hours a week from work to home or we might be in walking distance. Transport congestion and the price of housing are among the chief concerns. In non-metropolitan areas, the challenges might appear different, such as ensuring ongoing economic development and protecting the sense of community that is so values, but the fundamental work is the same. Local government has a core role to ensure that our communities, whether regional, urban, suburban or rural are places people want to live because they see the community’s future is promising.

Liveability is defined as the sum of the factors that add up to a community's quality of life, including the built and natural environments, economic prosperity, social stability and equity, educational opportunity, and cultural, entertainment and recreation possibilities. Maximising the liveability of tomorrow’s communities, wherever they are, is Local Government’s core business.

Identifying the barriers to making your community more liveable can be key in directing thinking and work in this area. Councils around Australia are considering their roles and responsibilities in maximising community liveability.

In developing your council’s notice of motion, you may wish to consider:

- What support do you need from the Commonwealth to enhance the liveability of your community?

4. Data driven public policy – using high quality data to grow the evidence base

Data is ubiquitous in today’s world. Not only is it the substance that drives information technology and the digital world, but data is the source of information that government and industry are using to plan for the future. It is fundamental that policy should be made based on the best available information. The challenge for government is not just having access to, and the use of, that data but
also ensuring the quality of that information. Urban planning and renewal is one area in which digital innovations have huge potential. City planning projects require extensive public engagement and consultation. Data captured representing communities’ concerns and ideas, and desired amenities and suggestions for development, paired with more effective, automated analysis could facilitate an unprecedented level of open engagement between citizens and government.

Rather than piecemeal data coming in from various channels, the simplification of communications through connected infrastructure could generate real-time data and allow governments to address problems more effectively. This enhanced engagement process would create more liveable cities with better services and a higher quality of life.

At the heart of addressing those macro challenges is the question of how data can be drawn on to gain a deeper understanding of the complex interrelationships at play in our communities, and how this may allow us to improve services and infrastructure for our communities.

Councils have access to and own a wide range of data sources. It is worth considering how these sources are used and whether there are untapped sources within council systems. Urban planning has been identified as an area where there maybe benefits from drawing on big data, however councils are considering what other functions enhanced data analytics could assist with. Sometimes knowing the right question to ask is as difficult as finding the answer, given the range of data sources available, there may be a range of insights and intelligence available that would directly enhance councils decision making.

In developing your council’s notice of motion, you may wish to consider:

- What support do you need from the Commonwealth to tap into big data and data analytics to provide greater insights into your community and to enhance decision making?

5. Social capital – improving the capacity of citizens and optimising workforce trends

Our communities need to prepare for, and adapt to, the needs of the modern labour market while positioning themselves to provide jobs for future generations. This will be challenging given the rate of change occurring in the labour market. Some estimates claim that up to 40 per cent of the jobs that currently exist will disappear over the next 15 years with much of these losses predicted to be in manufacturing, mining and agriculture.

To offset declining demand for jobs in manufacturing, mining and agriculture, communities will need to implement proactive and strategic interventions such as investing in education around STEM (science, technology, engineering and maths) subjects as well as complementary skills such as language, culture, resilience and adaptability. Strong employment growth is also predicted in healthcare and social assistance, retail, and tourism and hospitality.

It is also anticipated that individuals will be required to take greater responsibility for keeping their skills up to date and in line with industry requirements through lifelong learning and training.

Our communities face the difficult task of identifying the most appropriate workforce investments for tomorrow’s economy. Identifying the specific competitive advantages of your community and region will assist in guiding these decisions, and well as ensuring there are well-developed community engagement mechanisms around the issue.

In developing your council’s notice of motion, you may wish to consider:
• What support do you need from the Commonwealth to strengthen the social capital in your community?

6. Technology and Infrastructure – identifying and investing in tomorrow’s foundations

The current focus on smart cities looks at harnessing smart technology to improve the liveability and efficiency of large cities. Real-time traffic management, real-time energy consumption management, integrated public transport networks and data collecting sensors are examples of smart technology which may contribute to the efficiency of a city.

The Australian Government’s Department of the Prime Minister and Cabinet defines smart cities beyond the traditional view to include “support for productive, accessible, liveable cities that encourage innovation and create jobs and growth, with a commitment in both regional and metropolitan areas for smart investment, smart policy, and smart technology”. The Smart Cities and Suburbs Program, announced in 2016, encourages collaborative projects that apply innovative smart technology to solve complex urban problems. The program has a strong focus on “collaboration between local governments, private sector, research bodies and not-for-profit organisations to improve liveability, productivity, and sustainability of Australian regions”.

Other key elements of the Australian Government’s smart cities plan include the concept of the 30-minute city (where travel to and from any location within the city takes no longer than 30 minutes), City Deals and the establishment of the Infrastructure Financing Unit to identify smarter ways to finance investment in our cities.

The smart cities agenda isn’t just focused on large cities. The approaches and ideas can be applied to smaller cities, regions and towns. For councils of all sizes the opportunities technology brings to enhancing service provision and communication within your community are applicable; the careful prioritisation and investment in technology and infrastructure are some of the most important decisions your council will make to position your community for tomorrow.

In developing your council’s notice of motion, you may wish to consider:

• What support do you need from the Commonwealth to allow your community to benefit from the smart cities agenda?
National General Assembly
Call for Motions / Attendance nomination

Councillors please complete the following form to submit your Call for Motions and nominate your attendance for consideration at the next Ordinary Council Meeting.

**Principles / Guidelines set by the ALGA Board**
1. Be relevant to the work of local government nationally;
2. Be consistent with the theme of the NGA;
3. Complement or build on the policy objectives of your state local government association;
4. Propose a clear action and outcome; and
5. Not be advanced on behalf of external grid parties which may seek to use the NGA to apply pressure to Board members, to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, the local government sector.

(NB: ALGA may reject motions which do not meet these conditions, refer to discussion paper)

**Part A:**

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**Part B:**

- **Motions**
  - **Motion**

  b) **National Objective**
     - (Why is this a national issue and why should it be debated at the NGA) max 100 words

  c) **Summary of Key arguments**
     - (Background and supporting arguments) max 300 words
ITEM-26 CCL 28/03/17 - STOCKTON BEACH HOLIDAY PARK EXTENSION OF CONTRACT

REPORT BY: CORPORATE SERVICES
CONTACT: DIRECTOR CORPORATE SERVICES / MANAGER COMMERCIAL PROPERTY

PURPOSE

For Council to approve a new short term contract for seven months under Section 55 (3)(i) of the Local Government Act (Act).

RECOMMENDATION

1 To authorise, without inviting tenders, a short term contract to extend the current management services of Australian Tourist Park Management (ATPM) at Stockton Beach Holiday Park (SBHP) for a period of seven months to 30 June 2017, on the basis of the following extenuating circumstances:

   i) The Newcastle 500 Supercars event coincides with the termination date of the current contract and the peak summer tourism season commences immediately after the termination date of the current contract. SBHP is heavily booked throughout this period.

   ii) Undertaking a tender process in the lead up to the events outlined in (i) above poses an unacceptable commercial and reputational risk to Council should Council change service providers during this period. A change in service providers will result in changes in staff and management systems, which presents an increased risk of service disruption, and booking continuity and integrity issues.

   iii) The proposed short term extension of tenure for the current service providers is not considered to propose any significant commercial or reputational risk and is expected to result in a superior outcome for both the SBHP patrons and the wider community.

2 That Council Officers invite tenders to provide management services at SBHP to take effect at the expiry of the short term contract referred to above.

KEY ISSUES

3 The current contract for management services of the SBHP with ATPM (2011/481T) expires on 30 November 2017. Council's Legal Services have advised that:

   i) there is no provision in Contract 2011/481T for a further extension beyond the current term;

   ii) there is no holding over provision; and
iii) any extension of tenure would need to be by way of a new contract referencing the terms of the current Contract.

4 The proposed short term contract with ATPM is subject to the requirements of Section 55 of the Act. Ordinarily section 55(1) of the Act would require Council to invite tenders for the management of the SBHP. However, Section 55(3)(i) of the Act provides that tenders are not required for a contract where, because of extenuating circumstances Council resolves that a satisfactory result would not be achieved by inviting tenders. This is the subject of this report.

5 The expiry of Contract 2011/0481T on 30 November 2017 coincides with Newcastle hosting the Newcastle 500 Supercars event. This event is expected to be well attended and demand for accommodation will be high. Undertaking a tender process in the lead up to this high profile event will create uncertainty regarding the ongoing tenure for the current managers and the wider community.

6 If the tenure of the current service provider is not extended it may require a transition to a new service provider. This is likely to require the implementation of a new reservation management system and implementation of new operating procedures as well as management and staff changes. Undertaking these activities during the Newcastle 500 Supercars Event is considered to present unacceptable reputational, operational and commercial risks to Council.

7 The peak summer season for bookings at SBHP runs from December through to Easter/Anzac Day. For the reasons outlined in paragraphs 6 and 7 above it is also considered that undertaking both the tender process and a transition to a new service provider during this period will present unacceptable reputational, operational and commercial risks to Council.

8 Undertaking a tender process and subsequent transitioning to a new service provider during the quieter months of April, May or June is considered to present significantly lower risk to Council. It is proposed that the tendering process will commence as soon as practicable after the conclusion of the summer peak season in order to ensure that a new contract is in place for commencement on 1 July 2017.

9 Council does not have the internal resources or expertise to manage SBHP. Accordingly it is critical that there is continuity of management services beyond the current contract expiry date of 30 November 2017 to ensure there is no disruption to park patrons or the wider community.

FINANCIAL IMPACT

10 Staff costs associated with completing a new short term contract under the conditions of Contract 2011/481T would be met from existing operational budget.

11 There will be no direct impact as the revenue generated from the SBHP is already included in the budget for the full financial year.
12 The financial impact of any disruption that may arise by running a tender process and transitioning to a new service provider during the peak booking periods have not been quantified.

COMMUNITY STRATEGIC PLAN ALIGNMENT

13 Enabling the continuation of tourist accommodation and facilities aligns with the Community Strategic Plan objectives for vibrant and activated public places and smart and innovative city and operational objectives of maximising revenue from the SBHP whilst maintaining high levels of customer satisfaction.

IMPLEMENTATION PLAN/IMPLICATIONS

14 If approved by Council a contract will be entered into with the current service provider on the same terms and conditions as the current contract. The proposed term will commence on 1 December 2017 and terminate on 30 June 2018. It is anticipated that a tender process for a longer term contract will commence during the first quarter of 2017.

RISK ASSESSMENT AND MITIGATION

15 In not endorsing the recommendation, transition to a new service provider may have ongoing financial and reputational impacts for the SBHP, its patrons, the Council, the wider community and Newcastle's reputation as a tourist venue and major event host.

RELATED PREVIOUS DECISIONS

16 At the Ordinary Council Meeting held on 18 October 2011, Council resolved:

1. The confidential attachment 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.

2. Council accepts the tender of Australian Tourist Park Management in the amount of 42% of the Principle Revenue at the Tourist Park for Provision of Management Services at Stockton Beach Tourist Park for Contract No. 2011/481T.

CONSULTATION

17 The current service provider at SBHP has indicated they are agreeable to extending their tenure for a further seven months as that would coincide with the SBHP’s quieter months of operations.
OPTIONS

Option 1

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

Option 2

19 Council resolves not to approve the issue of a new short term contract for seven months. This decision would have significant implications as outlined in the report. This is not the recommended option.

BACKGROUND

20 A contract for provision of management services of the SBHP was entered into with ATPM commencing on 1 December 2011. The Contract Period was for a period of three years with an extension for a further three years at Council's option and sole discretion. This option to extend was exercised on 16 May 2014, resulting in an expiry date of 30 November 2017.

REFERENCES

ATTACHMENTS

Nil
ITEM-27 CCL 28/03/17 - URBAN WATER CYCLE POLICY

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

PURPOSE

This report seeks Council’s endorsement of a revised Urban Water Cycle Policy. Council’s Urban Water Cycle Policy has been updated to ensure Council’s ongoing commitment to sustaining Newcastle’s Urban Water Cycle in the absence of clear legislation.

RECOMMENDATION

1 Council adopts the revised Urban Water Cycle Policy (2017) as set out in Attachment A to this report.

KEY ISSUES

2 The Urban Water Cycle Policy (2017) (The Policy) is an update of the previous policy and outlines Council's position for conservation and management of water resources through integration of all elements of water in the urban environment. The Policy is updated to align with the current principles of Integrated Water Cycle Management and how it relates specifically to the scope of Council's operations.

FINANCIAL IMPACT

3 There are no financial impacts with adoption of this Policy

COMMUNITY STRATEGIC PLAN ALIGNMENT

4 The Policy seeks to implement six of the community directions in the Community Strategic Plan 2030, including Enhanced and Protected Environment, Caring and Inclusive Community, Liveable and Distinct Built Environment, Open and Collaborative Leadership, Activated and Vibrant Public Spaces, Smart and Innovative City

IMPLEMENTATION PLAN/IMPLICATIONS

5 The adoption of the Urban Water Cycle Policy would replace previous Urban Water Cycle Policy versions.

6 The Policy is to be supported by an Implementation Framework (to be prepared) that details the vision for the Urban Water Cycle and associated targets, actions and intended outcomes.
7 The Flood Policy (2003) will be replaced by the Urban Water Cycle Policy (2017). The Flood Policy (2003) was prepared to outline Council's position in regard to floodplain management. Since then there has been other instruments such as the NSW Flood Prone Land Policy and the Newcastle Flood Management DCP (Section 4.01) which adequately cover Council's role and responsibilities in floodplain management.

RISK ASSESSMENT AND MITIGATION

8 There are no known risks associated with the adoption of the revised Urban Water Cycle Policy.

RELATED PREVIOUS DECISIONS


CONSULTATION

10 Discussions were held with key staff during November 2015 from Council business units including Strategic Planning, Development and Building, Asset Management, Facilities and Recreation, Community Planning, Civil Works, Project and Contracts, Civil Design, Bushland Services and Infrastructure Planning. The discussions related to their role and responsibilities within the urban water cycle and any issues they experience in their day to day tasks.

11 An internal workshop was held in February 2016 to establish the scope and vision for the policy revision. Managers attended the workshop to provide input, direction and answer questions.

12 An internal working group (Water Working Group) has been established to prepare the Policy update and Implementation Framework following the February 2016 workshop. The group includes key groups within Council who were consulted in November 2015.

13 Community surveys were conducted by Newcastle Voice in 2015 and previously in 2012. The top five water issues for Council's attention, that embody the Urban Water Cycle Policy (2017), are:

i) minimise the amount of rubbish entering our waterways;

ii) capture stormwater for reuse in parks and public amenities;

iii) improve water quality in local creeks and wetlands;

iv) manage stormwater discharge to Newcastle coast and beaches; and

v) implement flood management processes.
OPTIONS

Option 1

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

Option 2

15 Council does not adopt the revised Urban Water Cycle Policy (2017). This is not the recommended option as the previous policy is out of date.

BACKGROUND

16 Newcastle has been an early adopter of catchment management philosophy with the first catchment management committee for Throsby Creek forming in 1989 and has since prepared a series of Total Catchment Management Strategies. A similar committee was founded in the Ironbark Creek catchment and prepared a Total Catchment Management Strategy in 1994. Council was an active stakeholder of the committees and was responsible for a number of actions in the strategies.


19 Council is a member of the Cooperative Research Centre (CRC) for implementing Water Sensitive Cities. The CRC identifies a need for Cities to see the water cycle as an essential element for sustaining the urban environment.

20 To observe the recommendations of the CRC Council adopted the Newcastle 2020 Carbon and Water Management Action Plan in 2011 that included actions for Newcastle to move towards becoming a Water Sensitive City.

21 One of the four year priorities in the 2013-2017 Delivery Plan is to 'Be a Water Sensitive City'. The Urban Water Cycle Policy update and preparation of the Implementation Framework embody the philosophies of Water Sensitive Cities.

REFERENCES

ATTACHMENTS

Policy

Urban Water Cycle Policy

Newcastle City Council
March 2017
# Urban Water Cycle Policy

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<td>Director Infrastructure</td>
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<td>Policy expert/writer</td>
<td>Integrated Water Cycle Engineer</td>
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<td>Authorisations</td>
<td>Nil</td>
</tr>
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Part A  Preliminary

1  What is the Urban Water Cycle?

1.1 Newcastle has a network of pipes, channels and waterways that move water from place to place:
   1.1.1 Water mains transport drinking water to our homes and businesses.
   1.1.2 Sewer mains carry dirty water to sewage treatment plants.
   1.1.3 Stormwater drains carry rainwater, running off our urban areas, into creeks, estuaries, wetlands, Hunter River and beaches.

1.2 This journey of water, from being collected in our drinking water catchments and falling on our urban catchments and then returning to nature, is called the urban water cycle.

1.3 Newcastle’s urban water cycle provides essential potable water, drainage and wastewater treatment services that sustain our population in good health. On a daily basis Novocastrians rely on the urban water cycle to provide:
   1.3.1 clean water to drink, cook and clean;
   1.3.2 other sources of water that are fit for purpose for irrigation of our parks and sports grounds and use in our industry;
   1.3.3 wastewater management that does not result in human health or environmental harm; and
   1.3.4 safe recreation spaces and healthy aquatic ecosystems that make Newcastle a liveable city defined by its clean creeks, wetlands, beaches and waterways.

1.4 Newcastle is a Waterway City. Its development has been shaped by its natural waterways, internationally significant wetlands, the Hunter River estuary, economically valuable harbour and beautiful beaches. Much of Newcastle was developed on low-lying land that was reclaimed by draining “swamps” and channelising waterways.

1.5 The legacy of past drainage practice presents Council, our agency partners and residents with a challenging opportunity to rehabilitate degraded watercourses and to reduce and manage flood risk. Many of Council’s drainage assets and Hunter Water’s open channels are over 50 years old and will need replacement in future to meet industry standards.

1.6 Climate change also presents a new challenge for the core functions of Council relating to the urban water cycle. Storms and drought are likely to increase in severity and frequency, sea levels are predicted to rise and so are average temperatures. This may place Council’s infrastructure under greater stress and increase the severity and frequency of flooding.

1.7 Newcastle’s many beautiful waterways present a fantastic opportunity and contribute significantly to the economy through passive recreation, tourism and by attracting new development that now seeks to be located as close as possible to the water.
2 Purpose

2.1 The purpose of the Urban Water Cycle Policy (the Policy) is to:

2.1.1 Provide a cohesive, contemporary policy incorporating Flood and Urban Water Cycle management principles in the absence of clear legislative guidelines.

2.1.2 Give a clear vision and principles that provide direction to Council’s service delivery.

2.1.3 Develop an Implementation Framework to underpin the vision of the Newcastle Community Strategic Plan to sustain Newcastle as a Liveable City with a Protected and Enhanced Environment. The Implementation Framework shall ensure that the operations of Council are carried out for the benefit of the Urban Water Cycle and deliver essential water services to Newcastle residents. The framework will aim to build Council capacity and strengthen relationships with Council’s partners and across various community and business sectors.

2.1.4 Facilitate the development of asset management frameworks that provide for the built and natural infrastructure elements of the urban water cycle and which will enable an inclusive, integrated, active ownership and valuation model for our water cycle assets.

3 Scope

This Policy applies to:

3.1 Any aspect of the urban water cycle that Council is legally responsible for managing including:

3.1.1 The quality, quantity and frequency of stormwater discharge from an existing or proposed development (both public and private) including stormwater discharged from roads, buildings, open spaces and any other areas or types of development;

3.1.2 Beaches, coastal zones, groundwater, streams, creeks, rivers, estuaries, wetlands, waterfront land, floodplains and their catchments;

3.1.3 Flood planning and management initiatives in accordance with Section 733(5) of the Local Government Act 1993; and

3.1.4 Alternative sources of water such as groundwater, rainwater and stormwater that can be re-used if they are fit for purpose.

3.2 Relationships with key stakeholders such as Hunter Water and Hunter Local Land Services.

3.3 All Council staff with a responsibility for administering any aspect of the water cycle including planning and development, design, adoption, operation, investigation, compliance and management of water cycle assets.
4 Principles

4.1 In order to realise the vision of the Community Strategic Plan through working with the Urban Water Cycle, Council will:

4.1.1 Enhance the Environment for current and future generations through continuous improvement of water quality in receiving waterways. Healthy, resilient aquatic environments will preserve our highly valued opportunities to play, recreate, swim, surf and fish within our recreational waterways and beaches;

4.1.2 Protect Communities and Property by reducing flood risk for communities and property in accordance with the relevant legislation and regulations;

4.1.3 Protect wetlands and natural waterways with a multidisciplinary, systems approach to management, planning and decision making that is informed by environmental flows. For example, by managing the frequency (spells and duration of flows) and volume of runoff; peak flows and waterway stability;

4.1.4 Develop an Implementation Framework to guide the Water Working Group of Council. The group shall foster an organisational culture of collaboration, innovative problem solving and inspired leadership to reduce the life cycle costs of water cycle assets and increasing the community’s valuation and enjoyment of those assets;

4.1.5 Prepare service delivery plans to guide the planning, design and renewal of urban water cycle assets. This will be informed by the development of service levels for urban water cycle assets (natural and built) in accordance with Council’s most current version of its Asset Management Policy; and

4.1.6 Work towards valuing stormwater as a resource and not a nuisance that is drained to the nearest waterway.
ITEM-28  
CCL 28/03/17 - SHORTLAND ESPLANADE NEWCASTLE EAST, ZAARA STREET TO WATT STREET - TRAFFIC FACILITY CHANGES

REPORT BY:  
INFRASTRUCTURE

CONTACT:  
DIRECTOR INFRASTRUCTURE / MANAGER INFRASTRUCTURE PLANNING

PURPOSE

To approve the extension of one-way traffic flow (southbound direction) on Shortland Esplanade and Church Street, between Zaara Street and Watt Street, Newcastle East. The proposed changes include the introduction of a roundabout at the intersection of Shortland Esplanade and Zaara Street, and the installation of two new pedestrian crossings in Shortland Esplanade. The changes will allow for a wide shared pathway (Bathers Way) along the coast including a southbound traffic lane, ocean side on-street parking, and a northbound cycle lane.

RECOMMENDATION

1  Council approves the installation of southbound one-way restriction in Shortland Esplanade and Church Street Newcastle East, between Zaara Street and Watt Street, including the two pedestrian crossing locations and the Zaara Street roundabout.

KEY ISSUES

2  The proposed traffic facility changes in Shortland Esplanade and Church Street are associated with the works for the Shortland Esplanade south section of the Bathers Way program. This includes the section of coastal infrastructure from Ocean Street south to the South Newcastle Beach pavilion, and Shortland Esplanade between Ocean Street and Watt Street. This is in line with the Bathers Way Domain Plan (2012) and the South Newcastle Concept Plan (2014) which were both adopted by Council.

3  The proposal includes three key components: the regulation of traffic of Shortland Esplanade and Church Street to one way southbound between Zaara Street and Watt Street; the installation of two new pedestrian crossings in Shortland Esplanade; and the installation of a roundabout at the intersection of Zaara Street and Shortland Esplanade. The one way restrictions will provide a continuation of the existing conditions in Shortland Esplanade between Nobbys Road and Zaara Street. The pedestrian crossings will provide links between the residential developments adjacent to Newcastle Beach, improving connectivity between the beach and the City. The proposed roundabout will provide greater regulation of traffic at Zaara Street, improving intersection performance and providing regulation to vehicle speeds. The proposed changes are outlined in Attachment A (Annexure D).
The continuation of the one way restrictions for the full length of Shortland Esplanade was a common request following the installation of restrictions under the Bathers Way - Nobbys to Newcastle project. This proposal was reviewed as part of the Newcastle East Traffic Study - Traffic Impact Assessment, a report completed by an external traffic engineering consultancy following the completion of the Nobbys to Newcastle stage. This report noted two key components in relation to the continuation of one way restrictions from Zaara Street to Watt Street:

"The second stage of the Bathers Way project will see the one way direction of Shortland Esplanade continue to Watt Street. Although this will not significantly change traffic patterns, the flows northbound along Zaara Street will reduce with traffic directed along Watt Street to Wharf Road or along Watt Street to Scott Street. The intersection of Watt Street and Shortland Esplanade may benefit from the removal of entry traffic into Shortland Esplanade and the right turn off Watt Street.

Overall the changes associated with Stage 1 of the Bathers Way project have directed traffic to the perimeter roads enabling the local streets within the Newcastle East precinct to accommodate primarily local traffic generated by the residences, restaurants, tourist facilities and businesses within the precinct".

It is noted that the one way proposal will alter the movement of traffic into the Newcastle East area, relocating inbound traffic from Shortland Esplanade to Scott Street. In order to allow for the redistribution of traffic flows, the current intersection arrangement at Watt Street and Scott Street is recommended for review. Due to the planned light rail path through this intersection, the traffic signals at this location will be altered as part of this project. Representations will be made to Transport for NSW and Roads and Maritime Services to provide a right turn for north bound traffic in Watt Street into Scott Street, improving access for vehicles inbound to Newcastle East from the south.

**FINANCIAL IMPACT**

Implementation of the one-way proposal in Shortland Esplanade as part of the Bathers Way Public Domain Plan will be provided through the Coastal Revitalisation program in 2016/17 and 2017/18 special rate variation and the MAPP Budget in those years.

**COMMUNITY STRATEGIC PLAN ALIGNMENT**

The proposal will deliver on *The Connected City* and *Vibrant and Activated Public Places* strategic directions under the Newcastle Community Strategic Plan 2030.
IMPLEMENTATION PLAN/IMPLICATIONS

8 This project was part of the Newcastle Coastal Revitalisation Masterplan adopted in 2010 and became a priority project with the adoption of the Bathers Way Public Domain Plan in 2012. This stage of the project will provide for the replacement of the existing retaining walls and the stabilisation of the coastal structures. This will enable progression for the next stage which is through to the South Newcastle domain area and connection with King Edward Park.

9 Approval of the one-way restrictions in Shortland Esplanade is not delegated to Council officers and must be referred to Council for final determination. Approval of the proposed works does not have any implications for existing or future planning policies of Council.

RISK ASSESSMENT AND MITIGATION

10 The project will increase safety for all users of Shortland Esplanade, by removing vehicle conflict, improving conditions for cyclists, increasing pedestrian safety and maximising parking availability. This will have positive benefits for the greater community through the improvement to the coastal environment and promotion of the Bathers Way project. The redistribution of traffic to alternate routes through the suburb will alter the current movement patterns to and from the area, requiring management of key intersections. These intersections will also be subject to key investigations with the pending introduction of light rail. In the instance where the effects of this proposal become insurmountable, additional works can be completed (such as traffic signals) to improve traffic management and intersection performance.

11 The implementation of this proposal is reliant upon the availability of resources to Council. Community expectations regarding the delivery of this project within proposed timeframes will be addressed in a communications plan, similar to previous methods of communication employed in the Merewether Beach precinct. Implementation will be coordinated with other Council projects.

RELATED PREVIOUS DECISIONS

12 In October 2010 Council adopted the Newcastle Coastal Revitalisation Strategy Master Plan 2010. The Master Plan included the proposal to return Shortland Esplanade to one-way as part of the improvement to pedestrian and cyclist connectivity along the coast.

13 In August 2012 Council adopted the Bathers Way Public Domain Plan (PDP). This plan outlined the construction of the wide shared pathway and one-way southbound traffic flow along Shortland Esplanade between Nobbys Road and Zaara Street. The proposed traffic facility changes align with the Bathers Way PDP.

14 The installation of a one-way restriction in Shortland Esplanade from Nobbys Road to Zaara Street was supported by Council in October 2013, and was implemented as part of the Bathers Way - Nobbys to Newcastle project in 2014.
15 The concept plan for Shortland Esplanade and Church Street between Zaara Street and Watt Street was endorsed by Council in December 2014. This concept included the one way restriction of traffic between Zaara Street and Watt Street.

16 The proposal was tabled to the Newcastle City Traffic Committee (NCTC) in November 2016, where the proposal received support to progress to public consultation. The consultation period was completed during December 2016 and January 2017, and the results were tabled to the Committee in February 2017. At this meeting the proposal was supported and recommended for referral to Council (see Attachment A).

CONSULTATION

17 The proposed one-way restriction and traffic facility changes were advertised in the Newcastle Herald in accordance with the Roads Act 1993, Part 8 Division 2, on Saturday 14 December 2016. Public comments were called from 12 December 2016 to 13 January 2017, and the proposal was placed on display at the City Administration Centre and online on Council's website. Leaflets (as shown in Annexure B of Attachment A) were distributed to all residents, property owners and business owners in the area. Approximately 1,000 leaflets in total were delivered. The proposal was for the installation of a southbound one-way restriction in Shortland Esplanade and Church Street between Zaara Street and Watt Street, and the associated traffic facility changes.

18 From the consultation process 36 responses were received, with 23 expressing direct support for the proposal, six in objection, with seven not nominating a preference. A summary of the responses is shown in Annexure C of Attachment A.

19 From the submissions, a number of comments were raised, both in submissions supporting the proposal and those objecting. The main comments and responses are outlined below:
<table>
<thead>
<tr>
<th>Public Consultation - Shortland Esplanade and Church Street Newcastle East</th>
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<tr>
<td><strong>Public Submission</strong></td>
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<tr>
<td>Concerns relating to the exit of traffic from Ocean St, including the York Apartments, and request to review the traffic conditions to improve traffic flow from Ocean St.</td>
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<tr>
<td>Objections based on the effect of traffic conditions in Newcastle East, specifically Zaara St, Scott St, Parnell Pl and Nobbys Rd. Includes requests to restrict access to Zaara St from Shortland Esp through the banning of the right turn movement.</td>
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<tr>
<td>Concerns relating to the proposed 'rear in' parking, and requests to maintain or improve parking allocations through the area.</td>
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<tr>
<td>Requests that the intersection of Church St and Watt St have signals installed as part of this project, to ensure that this intersection operates at a suitable level of service following the works.</td>
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<tr>
<td>Objection to the restriction to access opportunities to Newcastle East, notably from the south, resulting in increased congestion and travel times.</td>
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OPTIONS

Option 1

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

Option 2

21 Maintain current two way traffic conditions along Shortland Esplanade and Church Street, with the installation of the proposed pedestrian crossings and Zaara Street roundabout. This will provide improved pedestrian connectivity and traffic regulation at Zaara Street, while maintaining the existing traffic conditions in the area. The proposed infrastructure to be constructed as part of Bathers Way has sufficient clearances to allow for the maintenance of two way traffic flow. This will conflict with the previous resolutions by Council relating to the Bathers Way Domain Plan (2012) and the South Newcastle Concept Plan (2014). This is not the recommended option.

Option 3

22 Council rejects the proposed changes to the traffic facilities and maintains the existing two way traffic conditions and traffic facilities along Shortland Esplanade and Church Street. This will maintain all existing conditions and provide no benefits to connectivity, accessibility or safety. The proposed infrastructure to be constructed as part of Bathers Way has sufficient clearances to allow for the maintenance of two way traffic flow. This will conflict with the previous resolutions by Council relating to the Bathers Way Domain Plan (2012) and the South Newcastle Concept Plan (2014). This is not the recommended option.

BACKGROUND

23 Shortland Esplanade South provides access to Newcastle Beach, Newcastle East, local businesses and a number of residential properties. It is commonly utilised by motor vehicle users, cyclists, and pedestrians. Shortland Esplanade is also utilised as an access into Newcastle East for northbound vehicles in Watt Street, which is fed from the south eastern suburbs of Newcastle.

24 Existing traffic conditions are dependent on the weather, with high traffic volumes during favourable weather during the summer months. As Shortland Esplanade is not a typical commuter or access route, peak volumes typically occur in the middle of the day rather than the typical morning and afternoon periods. Heavy congestion is already experienced in peak periods during summer weekends, which results in delayed traffic flow, especially around the intersections with Zaara Street and Watt Street. The current speed limit along Shortland Esplanade is 40 km/h, however actual vehicle speeds are often much lower during peak periods, due to congestion, parking movements, and the scenic aspect of the route.
25 The majority of vehicles (97%) in Shortland Esplanade are light vehicles or motor bikes, with only 0.1% of traffic classified as a large vehicle, with the remainder being approximately service vehicle size. This is consistent with a recreational route, with the majority of service traffic utilising Scott Street to access the area.

REFERENCES

ATTACHMENTS

Attachment A: Newcastle City Traffic Committee report and minutes of 20 February 2017.
Attachment A

NEWCASTLE CITY TRAFFIC COMMITTEE

Monday 20 February 2017

SUBJECT: SHORTLAND ESPLANADE & CHURCH STREET, NEWCASTLE EAST - PROPOSED ONE WAY RESTRICTIONS AND TRAFFIC FACILITY CHANGES

APPLICANT: NEWCASTLE CITY COUNCIL

STATE MP: MR T CRACKANTHORP MP

NCC REF: PREVIOUS REF: 520/16 RT:KB

REQUEST:

Approve the extension of one-way traffic flow (southbound direction) on Shortland Esplanade and Church Street between Zaara Street and Watt Street. The proposed changes include the introduction of a roundabout at the intersection of Shortland Esplanade and Zaara Street, and the installation of two new pedestrian crossings in Shortland Esplanade.

RELATED ISSUES:

1. At the November 2016 meeting (Annexure A), the Committee endorsed the extension of the one way restrictions and the proposal was distributed for public consultation.
2. In December 2016 the public communications of the proposal was rolled out. This included a memo to the elected Council, updates on Council’s website, advertisement in the Newcastle Herald, and the direct distribution of approximately 1000 A5 leaflets to the residents and owners in Newcastle East. A copy of the leaflet is shown in Annexure B.
3. From the consultation process 36 responses were received, with 23 expressing direct support for the proposal, 6 in objection, with 7 not providing a direct preference. A summary of the responses is shown in Annexure C.
4. The key discussion points raised were as follows:
   - Concerns relating to the exit of traffic from Ocean St, including the York Apartments, and request to review the traffic conditions to improve traffic flow from Ocean St. When assessed in reference to Zaara St, which has operated with higher traffic levels in a comparable arrangement for the last two years, an acceptable level of service is provided through the low speed of traffic and the natural breaks caused by parking/pedestrian movements.
   - Objections based on the effect of traffic conditions in Newcastle East, specifically Zaara St, Scott St, Parnell Pl and Nobbys Rd. Inclusive of request to restrict access to Zaara St from Shortland Esp.
   - Traffic observations of the nominated Newcastle East streets has shown that while there has been isolated areas of increased traffic, there has been minimal evidence of speeding or excessive volumes. The restriction of traffic movement is not recommended due to the loss of amenity this would cause for access for general vehicle movements through the area.
   - Concerns relating to the proposed ‘rear in’ parking, and requests to maintain or improve parking allocations through the area.
   - The allocation of parking along Shortland Esp is to be reviewed in full, referencing items such as parking restrictions, sight lines, clearances, and traffic/pedestrian safety. This matters will be referred back to the NCTC once designs progress.
   - Requests that the intersection of Church St and Watt St have signals installed as part of this project, to ensure that this intersection operates at a suitable level of service following the works.
   - The signalisation of the intersection is not currently within the scope for this project. While allowances have been made for future installation, there has been no design of the signals instigated to allow for construction in this works package.
   - Objection to the restriction to access opportunities to Newcastle East, notably from the south, resulting in increased congestion and travel times.
The proposed one way restrictions will have an effect on vehicles entering Newcastle East from the south, and will require alternate routes for entry via Scott St. In this regard, the signalised intersection of Scott St and Watt St will be revised with the construction of the light rail, which will allow for a review of the restriction to turning movements to be reviewed at that time. It would be recommended that all turning movements be allowed to reduce the impact of the proposed one way in Shortland Esp.

5. It is noted that the designs to date for the project works on Shortland Esp have a focus on the delivery of the civil infrastructure for the rebuild of the pavement and associated retaining structures. Any restrictions to the trafficable environment from the proposed civil works are minimal, allowing for revision to the traffic conditions as the Committee would deem appropriate.

6. The proposed roundabout at Zaara Street will provide additional traffic calming for Shortland Esp, and improve the level of service for this intersection. The traffic calming effect will be notable in reference to the associated changes to the raised thresholds in this area.

7. Two pedestrian crossings are proposed for Shortland Esp located at key pedestrian desire lines linking the adjacent residential/commercial developments to the beach. These locations will assist with the movement of pedestrian from these key pedestrian focal points, and assist with the access to and from the parking spaces at the southern end of Shortland Esp. It is noted that to allow for the planned event usages for Shortland Esp these crossings are nominated as at grade crossings with parking clearances provided to meet current legislation. This can be reviewed in future dependant on the status of the event to provide greater pedestrian protection and increased parking opportunities.

8. It is proposed to install the restrictions as outlined, with the situation to be monitored over the following peak season. This will provide real world feedback on the adjustment to the local traffic environment, and highlight any areas requiring further consideration. The construction period of the associated civil works will also provide feedback regarding the closure of the northbound flow into Shortland Esp, however as part of the current residential construction there have been multiple periods where the northbound lane has been closed without any notable impact to the surrounding traffic environment.

LEGISLATION, STANDARDS, GUIDELINES AND DELEGATION:

Road Rules 2014 – Part 8, Division 2 – Rule No. 98 – One-way signs
AS 1742.13—2009 Manual of uniform traffic control devices - Local area traffic management
Roads Act 1993 – Part 8 Division 2 (Regulation of Traffic)

RECOMMENDATION TO THE COMMITTEE:

Support the proposed traffic facility changes in Shortland Esp and Church Street, as shown in Annexure D.

ESTIMATED COST: Covered under project funding
ROAD CLASSIFICATION: Local
PRIORITY: Routine

(Annexure A/B/C & D attached)
INFORMAL ITEM FOR DISCUSSION BY NCTC
Monday 21 November 2016

SUBJECT: SHORTLAND ESPALANDE, NEWCASTLE - PROPOSED EXTENSION OF ONE-WAY TRAFFIC FLOW (SOUTHBOUND) BETWEEN ZAARA AND WATT STREETS AS PART OF THE BATHERS WAY AND COASTAL REVITALISATION PROJECT

APPLICANT: NEWCASTLE CITY COUNCIL
STATE MP: MR T CRANKANTHORP MP
NCC REF: PREVIOUS REF: JC:KB

REQUEST:
Endorse and support the extension of one-way traffic flow (southbound direction) on Shortland Esplanade and Church Street between Zaara Street and Watt Street. The proposed changes include the introduction of a roundabout at the intersection of Shortland Esplanade and Zaara Street.

RELATED ISSUES:

1. The one-way traffic flow proposal along Shortland Esplanade and Church Street between Nobbys Road and Watt Street was tabled previously at the February 2012 NCTC as part of the Bathers Way project.
2. The first stage of the one-way traffic flow changes from Nobbys Road to Zaara Street was tabled at the NCTC meeting on 19 August 2013 (item no. 525) for consideration and the detailed plan was tabled on 15 December 2014 (item no. 209).
3. The second stage of the one-way traffic changes is tabled for the Committee comments, feedback and discussion on the proposed extension of the one-way traffic flow from Zaara Street to Watt Street.
4. The Newcastle East Traffic Report was prepared during the feasibility study for the first stage of works. During the initial public consultation process, a number of residents in the area requested that the one-way restriction continues all the way to Watt Street to reduce the incidence of vehicles looping through Newcastle East and impacting on Newcastle East residents. Due to the available budget at the time, only the first stage of the Bathers Way and associated road works were constructed.
5. In order to improve the regulation of traffic in Zaara Street, it is proposed under these works to construct at small roundabout at the intersection of Shortland Esplanade and Zaara Street. This will assist in reducing the congestion in Zaara Street, by providing priority to Zaara Street traffic entering Shortland Esplanade. The roundabout will also assist in regulating traffic speeds through a pedestrian node point.
6. A plan will be finalised and tabled to the meeting for the Committee’s comments.

LEGISLATION, STANDARDS, GUIDELINES AND DELEGATION:

Road Rules 2014 – Part 8, Division 2 – Rule No. 98 – One-way signs
AS 1742.13—2009 Manual of uniform traffic control devices - Local area traffic management
Roads Act 1993 – Part 8 Division 2 (Regulation of Traffic)

COMMITTEE’S ADVICE:

For Committee’s discussion, comments and endorsement of the extension of one-way traffic flow and community consultation with the residents before forwarding to Council for final determination.
519 SUBJECT: STEVENSON PLACE, NEWCASTLE EAST
APPLICANT: MS J BROWNING, NEWCASTLE EAST RESIDENTS GROUP (NERG)
STATE MP: MR T CRANKANTHORP MP
C of N REF: PREVIOUS REF: OFFICER: J CARDONA

RECOMMENDATION TO COMMITTEE:
To support the process of consulting Newcastle East residents on the proposed angle parking in Stevenson Place and one-way traffic flow between Telford Street and Parnell Place.

COMMITTEE’S DISCUSSION:
- Ms Cardona noted that there is an amended plan showing the number of parking spaces proposed and gained.
- The Police representative noted that Stevenson Place plays a very important role during events as this is used as a detour when congestion occurs during events at the Foreshore. It is part of the circulation of traffic. Making it one-way will make it difficult for Police to control.
- Ms Cardona noted that this could be addressed by Police controlling the flow or changing Stevenson Place into two-way traffic and parallel parking during events. The Police are concerned that Events Coordinator will find it hard to follow through all those changes and will have to always rely on Police.
- The Chair noted that there is no support from half of the Committee to making Stevenson Place one-way.
- Mr Heather noted that in the past there were objections from residents of angle parking due to lights coming in their front window and impact residents. He thinks that there will still be a number of residents who will object to the angle parking proposed.
- Ms Cardona advised that there were a number of requests from residents to investigate angle parking in Newcastle East and likely there will be positive response to the community consultation if carried out. If majority of the Committee will not support the angle parking, it is not desirable to consult the community as it will give false expectation that something is going to happen.
- Ms Cardona showed parking surveys conducted in the area and the number of parking permits issued in Newcastle East.

COMMITTEE’S RECOMMENDATION:
The matter is noted. No action be taken to proceed with the angle parking proposal in Stevenson Place at this time.

520 SUBJECT: SHORTLAND ESPLANADE, NEWCASTLE - PROPOSED EXTENSION OF ONE-WAY TRAFFIC FLOW (SOUTHBOUND) BETWEEN ZAARA AND WATT STREETS AS PART OF THE BATHERS WAY AND COASTAL REVITALISATION PROJECT
APPLICANT: NEWCASTLE CITY COUNCIL
STATE MP: MR T CRANKANTHORP MP
C of N REF: PREVIOUS REF: OFFICER: J CARDONA

RECOMMENDATION TO COMMITTEE:
Endorse and support the extension of one-way traffic flow (southbound direction) on Shortland Esplanade and Church Street between Zaara Street and Watt Street. The proposed changes include the introduction of a roundabout at the intersection of Shortland Esplanade and Zaara Street.

COMMITTEE’S RECOMMENDATION:
Endorse the extension of one-way traffic flow and community consultation with the residents be carried out before forwarding to Council for final determination.
**Bathers Way - Shortland Esplanade**

Proposed traffic changes

**DELIVERING COMMUNITY PRIORITIES**

Council is proposing to upgrade the southern section of Shortland Esplanade and Church Street, extending from Zaara Street through to Watt Street. This includes rehabilitation of the roadway, replacement of retaining walls, drainage, lighting and fencing.

Pedestrian connectivity between the coast and the new oceanside developments will be improved, providing a link to the new section of the Bathers Way shared path and the beach.

Southbound one-way restrictions will be implemented, which will provide a consistent traffic environment extending from Nobbys Beach through to Fletcher Park at Watt Street.

This upgrade will provide the initial works required to lead into the South Newcastle Domain works, which include the upgrade to South Newcastle skate park.

**BATHERS WAY**

What do we have now?
- Poor connectivity to the beach
- Unsafe narrow path on Shortland Esplanade
- Very popular scenic coastline

What is proposed?
- Wide shared pathway on Shortland Esplanade adjacent to the beach
- New pedestrian crossings and beach access
- One way traffic on Shortland Esplanade (southbound) from Zaara St to Watt St
Why is this section of Bathers Way being undertaken now?
This section of the project allows for the replacement of the ageing retaining walls along the beach, improves pedestrian connectivity between the CBD and the beach, and allows for the continuation of the one way traffic movements through to Watt Street.

When will Bathers Way be completed in the Newcastle Beach precinct?
Construction of Bathers Way as part of the South Newcastle sea wall is under construction. The redevelopment of the skate park precinct is currently scheduled to follow the works on Shortland Esplanade South (2018). This will then complete the Bathers Way link between King Edward Park and Newcastle Beach. The small remaining section of Bathers Way around the Newcastle Surf Life Saving Club is currently in the planning phase, however is dependent on funding being available for the redevelopment of the surf club and surrounds.

Why will there be changes to traffic?
The continuation of the one way traffic movements from Zaara Street to Watt Street is as per the adopted Bathers Way Public Domain Plan (2012). This will enable a consistent traffic flow along the coast, including the contra flow cycle way and on street parking.

What changes are proposed to the adjacent intersections?
Under these works it is proposed to include a roundabout at the intersection of Shortland Esplanade and Zaara Street, which will improve traffic movements to and from Zaara Street. The intersection of Church Street and Watt Street will be realigned to suit the new traffic flow, with the layout suitable for the future installation of signals. The installation of signals will be dependent on funding and monitoring of the new traffic conditions.

Will there be changes to parking?
Parking will be retained along the ocean side of Shortland Esplanade. Currently the design allows for an increase in on street parking spaces, through the use of angled parking and an increase in parking areas. Restrictions and ticketing will be consistent with the current on street parking arrangement in Shortland Esplanade.

Will special events be affected?
Special events will still be able to use Shortland Esplanade following the completion of the works.

When will works occur?
Works are scheduled to commence in early 2017.
To The Owner/Occupier

Shortland Esplanade & Church Street, Newcastle East

PROPOSED TRAFFIC FACILITY CHANGES
➤ One way restrictions  ➤ Pedestrian crossings  ➤ Zaara Street roundabout

Council is proposing to extend the one-way southbound traffic flow along Shortland Esplanade and Church Street from Zaara Street to Watt Street. This will improve pedestrian and cycling facilities and regulate traffic flows in the area as part of the Bathers Way project. The changes will allow for a wide shared pathway along the coast and include a southbound traffic lane, parking on the ocean side, as well as a north bound cycle lane for fast cyclists.

A roundabout is also proposed at the intersection of Shortland Esplanade and Zaara Street to improve traffic circulation, while still retaining the pedestrian facilities north of Zaara Street. New pedestrian crossings are proposed linking the CBD to the coast, improving connectivity to the beach.

The proposal is being publicly exhibited in accordance with the Roads Act, Part 8, Division 2. This is required to facilitate the regulatory changes on the road, and will be tabled to the elected Council for final determination. A plan of the proposal is on public exhibition at the Customer Enquiry Centre, Ground Floor, City Administration Centre, 282 King St, Newcastle; and on The City of Newcastle website at www.newcastle.nsw.gov.au.

Council welcomes your comments and your feedback will shape the final decision made by Council. Council will assume that any resident/owner choosing not to reply to this leaflet has no objection to the proposal.

Are you in favour of the proposal (please tick)?  ☐ YES  ☐ NO

The City of Newcastle
Attention: Transport and Traffic
PO Box 489
NEWCASTLE NSW 2300
Fax: 4974 2222
Email: mail@ncc.nsw.gov.au

Name (Optional):

Address:

Comments:

Please forward written comments by 13 January 2017 to The Interim Chief Executive Officer, Newcastle City Council, Attention: Transport & Traffic, PO Box 489, NEWCASTLE NSW 2300 or email mail@ncc.nsw.gov.au, Phone: 4974 2000, Fax: 4974 2222.
For further information about the proposal please contact Ryan Tranter, Senior Project Planner, on 4974 2878.

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

PLEASE NOTE: When making written comments or submitting to Council, the following information should be considered - Should an objector consider that the disclosure of their name and address would result in harassment to them, the words "OBJECTION IS CONFIDENTIAL" must be stated prominently at the top of the submission. Council may, however, be obliged to release full details of the submission including the name and address under the relevant access to information legislation, even if those words are in the submission.

[Image] The City of Newcastle
<table>
<thead>
<tr>
<th>Y/N</th>
<th>Comments</th>
<th>Reg Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Y</td>
<td>The angled parking is wrong. Should be downhill to allow front entry, not reverse parking.</td>
<td>TR2016/01854</td>
</tr>
<tr>
<td>Y</td>
<td>Summary: Concerns relating to exiting from Ocean St for residents of the York Apartments. Proposed allowances for two way traffic in Ocean St, or reversing flow of one way restriction.</td>
<td>TR2016/01860</td>
</tr>
<tr>
<td>Y</td>
<td>There should a ‘no right turn’ into Zaara Street from Shortland Esplanade to discourage traffic through residential streets.</td>
<td>TR2016/01848</td>
</tr>
<tr>
<td>Y</td>
<td>Will improve amenity for cyclists and traffic flow. Would like idea to be workshopped</td>
<td>TR2016/01828</td>
</tr>
<tr>
<td>Y</td>
<td>Resident of York apartments and concerned over exit/access from property suggest traffic direction be reversed in Ocean Street</td>
<td>TR2016/01837</td>
</tr>
<tr>
<td>Y</td>
<td>Pleased to see improved cycling conditions</td>
<td>TR2016/01830</td>
</tr>
<tr>
<td>Y</td>
<td>Summary: Supportive to reduce traffic through the centre of Newcastle East. Request that the right turn from Shortland Esp into Zaara Street is restricted to keep traffic on Shortland Esp.</td>
<td>TR2016/01832</td>
</tr>
<tr>
<td>Y</td>
<td>Summary: Supportive to reduce traffic through the centre of Newcastle East. Request that the right turn from Shortland Esp into Zaara Street is restricted to keep traffic on Shortland Esp.</td>
<td>ECM 5845389</td>
</tr>
<tr>
<td>Y</td>
<td>Resident of York apartments and concerned over exit/access form property suggest traffic direction be reversed in Ocean Street</td>
<td>TR2016/01944</td>
</tr>
<tr>
<td>Y</td>
<td>Summary: Support proposal for Shortland Esp, however would like measures put in place to calm traffic through Newcastle East with proposed developments, Supercars event, light rail, parking congestion, and traffic increases. Issues related outside of proposal specific to Newcastle East future management.</td>
<td>TR2016/01943</td>
</tr>
<tr>
<td>Y</td>
<td>Fully supports as the project has been fantastic to date</td>
<td>TR2016/01930</td>
</tr>
<tr>
<td>Y</td>
<td>The reverse in angle parking is great - much safer than forward in previous works</td>
<td>TR2016/01685</td>
</tr>
<tr>
<td>Y</td>
<td>Plus traffic calming - speed humps 30km/h traffic to aid pedestrian flow</td>
<td>TR2016/01886</td>
</tr>
<tr>
<td>Y</td>
<td>Wants free weekend parking</td>
<td>TR2016/01894</td>
</tr>
<tr>
<td>Y</td>
<td>Summary: Does not support any changes to the current one way restrictions in Ocean St. Requests increased signage and a raised threshold at the eastern end of Ocean St to restrict access and increase safety for pedestrians. Request drop off zone south of Ocean St be maintained. Prefers front in angled parking to reduce interruption to traffic flow, however refers to current best practice.</td>
<td>TR2016/01906</td>
</tr>
<tr>
<td>Y</td>
<td>Looks Excellent</td>
<td>TR2016/01912</td>
</tr>
<tr>
<td>Y</td>
<td>Should be fantastic</td>
<td>TR2016/01918</td>
</tr>
<tr>
<td>Y</td>
<td>It will be great but wants restriction on high rise without sufficient parking being provided</td>
<td>TR2016/01919</td>
</tr>
<tr>
<td>Y</td>
<td>No Comment</td>
<td>TR2017/00009</td>
</tr>
<tr>
<td>Y</td>
<td>No Comment</td>
<td>TR2017/00009</td>
</tr>
<tr>
<td>Y</td>
<td>No Comment</td>
<td>TR2016/01910</td>
</tr>
<tr>
<td>Y</td>
<td>Summary: Support proposal for Shortland Esp, however would like measures put in place to calm traffic through Newcastle East. Notably restriction of right turn from Shortland Esp into Zaara St and Maroney St.</td>
<td>ECM 585782</td>
</tr>
<tr>
<td>N</td>
<td>Concern re traffic flows Scott Street - issue with cyclists</td>
<td>TR2016/01940</td>
</tr>
<tr>
<td>N</td>
<td>Support increase parking but has issues with traffic flow and increased congestion in Newcastle East. Look at changing the no right turn from Watt to Scott Street</td>
<td>TR2016/01929</td>
</tr>
<tr>
<td>N</td>
<td>Resident of Kingston Apartments - proposed changes will increase traffic congestion and make entry/exit difficult for their apartments</td>
<td>OT2016/05405</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Reference</td>
</tr>
<tr>
<td>---</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>N</td>
<td>Negative impacts and cost of proposal not justified as most people prefer to walk along waterfront. Angle parking to be forward not reverse Contra flow bike lane is dangerous and not used.</td>
<td>TR2016/01893</td>
</tr>
<tr>
<td>N</td>
<td>Summary: One way traffic flow would cause issues for traffic exiting Ocean St and requests that this be addressed, request to maintain current drop off zone fronting the York, if the drop off is maintained safety needs to be assessed with the cycle lane, states that there should be no loss of parking under the proposal, preference for 'front-in' over 'rear-in' angle parking, request full traffic impact study for all works including full intersection modelling, request mitigation of traffic issues during construction. Also stated concern with the project being advertised for tender whilst on consultation.</td>
<td>TR2016/01921</td>
</tr>
<tr>
<td>N</td>
<td>Summary: Proposal will limit access to the area, for the benefit of the peak season. Area predominantly residential, and access should be maintained without restriction. Concerned about the restriction caused by the light rail construction and installation in conjunction with this project.</td>
<td>TR2017/00019</td>
</tr>
<tr>
<td>N/A</td>
<td>Unrelated response regarding the naming of the eastern end of Church Street.</td>
<td>TR2016/01939</td>
</tr>
<tr>
<td>N/A</td>
<td>Summary: Representation from 30 residents of Tyrrell Towers - Request that the proposed signals at the intersection of Watt St and Church St be installed as part of the project to ensure allowable traffic movements from Shortland Esp into Watt St.</td>
<td>TR2016/01938</td>
</tr>
<tr>
<td>N/A</td>
<td>No right turn to Zaara from roundabout would prevent use of residential area for beach circuiting and then reduce traffic in high pedestrian areas of Parnell Place and Nobbys Road. Alternatively no right turn into Zaara from Scott would have same effect. Support one way restrictions. Questions pedestrian crossing - tunnel much safer.</td>
<td>TR2016/01892</td>
</tr>
<tr>
<td>N/A</td>
<td>Ocean street once a little back street now a busy thoroughfare</td>
<td>TR2016/01917</td>
</tr>
<tr>
<td>N/A</td>
<td>York Apartments - concern re exit/entry to apartments</td>
<td>TR2017/00001</td>
</tr>
<tr>
<td>N/A</td>
<td>Summary: Request traffic calming in Zaara St to assist with egress from driveways in the street, proposal will increase traffic which will increase noise, concerns with noise from events and existing vehicles.</td>
<td>TR2017/00002</td>
</tr>
<tr>
<td>N/A</td>
<td>Summary: One way traffic flow is confusing to visitors and those trying to find parking, works will cause major losses during construction phase, review restrictions immediately fronting The York to allow for higher turnover parking and drop offs on both sides, increased bicycle parking/racks requested, increased shade, concerns about exiting Ocean St into Shortland Esp, request parking nose to kerb to reduce impacts on traffic flow.</td>
<td>TR2017/00006</td>
</tr>
</tbody>
</table>
SUBJECT: SHORTLAND ESPLANADE AND CHURCH STREET, NEWCASTLE EAST - PROPOSED ONE-WAY RESTRICTIONS AND TRAFFIC FACILITY CHANGES
APPLICANT: NEWCASTLE CITY COUNCIL
STATE MP: MR T CRANKHORP MP
C of N REF: PREVIOUS REF: OFFICER: R TRANTER

RECOMMENDATION TO COMMITTEE:

Support the proposed traffic facility changes in Shortland Esp and Church Street, as shown in Annexure D of the agenda item.

COMMITTEE’S DISCUSSION:

Mr Ryan Tranter attended the meeting to brief the members on the proposal.

- The Police representative asked if he could be given a day or two to consider the item further before providing comments.
- Mr Tranter answered questions raised by the Committee members relating to the one-way direction, resident feedback, Ocean Street delay, motorbike and angle parking. He confirmed that the parking arrangements have not been finalised as yet and will be reviewed, there is more width in this section of the road than in the previously completed section. A more detailed design will be forwarded to the Committee once the project is up and running.
- Following the briefing the Police representative provided his support for the proposal.

COMMITTEE’S RECOMMENDATION:

The recommendation to the Committee be adopted.
ITEM-29 CCL 28/03/17 - WARD 4 CAPITAL WORKS

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

PURPOSE

To provide Councillors with a detailed timetable for completion of selected capital works within Ward 4.

RECOMMENDATION

1 The report be received.

KEY ISSUES

2 At Council meeting of 28 February 2017 Council resolved to:

   That Council:

   1 Identify and treat the following works as a priority:

       (i) Wallsend bridge replacement/upgrade;
       (ii) Minmi Road footpath and road widening between Cowper Street and Macquarie Street, Wallsend;
       (iii) Water main replacement and road re-sealing Anderson Drive, Tarro;
           and
       (iv) Wallsend and Beresfield town centre public domain plan.

   2 Provide Councillors with a detailed timetable for completion of the above works by way of Officers report at the next ordinary Council meeting.

   3 Provide a monthly update on the progress of the above works with reference to the relevant timetable and provide an explanation for any delay, by way of Officers report at each ordinary Council meeting until the completion of the works.

3 In relation to Points 2 and 3 further information is provided in Attachment A. In future, this information will be updated and reported to Council each month as part of the Executive Monthly Financial Report.

FINANCIAL IMPACT

4 Each project is separately budgeted for as part of Council's Operational Plan for the relevant financial year.
COMMUNITY STRATEGIC PLAN ALIGNMENT

5 The projects deliver on the Community Strategic Plan's direction of Connected City, a Protected and Enhanced Environment, Vibrant and Activated Public places and a Liveable and Distinctive Built Environment.

IMPLEMENTATION PLAN/IMPLICATIONS

6 There are no known implementation plan/implications for reporting on the Ward 4 projects.

RISK ASSESSMENT AND MITIGATION

7 There are no risks for reporting on the Ward 4 projects. Possible delays to projects will be updated each month.

RELATED PREVIOUS DECISIONS

8 This report has been provided as requested by Council resolution of 28 February 2017, being the outcome of a Notice of Motion. A copy of the resolution has been provided at Paragraph 2 to this report, in the Key Issues section.

CONSULTATION

9 Consultation with the community has and will occur at different stages for relevant projects.

OPTIONS

Option 1

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

Option 2

11 Do not provide the report to Council. This will be contrary to a Council resolution. This is not the recommended option.

BACKGROUND

12 Nil

REFERENCE

ATTACHMENTS

Attachment A: Detailed update of Ward 4 Capital Works
### ATTACHMENT A - CCL 28/03/17 WARD 4 CAPITAL WORKS

#### (i) Wallsend bridge replacement/upgrade

<table>
<thead>
<tr>
<th>Item</th>
<th>Due Date</th>
<th>Actual Date</th>
<th>Reason for delay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tyrell St bridge concept design</td>
<td>Completed</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Tyrell St detail design under contract</td>
<td>October 2017</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Anticipated construction 2018</td>
<td>2018</td>
<td>n/a</td>
<td>Services and property interaction</td>
</tr>
</tbody>
</table>

#### (ii) Minmi Road footpath and road widening between Cowper Street and Macquarie Street

<table>
<thead>
<tr>
<th>Item</th>
<th>Due Date</th>
<th>Actual Date</th>
<th>Reason for delay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street lighting relocations and upgrade construction</td>
<td>February 2017</td>
<td>March 2017</td>
<td>Contractor availability and approval for power outage</td>
</tr>
<tr>
<td>Civil Design drawings</td>
<td>March 2017</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Civil construction commencement</td>
<td>April 2017</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Civil construction completion</td>
<td>August 2017</td>
<td>n/a</td>
<td></td>
</tr>
</tbody>
</table>

#### (iii) Water main replacement and road re-sealing Anderson Drive Tarro

<table>
<thead>
<tr>
<th>Item</th>
<th>Due Date</th>
<th>Actual Date</th>
<th>Reason for delay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start project</td>
<td>2015</td>
<td>September 2016</td>
<td>Funding commitment from HWC</td>
</tr>
<tr>
<td>Award tender for water main feasibility and design</td>
<td>December 2016</td>
<td>December 2016</td>
<td>n/a</td>
</tr>
<tr>
<td>Water main design submitted to Hunter Water Corporation</td>
<td>June 2017</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Water main Tender</td>
<td>July 2017</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Water main commence construction</td>
<td>November 2017</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Water main complete construction</td>
<td>February 2018</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Civil construction commencement</td>
<td>March 2018</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Civil construction completion</td>
<td>July 2018</td>
<td>n/a</td>
<td></td>
</tr>
</tbody>
</table>

#### (iv) Wallsend and Beresfield Public Domain Plans

<table>
<thead>
<tr>
<th>Item</th>
<th>Due Date</th>
<th>Actual Date</th>
<th>Reason for delay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wallsend Public Domain Plan Draft Concept Plan</td>
<td>Late March 2017</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Traffic Committee</td>
<td>10 April 2017</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Exhibition of Draft PDP</td>
<td>May 2017</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Report to Council for adoption of PDP</td>
<td>July 2017</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Beresfield Public Domain Plan Draft Concept Plan</td>
<td>Traffic plan adopted by Council 28 February 2017</td>
<td>n/a</td>
<td></td>
</tr>
</tbody>
</table>
ITEM-30 CCL 28/03/17 - COUNCIL SUPPORT OF GROWING SUSTAINABLE ARTS AND CULTURAL ORGANISATIONS IN NEWCASTLE

REPORT BY: PLANNING AND REGULATORY CONTACT: ACTING DIRECTOR PLANNING AND REGULATORY / CULTURAL DIRECTOR

PURPOSE

The purpose of the Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle Policy is to support arts and cultural organisations in Newcastle LGA to be sustainable by supporting them to develop programming for the city.

RECOMMENDATION

1 Adopt the Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle Policy as provided in Attachment A and applied to the Draft Guidelines: Support of Growing Sustainable Arts and Cultural Organisations in Newcastle Policy as provided in Attachment B.

KEY ISSUES

2 Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle is a new policy that responds to the need for a strategic program to grow the capacity of Newcastle's arts and cultural organisations and position them to successfully participate in a national environment which is necessary to be sustainable.

3 For the purposes of the Policy, a sustainable not-for-profit arts and cultural organisation is one that has multiple income streams (grant funding, earned income and philanthropy), a strong and growing audience base, is working with a breadth of artists and practitioners, has operational partnerships, strong governance, and a documented strategy and business plan directing the organisation.

FINANCIAL IMPACT

4 Budget commitment is required to implement the proposed policy and related processes. Up to $50,000 (cash and in-kind) per year per organisation is proposed for up to five organisations at any one time when the program is fully subscribed.

5 In the first year, it is proposed that a maximum of three organisations be funded and correspondingly, the 2017/2018 draft budget includes a request of $150,000 to support the delivery of this funding program in the first year.
COMMUNITY STRATEGIC PLAN ALIGNMENT

6 This project meets a number of Council's Community Strategic objectives of:

Vibrant and Activated Public Places
Caring and Inclusive Community
Smart and Innovative City

7 Strategy 10 of the Cultural Strategy 2016-2019 states Council will Partner with Newcastle’s small to medium not-for-profit arts and cultural organisations in growing arts and culture in the city.

8 The related action is to:

10.1 Establish up to five programming partnerships of three year terms with key programming deliverables for the city. The program and policy, with an EOI process, will be developed during 2016, with the program commencing in 2017.

IMPLEMENTATION PLAN/IMPLICATIONS

9 The proposed program will be delivered within current EFT and thus a limitation of a maximum of three applications to be funded in the first year is necessary due to the additional work in the establishment phase.

RISK ASSESSMENT AND MITIGATION

10 There is no risk to Council in adopting the Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle Policy.

RELATED PREVIOUS DECISIONS

11 At the Ordinary Council Meeting held on 24 November 2015, Council resolved to adopt the Cultural Strategy 2016-2019.

12 At the Ordinary Council Meeting held on 20 December 2016 a Notice of Motion (Cr Doyle, Cr Osborne) resolved to:

i) Develop guidelines designed to complement Council's Cultural Strategy 2016-2019 and clearly define how funds can be distributed to those community art groups who demonstrate capacity to advance the City's cultural landscape.

ii) A workshop be held preferably in February no later than March to discuss budget within the next four year planning cycle for this Community Arts Development Program, noting the Growing Sustainable Arts and Cultural Organisations in Newcastle policy presently being drafted for presentation to Council no later than March 2017.
CONSULTATION

13 The development of *Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle* Policy has been informed by the individual and group public consultations held during March – May 2015 as part of the process of developing the Cultural Strategy 2016-2019.

OPTIONS

Option 1

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

Option 2

15 Council not adopt the *Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle* Policy. This is not the recommended option.

BACKGROUND

16 *Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle* Policy is a response to community feedback during the consultation process for the *Cultural Strategy 2016-2019*. Local organisations wanted to both relate to and collaborate with Council in the presentation of quality work. Organisations also identified the need for support to be more sustainable.

17 The Program is informed by state and federal arts and cultural grant structures and designed to position organisations to leverage the funding through other grants and public and private partnerships.

18 The Policy guides the formation, implementation and acquittal of up to five (5) x three (3) years in duration, project collaborations with Newcastle local government area resident not-for-profit arts and cultural organisations. There will be a total of 5 projects operating at any one time. It is recommended the maximum number of applications to be funded in the first year be 3 projects in order to effectively establish the program and create a cycle of project outcomes across multiple years.

19 The funding limits of Council's Community Assistance Program (CAP) ($5,000) and criteria for sponsorship programs are not aligned with most arts and cultural projects. CAP funds are insufficient for the development and presentation of quality work and to leverage other funding of substance. Without demonstrable economic or tourism benefits, including in-bound, overnight visitation, arts and cultural projects struggle to offer competitive applications to the sponsorship programs. The only organisation who has been successful with significant funding is Newcastle Writers Festival.
20 Newcastle's arts and cultural organisations are poorly supported by state and federal arts agencies in comparison to cities of the same size, despite Newcastle having a vibrant arts and cultural scene. The program is structured to assist organisations be better positioned at this level.

21 Council dominates the arts and cultural sector in Newcastle by way of owning and managing the majority of the arts and cultural institutions, public spaces; controlling the majority of presentation opportunities; and being a major employer and procurer. As a major influencer of the local sector, it has a responsibility to be a leader, including valuing local creative practitioners. *Growing Sustainable Arts and Cultural Organisations in Newcastle* Policy demonstrates a new level of leadership and investment in the arts and cultural sectors.

REFERENCES

ATTACHMENTS

Attachment A: Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle.
Attachment A

Policy

Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle

Newcastle City Council 15/02/2017
## Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle

<table>
<thead>
<tr>
<th>Policy title</th>
<th>Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle</th>
</tr>
</thead>
</table>
| Policy owner | Director, Planning & Regulatory  
Cultural Director, cultural Facilities |
| Policy expert/writer | Insert position title of policy expert/writer |
| Prepared by | Cultural Facilities |
| Approved by | Choose an item. |
| Date approved | To be completed by Legal and Governance |
| Commencement Date | To be completed by Legal and Governance |
| Next revision date (date policy will be revised) | 2019 |
| Termination date | To be completed by Legal and Governance (one year post next revision date) |
| Version | Version number (versions mean adopted versions only) |
| Category | Choose an item. |
| Keywords | Collaboration, co-presentation, sustainable, arts, cultural, not-for-profit |
| Details of previous versions | New policy |
| Legislative amendments | List legislative amendments that resulted in an amendment to this document |
| Relevant strategic direction | Vibrant and Activated Public Places |
| Relevant legislation/codes (reference to specific sections) | Relevant Legislation / Codes that affect this policy |
| Related policies/documents | Community Assistance Program Policy, Event Sponsorship Policy, Economic Development Sponsorship Policy, Make Your Place Policy |
| Related forms | **Guidelines:** Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle  
**Expression of Interest:** Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle  
**Proposal:** Council Support of Growing Sustainable Arts |
## Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle

<table>
<thead>
<tr>
<th>Assessment Matrix: Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required on website</td>
</tr>
<tr>
<td>Authorisations</td>
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Part A  Preliminary

1  Purpose

1.1  The purpose of this policy is to:

1.1.1  Set out a framework to allow Council to provide financial and in-kind support for arts and cultural organisations in the Newcastle local government area (LGA); and

1.1.2  Guide the formation, implementation and acquittal of project collaborations between Council and Newcastle LGA resident not-for-profit arts and cultural organisations.

1.2  The policy and related program is focused on:

1.2.1  Enabling arts and cultural organisations to create and co-present arts and cultural projects with Council in a model that supports organisational sustainability; and

1.2.2  Building professional relationships and capacity within organisations; and

1.2.3  Creating a funding base in a form that organisations can leverage with other funding providers

1.3  The policy meets the Newcastle 2030 Community Strategic Plan as follows:

Caring and Inclusive Community
A creative, culturally rich and vibrant community

Vibrant and Activated Public Places
Public places that provide for diverse activity and strengthen our social connections.
Culture, heritage and place are valued, shared and celebrated.
Safe and activated places that are used by people day and night

Smart and Innovative City
A culture that supports and encourages innovation and creativity at all levels

1.4  The policy meets the Cultural Strategy 2016-2019 strategy to Partner with Newcastle’s small to medium not-for-profit arts and cultural organisations in growing arts and culture in the city.

1.5  The related action is “establish up to five programming partnerships of three year terms with key programming deliverables for the city. The program and policy, with an EOI process, will be developed during 2016, with the program commencing in 2017”. 
2 Definitions

2.1 **A not-for-profit (NFP)** means the organisation must be registered with the Australian Securities & Investment Commission (ASIC) or The Australian Charities and Not for Profit Commission (ACNC).

2.2 **Agreement** means the agreement entered into by Council and an applicant whose expression of interest and proposal has been successful. It will articulate support provided by Council as a financial contribution and/or value in-kind for the development and delivery of quality cultural work for the purpose of collaborative presentation with Council.

2.3 **Council** means Newcastle City Council.

2.4 **Review Panel** means the panel of no less than four (4) people who will review both the Expression of Interest applications and full Proposal applications. The Review Panel will comprise of:

- Cultural Director, Cultural Facilities
- Director Planning and Regulatory
- 1 Councillor Representative

Plus a minimum of two (2) additional staff with expertise and experience relevant to the applications to be assessed however not party to an application, and identified by the Director, Planning and Regulatory as required by the nature of the Expression of Interest or full Proposal. These Panel positions could include:

- Manager, Libraries
- Manager, Newcastle Museum
- Manager, Newcastle Art Gallery
- Manager, Civic Theatre

Council also reserves the right to utilise external reviewers to provide feedback on a proposal.

2.5 **A Project** is limited to arts and cultural projects which are defined as one-off or time-limited arts and cultural activity or series of linked activities with specific goals and conditions, defined responsibilities, a budget, planning, information about the parties involved and a specific start date and end date.

2.6 **Guidelines** means guidelines and conditions published in connection with Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle.

2.7 **Expression of Interest** means the way by which organisations formally commence the process to bring their project to Council.

2.8 **Proposal** means the application form the shortlisted applicants use to fully present their project concept.

2.9 **Relevant Council Officer** means the Council employee responsible for administering the Council Support for Growing Sustainable Arts and Cultural Organisations in Newcastle program as determined by the Chief Executive Officer from time to time.

2.10 **Value in Kind** means goods or services supplied by Council in connection with the project. The cost will be valued at the commercial rate as published in Council’s Fees and Charges, however waived as part of the Agreement.

2.11 **A Sustainable Not-for-profit Arts and Cultural Organisation** is one that has multiple income streams (grant funding, earned income and philanthropy), a strong and growing audience base, working with a breadth of artists and
practitioners, working partnerships, strong governance and documented strategy and business plans for future direction.

Sustainability is multi-faceted especially for a non-profit, which isn’t solely about turning a profit. The Non-profits Assistance Fund (USA) has a working definition that a sustainable non-profit is one with the ability to carry out activities that will achieve its mission while also developing and maintaining capacity for mission relevance in the future.

3 Scope

3.1 The policy applies to Newcastle LGA resident not-for-profit arts and cultural organisations seeking in-kind and financial assistance from Council who produce arts and cultural programming and are interested in collaborating with Council to present arts and cultural programming in the city in alignment with the priorities and strategic objectives as stated in the Cultural Strategy 2016-2019.

4 Principles

4.1 Council commits itself to the following principles:

4.1.1 Accountability and transparency - The policy provides a framework for the transparent and merit-based provision of support and a system of accountability for the recipient.

4.1.2 Alignment with Council strategies - The policy aligns with Council priorities outlined in the Newcastle 2030 Community Strategic Plan and Council’s Cultural Strategy 2016-2019.

4.1.3 Value for Money – The policy ensures Council considers the value for money received in return for Council’s financial and in-kind investment.

4.1.4 Help grow arts and culture in the city - Through building sustainable arts and cultural organisations so they can remain in Newcastle as cultural producers.
Part B  Scope of support for not-for-profit arts and cultural organisation

5 Amount available

5.1 The total amount available under the Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle program will be determined annually by the elected Council in connection with the Operational Plan and Delivery Program.

5.2 The maximum amount available in a competitive Expression of Interest and Proposal round will be set annually by the Director Planning & Regulatory. Support may comprise cash and/or Value-in-Kind.

5.3 Council may offer to an applicant an amount less than, or in a combination different to, what is applied for.

5.4 A monetary figure will be allocated to all Value in Kind awarded under the program, in accordance with the commercial rate of fees and charges. This amount will be included in the total amount allocated to any successful organisation.

5.5 It is intended that the agreement will be for a maximum of three consecutive years (1+1+1), subject to annual deliverables and an acquittal and approval process tied to the annual payments. This is also subject to Council’s budget processes.

6 Program structure

6.1 Council will hold one competitive Expression of Interest round per annum. The value of the annual round will be determined by budget allocations.

6.2 Council will advertise the details on Council’s website.

6.3 Council may host a public information session to provide information to prospective applicants about the program.

6.4 An Agreement will be negotiated with up to five Newcastle based not-for-profit arts and cultural organisations at any one time for up to three years in duration.

6.5 Expression of Interest applications will be reviewed and shortlisted by the Review Panel and approved by the CEO.

6.6 Shortlisted applicants will be invited to submit a full Proposal for review and determination by the Panel. Organisations will be selected for funding subject to the completion of an Agreement. At any one time, there will be up to five projects in place.

6.7 Successful applicants will be listed on Council’s website.

6.8 Agreements will contain information relating to the acknowledgement of collaborating with Council, and first rights to presentation.

6.9 Organisations will be required to provide annual reporting specific to the terms of the Agreement.
Part C – Eligibility and Assessment

7 Eligibility Criteria

7.1 Council will not support applications that do not meet all of the following criteria:

7.1.1 The Applicant must be an incorporated not-for-profit entity with a core arts and cultural purpose. Applications will not be accepted from individuals, for profit or government agencies or from not-for-profit organisations with a different core purpose.

7.1.2 Chapters of organisations with a local branch are eligible if they are a resident (Newcastle LGA) not-for-profit arts and cultural organisation.

7.1.3 Applicants must lodge a completed Expression of Interest using Council’s Council Support of Growing Sustainable Arts and Cultural Organisations’ Expression of Interest Form.

7.1.4 Expression of Interest applications must be received on or before the advertised due date.

7.1.5 Applicants must provide evidence that they have appropriate insurances in place.

7.1.6 Applicants must apply for a project that does not have other Council support. The programming must be different to any existing supported projects.

7.1.7 An organisation can only have one current Council Support of Sustainable Arts and Cultural Organisations in Newcastle funding Agreement at any one time.

7.1.8 Applicants must have complied with, to Council’s satisfaction, the conditions of any previous grant or support received from Council.

7.1.9 The project must be publicly presented in the Newcastle Local Government Area. It may also tour or be presented in other areas.

7.1.10 The application must be consistent with Council’s Cultural Strategy 2016-2019.

7.1.11 The Applicant must be capable of obtaining all regulatory approvals for the project and the cost of such approvals included in the budget.

7.1.12 Applications for support for the purchase of furniture/fixtures, assets to the value of more than 10% of the grant value, business operation expenses, overheads or private expenses will not be supported.

7.1.13 The applicant must identify other support received from Council in the current and previous financial year.

7.1.14 Following the review of the Expression of Interest applications, a shortlist will be created and those organisations invited to submit a full Proposal to Council. Proposals must be received on or before the advised due date.
7.1.15 The Proposal form will need to be completed and submitted with the following support information:
   a) An overview of the organisation
   b) A copy of last year’s audited financial statement for the organisation
   c) Marketing and communications plan
   d) Letters of support and presentation commitment where relevant
   e) Key performance outcomes and measures
   f) Strategic plan

8 Assessment Criteria

8.1 Applications that satisfy the Eligibility Criteria set out in clause 7 will be assessed against the following Assessment Criteria:

8.1.1 Benefit to the community through the development and presentation of the cultural project.

8.1.2 Written in-principle support from the venue manager or owner of the venue, facility or land in which you wish to co-present, including those owned and managed by Council.

8.1.3 Leveraging the funding and support, and growing the sustainability of the organisation

8.1.4 Alignment with the strategies and priorities in the Cultural Strategy 2016-2019

8.1.5 Demonstrated value for money

8.1.6 Demonstrated track record and the ability to deliver.

8.1.7 Satisfactory reporting and acquittal of projects where you have received Council support.

9 Assessment of applications

9.1 The Relevant Council Officer will conduct a preliminary assessment against the Eligibility and Assessment Criteria set out in sections 7 and 8 and clarify any items with the applicant.

9.2 The Review Panel will be convened to assess Expression of Interest applications and to create a shortlist of organisations invited to submit a full Proposal. The Panel’s assessment must be recorded on an evaluation form and retained in Council’s records management system. The evaluation form will be signed by all members of the Panel.

9.3 The Review Panel will be convened to review the shortlisted Proposals and make recommendations on the organisations to which Council will make an offer of collaboration.

9.4 The Review Panel’s assessment must be recorded on an evaluation form and retained in Council’s records management system. The evaluation form will be signed by all members of the Panel.
9.5 Each Review Panel member involved in the assessment and approval of applications under this Section must comply with Council's Code of Conduct, in particular, the provisions covering Conflicts of Interest.

9.6 The project must be suitable for Council’s involvement, consistent with Council’s community values defined in the 2030 Community Strategic Plan and aligned to the Cultural Strategy 2016-2019.

9.7 In the event the panel cannot reach agreement, the panel recommendations will be referred to the CEO.

**Part D – Agreements, deliverables, payments and acquittals**

**10 Agreement**

10.1 Successful applicants and Council must sign an Agreement, with terms and conditions, prior to any monies being released.

10.2 Council may terminate the Agreement if the Organisation is deemed insolvent and no further payment or commitments will be made.

10.3 Council may terminate the Agreement at any time but will pay for commitments made, subject to milestones being met, to the date of termination.

10.4 The Agreement will provide that Council is able to withhold 25% of the final annual payment under the Agreement pending receipt of a satisfactory acquittal report.

10.5 The Agreement may include a statement relating to how Council will conduct any regulatory activities with the applicant.

10.6 The Agreement will require the applicant to comply with Council’s Statement of Business Ethics and Code of Conduct.

10.7 The Agreement will specify that applicants are required to obtain all necessary approvals for their activity.

10.8 The Agreement will include commitments by both Council and the organisation to ensure the best outcomes for the collaboration.

**11 Deliverables**

11.1 A schedule of deliverables will be tailored with the successful arts or cultural organisation based on their Expression of Interest, full Proposal and supporting documentation. This will be included with the Agreement.

**12 Payments**

12.1 Payments will be made in accordance with the milestones agreed with the applicant and documented in the Agreement.

12.2 All payments under the Agreement must be invoiced to Council in accordance with achievement of the milestones documented in the Agreement.

12.3 Council will not be liable for any amounts over and above the cash or in-kind amount as set out in the Agreement.

**13 Annual acquittal**

13.1 Successful applicants must provide annual acquittal information to Council within the timeframe and relevant to the annual milestones specified in the Agreement in order to provide evidence of compliance with the Agreement.
13.2 The information required will be specified in the Agreement and will include:

13.2.1 Financial report of income and expenditure against the agreed budget.

13.2.2 A detailed report on the progress and achievements against the project milestones.

13.2.3 Reporting on new audience, partnership and income leveraged through the funding.

13.2.4 Final audited accounts for the Organisation with a breakdown of the grant funding provided by Council clearly identified.

**Authorisations**

<table>
<thead>
<tr>
<th>Schedule 1 Authorisations</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Determine number of Expression of Interest rounds to be held and maximum amount that can be applied for during any one round.</td>
<td>Director Planning &amp; Regulatory</td>
</tr>
<tr>
<td>Execute Agreements to Partner organisations consistent with the Panel’s recommendation and in accordance with this policy.</td>
<td>Cultural Director, Cultural Facilities</td>
</tr>
</tbody>
</table>
Attachment B

Key dates

<table>
<thead>
<tr>
<th>Item</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expression of Interest (EOI) opens</td>
<td></td>
</tr>
<tr>
<td>Expression of Interest (EOI) closes</td>
<td></td>
</tr>
<tr>
<td>EOI results advised and shortlisted organisations invited to submit a full proposal</td>
<td></td>
</tr>
<tr>
<td>Full proposal closes</td>
<td></td>
</tr>
<tr>
<td>Results of full proposal review advised</td>
<td></td>
</tr>
<tr>
<td>Agreements sent</td>
<td></td>
</tr>
<tr>
<td>Agreements returned by</td>
<td></td>
</tr>
<tr>
<td>Acquittal for Year 1 due</td>
<td></td>
</tr>
</tbody>
</table>

For more information contact:
[Name, position, email, phone to be included]

Related documents

- Cultural Strategy 2016-2019
- Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle Policy
- Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle Expression of Interest
- Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle Proposal

The purpose

The purpose of the Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle policy is to support arts and cultural organisations in Newcastle to be sustainable by supporting them to develop projects for the city.

The policy and related program is focused on:

- Enabling arts and cultural organisations to create and co-present arts and cultural programming with Council in a model that supports organisational sustainability.
- Building professional relationships and capacity within organisations.
- Creating a funding base in a form that organisations can leverage with other funding providers.

For the purposes of this funding program, a sustainable not-for-profit arts and cultural organisation is one that has multiple income streams (grant funding, earned income and philanthropy), a strong and growing audience base, is working with a breadth of artists and practitioners, has operational partnerships, strong governance, and a documented strategy and business plan directing the organisation.
Funding is limited to arts and cultural projects which are defined as one-off or time-limited arts and cultural activity or a series of linked activities with specific goals and conditions, defined responsibilities, a budget, planning, information about the parties involved and a specific start date and end date.

The policy will guide the formation, implementation and acquittal of up to five (5) project collaborations at any one time of up to three (3) years duration with Newcastle local government area resident not-for-profit arts and cultural organisations.

The process:

This is a competitive application process enabling Council to invest in the development and delivery of quality cultural projects and co-presentation opportunities to support the sustainability of local arts and cultural organisations.

The process is:

1. **Expression of Interest**: In the first instance, an EOI needs to be submitted on the "Expression of Interest: Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle" form by the due date.

2. **A Review Panel** (as per the Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle policy) will assess the EOI applications and the Full Proposals.

3. Outcomes of this assessment will be provided to the applicants.

4. **Full Proposal**: Shortlisted applicants will be invited to submit a full Proposal for their project or program. This will be on the "Proposal: Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle" form supplied to the short-listed applicants. It will require supporting documentation including:
   a) An overview of the organisation
   b) A copy of last year's audited financial statement for the organisation
   c) Marketing and communications overview for the project or program
   d) Letters of support and presentation commitment where relevant
   e) Key performance outcomes and measures
   f) Strategic plan

5. **The Review Panel** will assess the Proposals using the following criteria (as per the policy):
   a) Benefit to the community through the development and presentation of the cultural programming.
   b) Written in-principal support from the venue manager or owner of the venue, facility or land in which you wish to co-present, including those owned and managed by Council.
   c) How Council funding is to be leveraged to increase project or program support
   d) Alignment with the strategies and priorities in the Cultural Strategy 2016-2019
   e) Demonstrated value for money
   f) Demonstrated track record and the ability to deliver.
g) Satisfactory reporting and acquittal of projects by organisations who have previously received Council support.

Council reserves the right to utilise an external reviewer to provide feedback on a proposal.

6. Outcomes of the Full Proposals will be advised.

7. Agreement: A tailored written agreement between Council and the organisation will be signed and will include annual milestones and acquittal requirements that will be reviewed by nominated Council staff and against which milestone payments will be made. Where relevant, Applicants will have to provide copies of copyright licenses, or any other necessary permissions relevant to the project or program.

Principles

Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle Policy and program implementation is based on the principles of:

- Accountability and transparency
- Alignment with Council strategies and priorities
- Value for money
- Helping to grow arts and culture in the city through building sustainable not for profit arts and cultural organisations so they can remain in Newcastle as cultural producers. This includes ensuring professional artists and practitioners fees are paid and enabling the development and co-presentation of quality new works.

Available funds

Up to $50,000 (cash and in-kind) per organisation per year for up to three (3) years on a 1+1+1 basis.

Insurance

A tailored Agreement will be put in place with the co-presenting organisation. This will include annual Deliverables, Payments and Acquittals as per the Council Support of Growing Sustainable Arts and Cultural Organisations in Newcastle policy. The Agreement will note funding is subject to Council’s budget allocations.

If your organisation is successful under this program, you will need to meet requirements for appropriate insurance including but not limited to public liability, workers compensation insurance and volunteer insurance.

Confidentiality

Information supplied will be used for processing and assessing the application and will be treated as confidential to the extent permitted by the Local Government Act and Council’s Privacy Management Plan. As per Council’s policy, successful projects will be listed on Council’s website.
Protecting Your Privacy

Newcastle City Council is committed to protecting privacy and we take reasonable steps to comply with relevant legislation and Council policy.

Information provided may be used by Council for assessing and review purposes. While the supply of details is voluntary, the more relevant information provided in the application, the stronger the application will be. We would also like to create a database of applicants so we can send you information about future Council grant programs.
ITEM-31  CCL 28/03/17 - ADOPTION OF GURAKI ABORIGINAL ADVISORY COMMITTEE CHARTER

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

PURPOSE

To provide a report to Council on the activities of the Guraki Aboriginal Advisory Committee during 2015/2016 financial year.

RECOMMENDATION

1 Council resolves to receive the Guraki Aboriginal Advisory Committee Annual Report for 2015/2016.

KEY ISSUES

2 Pursuant to clause 16.6 of the Guraki Aboriginal Advisory Committee (Committee) Charter an annual report shall be provided to Council on the activities of the Committee.

3 Each Council term the Committee is reinstated to advise and assist Council in a diverse range of civic processes and activities to promote reconciliation and social justice.

4 Member attendance during 2014/2015 had been inconsistent and meetings inquorate, reducing the ability of the Committee to perform its functions and tasks as outlined in its Charter. Council conducted a review of the Committee and its Charter in 2015/2016.

5 Council adopted a revised Committee Charter on 22 March 2016. The new framework provides an engagement model that reduces the risk of meetings being inquorate by increasing Aboriginal and Torres Strait Islander membership of the Committee from six to nine.

Conduct of Meetings

6 The Committee was in recess throughout 2015/2016 pending the review. The Committee reconvened on 30 May 2016 following Council's adoption of the revised Committee Charter.

7 Meeting attendance for 2015/2016 shown below.

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Councillor Members (3)</th>
<th>Community Members (3)</th>
<th>Stakeholder Members (6)</th>
<th>Council staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 May 2016</td>
<td>3</td>
<td>2</td>
<td>4</td>
<td>4</td>
</tr>
</tbody>
</table>
Overview of Activities

8 Key initiatives and outcomes for 2015/2016 include:

i) Adoption by Council of a revised Committee Charter on 22 March 2016.

ii) NSW Government gazettal of eight Newcastle landmarks as dual names in June 2016 – Whibayganba (Nobbys Island), Tahlbihn (Flagstaff Hill), Yohaaba (Port Hunter), Burrabihngarn (Pirate Point), Coquun (Hunter River – South Channel), Khanterin (Shepherds Hill), Burraghihnbihng (Hexham Swamp), and Toohmbing (Ironbark Hill).

iii) Development of Council guidelines for Acknowledgement of Traditional Custodians and Welcome to Country protocols.

iv) Support of NAIDOC week activities including Lord Mayoral morning tea for local Aboriginal communities, and a family day concert at Newcastle Foreshore.

Future Directions

9 Re-launch Council’s 1998 Commitment Statement to raise internal and community awareness.

10 Convene two Committee meetings at Aboriginal organisations to strengthen and renew relationships between Council and local Aboriginal communities.

11 The Committee will continue to provide advice and direction to Council on the design and content for dual name interpretative signage and the development of a virtual reality application to showcase Aboriginal history at Cathedral Park. Both projects are currently under development with completion dates scheduled in 2017.

12 Council’s Cultural Strategy 2016/2019 includes an action (12.1) to establish an Aboriginal reference group in consultation with the Committee. The Committee will liaise with Council’s Cultural Facilities to develop a mechanism that engages Aboriginal community members in the City’s cultural programming. This group had its first meeting on 21 February 2017.

13 The Committee will review and provide advice on the development of Council’s Aboriginal Heritage Management Strategy.

14 The Committee will provide advice to Council staff in the delivery of Aboriginal cultural tourism actions outlined in the Destination Management Plan 2016.

15 Future opportunities may also include the Committee assisting and advising Council in drafting an Aboriginal Economic Development Strategy and an Aboriginal Community Engagement Plan.
Comment from the Chairperson

16 Following an extended review period the Committee reconvened with a new Charter holding its first meeting for 2015/2016 on the 30 May 2016. The Committee has a new structure now consisting of twelve voting members that include three Councillors, six local Aboriginal and Torres Strait Islander stakeholder groups, and three local community members. It is hoped that this structure will ensure meetings are quorate, and the Committee is sustainable and able to enact its business more effectively and readily.

17 Although only one meeting took place during the reporting period the Committee still continued to provide advice and information to Council on services and cultural programming through the guidance of the Guraki Facilitator, Aboriginal Development Officer, other members of the Committee with assistance from Council staff. By far the most important key initiative driven by the Committee was the gazettal of dual names for eight major landmarks at Newcastle. The Committee looks forward to continuing and strengthening its relationship and partnership with Council.

FINANCIAL IMPACT

18 Council provides a facilitator for the Committee using a 0.4 EFT position in the Community Planning Team, Strategic Planning.

19 The Committee structure relies on time volunteered by its members and stakeholder groups.

20 Council's Operational Plan includes a budget for the Committee of $21,400 each financial year for operational purposes, projects and events.

21 The budget was not fully expended during the 2015/2016 financial year as the Committee was in recess up until 30 May 2016, whilst under review.

22 The 2015/2016 budget was expended as shown below:

<table>
<thead>
<tr>
<th>Annual Income</th>
<th>Categories</th>
<th>Expenditure</th>
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<tbody>
<tr>
<td>$21,400</td>
<td>NAIDOC Week 2015 Morning Tea</td>
<td>$ 365.91</td>
</tr>
<tr>
<td></td>
<td>Awabakal Ltd Sponsorship NAIDOC event 2016</td>
<td>$ 5000.00</td>
</tr>
<tr>
<td></td>
<td>Catering</td>
<td>$ 70.00</td>
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<tr>
<td></td>
<td>Printing</td>
<td>$ 77.00</td>
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<tr>
<td></td>
<td>TOTAL</td>
<td>$ 5,512.91</td>
</tr>
</tbody>
</table>

COMMUNITY STRATEGIC PLAN ALIGNMENT

23 The Committee aligns with Newcastle 2030 Community Strategic Plan key strategic directions:

i) Caring and Inclusive 4.3c., and
ii) Open Collaborative Leadership 7.2b.
24 The Committee is also consistent with Council’s Reconciliation Action Plan.

IMPLEMENTATION PLAN/IMPLICATIONS

25 Nil.

RISK ASSESSMENT AND MITIGATION

26 A member undertaking was signed by all Aboriginal community and stakeholder members at the first meeting of the Committee on 30 May 2016.

27 Members have been provided with a copy of the Committee’s Charter and Council’s Code of Conduct Fact Sheet.

28 Of the four meetings held in 2016/17, all have been inquorate and further review of the Committee maybe required following the election of the new Council in September 2017.

RELATED PREVIOUS DECISIONS

29 CCL 22/03/16 - Guraki Aboriginal Advisory Committee Charter adopted by Council.

30 CCL 4/12/2012 - Guraki Aboriginal Advisory Committee – establishment of Committee and adoption of Charter.

31 CCL 01/11/11 – Amendment of Strategic Advisory Committee Constitutions and adoption of revised Working Party Operating Procedures.

32 CCL 20/10/09 – Strategic Advisory Committee Structure – approved by Council.

CONSULTATION

33 A draft of the report was considered by the Committee at its meeting on 27 February 2017.

OPTIONS

Option 1

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

Option 2

35 Council not receive the annual report. This is not the recommended option.
BACKGROUND


37 The Committee was officially launched on 1 June 1999.

38 The current Committee was established by a resolution of Council on 4 December 2012 as a Strategic Advisory Committee.

39 Council adopted a revised Committee Charter on 22 March 2016.

40 The Committee's Charter defines the scope of its responsibilities including terms of reference, structure, process and membership requirements.

41 The Terms of Reference of the Committee are:

i) To give life to Council's 1998 Commitment Statement to the Aboriginal and Torres Strait Islander Peoples of the City of Newcastle.

ii) To provide strategic advice and guidance with relation to Aboriginal and Torres Strait Islander matters of cultural and heritage significance.

iii) To engage Aboriginal and Torres Strait Islander people in Local Government.

iv) To raise broad community awareness of Aboriginal and Torres Strait Islander culture and themes.

v) To provide a united voice for the Aboriginal and Torres Strait Islander peoples of the City of Newcastle.

vi) To investigate, consider and prepare applications for Federal and State government funding, grants and sponsorships.

42 Committee membership 2015/2016 is attached to this report (Attachment A).

REFERENCES

ATTACHMENTS

Attachment A: 2015/2016 Membership of the Guraki Aboriginal Advisory Committee

Attachment B: NAIDOC Day Acquittal by Awabakal Limited
### CITY OF NEWCASTLE

Ordinary Council Meeting 28 March 2017

**Attachment A**

**GURAKI ABORIGINAL ADVISORY COMMITTEE: MEMBERSHIP 2015/2016**

<table>
<thead>
<tr>
<th>NAME</th>
<th>MEMBERSHIP CATEGORY / ORGANISATION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>VOTING MEMBERS</strong></td>
<td></td>
</tr>
<tr>
<td>Kyle Finlay (Chair)</td>
<td>Worimi Local Aboriginal Land Council</td>
</tr>
<tr>
<td>Angela Pearce (Deputy Chair)</td>
<td>Community Representative</td>
</tr>
<tr>
<td>John Lester</td>
<td>Wollotuka Institute University of Newcastle</td>
</tr>
<tr>
<td>Candy Towers</td>
<td>Awabakal Local Aboriginal Land Council</td>
</tr>
<tr>
<td>Tara Dever</td>
<td>Mindaribba Local Aboriginal Land Council</td>
</tr>
<tr>
<td>Ron Gordon</td>
<td>Yamteen Limited</td>
</tr>
<tr>
<td>Raylene Gordon</td>
<td>Awabakal Ltd</td>
</tr>
<tr>
<td>Cherie Johnson</td>
<td>Community Representative</td>
</tr>
<tr>
<td>Kelly Drury</td>
<td>Community Representative</td>
</tr>
<tr>
<td>Cr Andrea Rufo</td>
<td>Councillor</td>
</tr>
<tr>
<td>Cr Theresa Doyle</td>
<td>Councillor</td>
</tr>
<tr>
<td>Cr Allan Robinson</td>
<td>Councillor</td>
</tr>
</tbody>
</table>
NEWCASTLE NAIDOC DAY
5 JULY 2016
FUNDING ACQUITTAL/REPORT

1. GENERAL
2. FUNDING
3. OFFICIAL OPENING
4. MARCH
5. FOOD/BBQ
6. MARKET STALLS/AMUSEMENTS
7. ENTERTAINMENT
8. MARQUEES, CHAIRS & TABLES
9. ST JOHN AMBULANCE
10. VOLUNTEERS
11. GARBAGE BINS
12. PORTALOOS/TOILETS
13. SECURITY
14. PROMOTION/PUBLICITY
15. FEEDBACK FROM PARTICIPANTS
1. GENERAL

The Newcastle NAIDOC Day was held at Newcastle Foreshore on Monday 4 July 2016. It is estimated that around 5,000 people attended. There were 52 sites allocated and 4 free amusements for kids. Mantis Event Management was engaged to oversee the management of the event. Awabakal Ltd staff from the Partnership & Promotions Team were heavily involved in the overall operation of the event. The theme for NAIDOC this year was Songlines: The Living Narrative of our Nation. The focus of the day was on healthy lifestyle and hence there was no sugary products such as fairy floss, slushies, or soft drinks made available. Hunter Water provided cold drinking water and several of the free displays provided fruit and health snacks for the children.

2. FUNDING

The event received funding through Newcastle City Council, Port Waratah Coal Services, Department of Aboriginal Affairs, Department of Prime Minister & Cabinet, Yarnteen, Wollotuka, Hunter Water and Roads & Maritime Services.

3. OFFICIAL OPENING

Cr Nuatali Nelmes Lord Mayor Newcastle City Council and Ms Sharon Claydon MP, Member for Newcastle and Raylene Gordon CEO Awabakal Ltd officially opened the Event at the Foreshore. Rod Smith officiated at Christ Church Cathedral and Bishop Graeme Rutherford spoke. The Aboriginal Flag was raised at the top of Christ Church Cathedral prior to the march to the foreshore.

4. MARCH

Reports from the head of Highway Patrol indicated that the march went well with no incidents. The route was 1.3km from Christ Church Cathedral to Newcastle Foreshore and buses took participants back to the Cathedral site at 1 pm and 2 pm.
5. FOOD/BBQ

Lions Club of Charlestown manned the BBQ. 1,000 sausages, the sauces, oil, onions and bread were ordered and purchased by the Lions Club, brought onto the site by the Club and paid for by Awabakal Ltd. The Club ran out of sausages at 12.45pm. Newcastle City Council organised for the Vietnam Veterans to cook a BBQ with bacon & egg rolls, vegie patties, sausage sandwiches, bottles of water and fruit. It is estimated they provided around 900 items of hot food over the day. They also ran out of food at around 12.45pm. Wandiyali did a free soup kitchen and Catholic Care did free tea & coffee and healthy snacks. Both organisations provided food for the Elders Tent. The Awabakal Medical team provide free fruit from its display tent. Around 500 fruit cups were handed out.

6. MARKET STALLS/AMUSEMENTS

There were 2 face painters that had long queues all day. Hunter Valley Amusements were engaged to provide a rock climbing wall, bungee jump, large slide and tea cup ride. There were 52 sites allocated.

7. ENTERTAINMENT

The event was MC’d by 2 of our younger generation, Shaleee Matthews and Joley Manton. Entertainment on stage included Nu Roads, Jacob Ridgeway and Last Kinection that were very well received. The Reptile Show by Blackbutt Reserve was enjoyed by the kids and, after coming off the stage, they walked around the crowd with the reptiles. Wakakulang & Waratah Dance Group & Yadagi (Didge) Boys were also very popular with the crowd. Lil’ Mike was a big success with the kids both on stage and walking around the site.

8. MARQUEES, CHAIRS & TABLES

Some stalls required marquees tables and chairs that were hired in. Everyone was accommodated on the day and we are grateful to Port Waratah Coal Services and National Parks and Wildlife for loaning some additional marquees.

9. ST JOHN AMBULANCE

2 St John staff was on site. They were positioned in the information tent. There was only one minor incident that required an icepack.

10. VOLUNTEERS
Volunteers from Awabakal Ltd assisted on the Sunday and the Monday with set up, clean up and pack down. The main workers were from the Awabakal Promotions Team.

11. GARBAGE BINS/WASTE

10 general waste garbage bins were ordered through Veolia. Staff and volunteers cleaned up the park following the event.

12. PORTALOOS/TOILETS

2 portaloos were hired from Absoloo. One was a regular portaloo behind the stage for artists. The other portaloo was a disabled portaloo located behind the Elders tents. There are 7 female toilets and several male toilets located at the existing Council facility near the Carriage Sheds.

13. SECURITY

There was security on Sunday night from 9pm until 6 am on Monday morning. That was warranted given the remoteness of the location and the amount of infrastructure already in place on Sunday.

14. PROMOTION

The event was promoted through social media and several media releases were sent out. It is evident from the number of people that attended that media promotion was successful. The poster was designed by the Awabakal Promotions Team and acknowledged all of the supporters and sponsors of the event. The social media campaign promoted the supporters and sponsors in several posts with accompanying logos.

15. FEEDBACK FROM PARTICIPANTS

Just wanted to say a BIG THANK YOU for including us in the Newcastle Naidoc celebrations. We had a great day with lovely people and are looking forward to next year. If you happen to hear of any events that you think suitable for our Show Bags stall we would really appreciate you passing on our information.

Thank you once again.
Karen Chadwick
for Phil Mitchell
Show Bags & More...

What an awesome NAIDOC Day. Great to see everyone having a great day. Job well done.
See you next year
What a successful NAIDOC day on the foreshore. I went along and checked it all out. I don’t know how you would have fit everything in at Civic Park if you had the event there, especially the footy field (there must have been 30 kids playing footy behind the marquees closest to the road the 2 marquees please? The two with Winter swim pirates were not picked up on the Sunday but the guys have returned them to me yesterday. Check out our social media, I took a photo of the crowd from the ridge of the amphitheatre. Any wrap up reporting you do I’d also like a copy of as well.

Regards
Trudie Larnach
Specialist Community Relations
Port Waratah Coal Services.

Thanks very much for Monday it was a great day for everyone. I myself have no complaints keep up the good work am looking forward to next year or any other events you may have coming up thanks.

Phil & Ben
Show Bags &More

This was one of the best NAIDOC days that I have attended in years. I believe that there was such a great variety of stores and service providers. The only thing in which I think that could improve was that the food ran out around 1pm and that was when most people were wanting to eat and also that there was no soft drink provider. As at least 100 people asked did we have any soft drinks for sale. This was the only hiccup and what was a well and truly great day.

Ian Eggins
CASEWORK MANAGER CATHOLIC CARE SOCIAL SERVICES HUNTER-MANNING

Thanks for having Hunter Valley Amusement Hire be a part of this event it was a great crowd and I'm sure everyone had a great time. We look forward to being a part of your future events

Kind Regards
Kimberly Walters
Hunter Valley Amusement Hire

I am contacting you in relation to the Naidoc Event that you facilitated at the foreshore this year.
Firstly, thank you for all of your hard work and commitment.
I believe that the event was a resounding success.
I really appreciated that it was a fun event with lots of activities for the whole family to enjoy - the stalls, on stage entertainment and rides/mountain climbing were great ideas. The event really promoted a sense of community and togetherness which I thought was fantastic!
I also thought that enlisting the help of volunteers to allow the event to run smoothly and provide patrons with free tea and coffee etc. was a very good idea.
While the option of having free tea or coffee was fantastic, I personally would have been happy to pay for decent coffee (not instant) which unfortunately was not available at the event.
Good coffee would have been particularly welcome while we were sitting out in the cold all day.
Obviously, this is very nit-picky.
As you have mentioned, there was also somewhat of an issue with spacing.
I appreciate that it is extremely difficult to cater to the varying sizes of stalls that were erected on the day.
Unfortunately I think that it was difficult for stall owners to adequately determine the boundaries of their allotted area, thus unknowingly encroaching on other stall owner’s allotted space.
This resulted in those who arrived later having little or no space left to erect their stalls.
Perhaps if areas were physically mapped out or numbered on the grass with spray paint for example, this issue could be lessened.
Thanks again for making this fantastic event happen.
I hope that this feedback is helpful.
Kind regards,

Hannah Maybury
Case Worker
Personal Helpers & mentors
Mission Australia

We had a great day!! It was fantastic to be part of, thank you for the opportunity. Our 'committee' is meeting this Thursday to review our NAIDOC week activities. I thought I'd table your evaluation form then and get it back to you after the meeting.
Warm regards

Mary
Cavalary Mater

I really enjoyed the day thanks for all the hard work of the organisers.
Some feedback from a stall holder maybe some food could be taken to the stall holders as the lines are very long as stall holders it is impossible to wait in the lines. At other events some volunteers take around platters of sausage sandwiches for the stall holders and drinks water is fine.

Cheers
Melissa
Justice NSW
NEWCASTLE NAIDOC DAY 2016
MONDAY 4TH JULY
Newcastle Foreshore

KIDS COME AND MEET LIL MIKE

COME ONE COME ALL

HEALTH AWARENESS & PROMOTIONS

PRIZES & FREEBIES

Start: 9AM Christ Church Cathedral
Flag Raising March to Newcastle Foreshore
For the Official Opening at 10.15am
For more info pls contact Nicole Charlesworth
0409 902 043

Transport will be provided for the Elders and those who require assistance

LAST KINECTION
NU ROADS JACOB RIDGEWAY
WAKAKULANG DANCE TRoup
SCHOOL CULTURAL PERFORMANCES
REPTILE SHOW
STALLS RIDES FUN FOOD

Aboriginal Affairs NSW
ITEM-32  CCL 28/03/17 - YOUTH COUNCIL ANNUAL REPORT

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

PURPOSE

To provide a report to Council on the performance of the Newcastle Youth Council (NYC) during 2015/2016.

RECOMMENDATION


KEY ISSUES

2 In accordance with Newcastle City Council Strategic Advisory Committee Constitution 2011, NYC is required to provide an annual report to Newcastle City Council (Council) that communicates key initiatives and outcomes for each financial year and expenditure of annual budgets.

Conduct of Meetings

3 Meeting attendance for 2015/2016 shown below.

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Councillors in attendance</th>
<th>NYC members attending</th>
<th>Stakeholder and guest members</th>
<th>Council staff attending</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 July 2015</td>
<td>0</td>
<td>5</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>24 September 2015</td>
<td>2</td>
<td>7</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>11 February 2016</td>
<td>1</td>
<td>6</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>14 March 2016</td>
<td>0</td>
<td>8</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>13 April 2016</td>
<td>0</td>
<td>7</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>7 June 2016</td>
<td>1</td>
<td>6</td>
<td>0</td>
<td>2</td>
</tr>
</tbody>
</table>

Overview of Activities 2015/2016

4 Key NYC activities for the 2015/2016 financial year included:

i) Adoption of the Youth Week Grant Policy - CCL 08/12/15.

ii) Providing grant funding for six Youth Week 2016 events.

iv) Facilitated a craft activity at the November 2016 Youth Arts in Recovery Workshop.

v) Met with the Association of Southeast Asian Nations (ASEAN) Delegation and Councillors to discuss local youth issues.

vi) Ran a mindfulness activity at the Value Your Mind event for Mental Health Week. NYC hosted a mindfulness colouring activity as a mental health tool to help manage anxiety in young people. Mindfulness is a mental state achieved by focusing one’s awareness on the present moment.

viii) The NYC Chairperson sat on the judging panel for the Newcastle 2016 Australia Day Awards.

ix) The NYC Facilitator participated in a workshop ran by the Advocate for Children and Young People, to help draft the NSW Strategic Plan for Children and Young People.

**Responsibilities of the Committee**

5 The Youth Council has completed a self-assessment against its current Committee Responsibilities (Section 5, Newcastle Youth Council Committee Charter) as below:

<table>
<thead>
<tr>
<th>Objective</th>
<th>Related issues</th>
<th>Resolutions / outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aim to engage young people in Local Government</td>
<td>Encouraging young people to attend Committee meetings.</td>
<td>Six meetings were held during 2015/16. Promotion of NYC and recruitment occurred through the NYC Facebook page and word of mouth from current members. Attendance at meetings and membership numbers have improved since last year.</td>
</tr>
<tr>
<td>Raise awareness of youth issues</td>
<td>Social media</td>
<td>Using Facebook as a tool for improving awareness of youth issues, while increasing youth awareness of Council's projects and programs that affect local youth. The Youth Council facilitator is using Facebook on a weekly basis to update its youth audience on current local youth programs. A member of Council's Communications team is attending the next NYC meeting to discuss further capabilities in social media.</td>
</tr>
<tr>
<td><strong>Allocate Youth Week grants as per Council's Youth Week Grant Policy</strong></td>
<td><strong>Youth Week 2016</strong></td>
<td>NYC members were involved in allocation of grant funds, event facilitation and community engagement. NYC funded six Youth Week events worth $6000.00 in total. Over 600 participants attended events, including young leader's forums, outdoor cinemas, as well as sporting and music events.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>Guide implementation of the Newcastle 2030 Community Strategic Plan</strong></td>
<td><strong>Caring and Inclusive Community</strong></td>
<td>Participating in projects and initiatives that focus on youth engagement, including the UrbanGrowth and Council Cultural Strategy youth specific engagement.</td>
</tr>
<tr>
<td><strong>Guide implementation of the Newcastle 2030 Community Strategic Plan</strong></td>
<td><strong>Vibrant and Activated Public Places</strong></td>
<td>Encouraging use of our public spaces through the distribution of Youth Week grants to facilitate activities for young people.</td>
</tr>
<tr>
<td><strong>Open and Collaborative Leadership</strong></td>
<td><strong>Engaging young people in Local Government decision making process</strong></td>
<td>NYC members are invited to comment and participate in Council projects and programs that effect local youth, including the exhibition period for the Social Strategy.</td>
</tr>
<tr>
<td><strong>Assist in the development and implementation of social strategies for Council</strong></td>
<td><strong>Engaging young people in Local Government decision making process</strong></td>
<td>NYC members were informed and asked to comment on a range of Council strategies, including the Social Strategy, Cultural Strategy and Multicultural Plan.</td>
</tr>
<tr>
<td><strong>Assist Council to prepare applications for youth related grants</strong></td>
<td></td>
<td>NYC wrote and applied for a Youth Opportunities Grant in August 2015, however were unsuccessful.</td>
</tr>
<tr>
<td><strong>Support Council in a manner that is consistent with Council values and decisions of Council.</strong></td>
<td></td>
<td>NYC operated under the strategic directions outlined within the Newcastle 2030 Community Strategic Plan (Revised 2013) and in a manner consistent with Council's values and decisions of Council.</td>
</tr>
</tbody>
</table>
Comment from the Chairperson

6 NYC has improved their community engagement over the last year through attendance at local events, participating in planning workshops and via social media. NYC has provided Council and community groups with a vital youth perspective on their planning and programs. With more members than ever, NYC has spent 2016 preparing project ideas and events for delivery in 2017. Christy Mullen, NYC Chairperson.

FINANCIAL IMPACT

7 In 2015/2016 NYC was provided with a budget of $4,825 for operational purposes and a further $6,075 to allocate grants for Youth Week events. The Youth Week funding is provided on a matched funding basis with NSW Department of Family and Community Services. The Youth Week budget was expended in full.

8 The budgets were expended as below:

<table>
<thead>
<tr>
<th>Annual Income</th>
<th>Categories</th>
<th>Expenditure 2015/2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>$4,825.00</td>
<td>Catering</td>
<td>$838.78</td>
</tr>
<tr>
<td></td>
<td>Marketing</td>
<td>$227.27</td>
</tr>
<tr>
<td></td>
<td>Printing</td>
<td>$1406.00</td>
</tr>
<tr>
<td></td>
<td>Youth Arts In Recovery</td>
<td>$128.96</td>
</tr>
<tr>
<td></td>
<td>Consultant for Planning Day</td>
<td>$400.00</td>
</tr>
<tr>
<td></td>
<td>Conference expense</td>
<td>$48.26</td>
</tr>
<tr>
<td></td>
<td><strong>Total recurrent</strong></td>
<td><strong>$3,049.27</strong></td>
</tr>
<tr>
<td>$6,075.00</td>
<td>Youth Week Grants</td>
<td>$5455.00</td>
</tr>
<tr>
<td></td>
<td>Youth Week Promotion</td>
<td>$620.00</td>
</tr>
<tr>
<td></td>
<td><strong>Total grant</strong></td>
<td><strong>$6,075.00</strong></td>
</tr>
</tbody>
</table>

COMMUNITY STRATEGIC PLAN ALIGNMENT

9 NYC projects aligned with Newcastle 2030 Community Strategic Plan key Strategic Directions:

   i) Vibrant and Activated Public Places
   ii) Caring and Inclusive Community
   iii) Open and Collaborative Leadership

IMPLEMENTATION PLAN/IMPLICATIONS

10 There are no adverse implications in Council receiving the Newcastle Youth Council Annual Report 2015/2016.

RISK ASSESSMENT AND MITIGATION

11 Risk assessments were undertaken for all events that NYC participate in.
RELATED PREVIOUS DECISIONS

12 CCL 22/03/16 - Council noted the 2014/2015 NYC Annual Report.

13 CCL 24/02/15 - Council noted the 2013/2014 NYC Annual Report.

14 CCL 26/11/13 - Transition of Loft Services - Council continued to support the Youth Council, as a strategic advisory committee of Council.

15 CCL 04/12/12 - Council established the Youth Council and nominated Councillors Robinson, Doyle and Posniak as Councillor Representatives.

CONSULTATION

16 The NYC Annual Report was developed in consultation with NYC's current Chairperson.

FORWARD PLANNING

17 The Jeder Institute facilitated a Planning Day for NYC in September 2016. NYC and Port Stephens Youth Advisory Panel participated, in recognition of a potential merger and to gain a broader view of the issues facing young people in our local community. The planning decisions made on this day will guide NYC's project delivery for 2016/2017.

18 NYC established five key projects for delivery during 2016/2017, these include:

i) Increasing social media presence - Improve Youth Council page on Council's website and diversify social media presence.

ii) Hunter Youth Mock Council - Run a youth mock council, skills development day, debate motions in Council Chambers.

III) Midnight Café - Run a pilot for a non-alcoholic social night with live music for young people in Newcastle.

iv) Chinese Community Engagement - Collaborate with local stakeholders to encourage inclusion of Newcastle's young Chinese community at local events and in Council's planning and community engagement.

v) Reverse Vending Machines - NYC to work with Council on promoting the reverse vending machine project currently underway. A reverse vending machine is a device that accepts used beverage containers and returns money or tokens to the user.
OPTIONS

Option 1

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

Option 2

20 Council not adopt the annual report. This is not the recommended option.

BACKGROUND

21 NYC is a Strategic Advisory Committee of Council.

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

23 NYC membership 2015/2016 is attached to this report (Attachment A).

REFERENCES

ATTACHMENTS

Attachment A: NYC Membership 2015/2016
<table>
<thead>
<tr>
<th>NAME</th>
<th>MEMBERSHIP CATEGORY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr Declan Clausen</td>
<td>Newcastle City Council Councillor</td>
</tr>
<tr>
<td>Cr Therese Doyle</td>
<td>Newcastle City Council Councillor</td>
</tr>
<tr>
<td>Cr Allan Robinson</td>
<td>Newcastle City Council Councillor</td>
</tr>
<tr>
<td>Christy Mullen</td>
<td>NYC Chairperson / Youth Mayor</td>
</tr>
<tr>
<td>Isobel Carr</td>
<td>NYC Member</td>
</tr>
<tr>
<td>Jose Artine Francisco</td>
<td>NYC Member</td>
</tr>
<tr>
<td>Jacob Gamble</td>
<td>NYC Member</td>
</tr>
<tr>
<td>Jack Hayden</td>
<td>NYC Member</td>
</tr>
<tr>
<td>Jackson Heydon</td>
<td>NYC Member</td>
</tr>
<tr>
<td>Maddie Pywell</td>
<td>NYC Member</td>
</tr>
<tr>
<td>Nicholas Quinn</td>
<td>NYC Member</td>
</tr>
<tr>
<td>Sarah Ladyman</td>
<td>NYC Member</td>
</tr>
<tr>
<td>Riordan Davies</td>
<td>NYC Member</td>
</tr>
<tr>
<td>Rizina Yadav</td>
<td>NYC Member</td>
</tr>
<tr>
<td>Astrid Gearin</td>
<td>Newcastle Youth Development Officer / Samaritans</td>
</tr>
<tr>
<td>Amber Stewart</td>
<td>NYC Facilitator / Newcastle City Council</td>
</tr>
<tr>
<td>Ian Rhodes</td>
<td>Community Planning Coordinator / Newcastle City Council</td>
</tr>
</tbody>
</table>
ITEM-33 CCL 28/03/17 - EXHIBITION OF DRAFT WICKHAM MASTER PLAN

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

PURPOSE

This report seeks Council endorsement to place the draft Wickham Master Plan on public exhibition for a period of eight weeks.

RECOMMENDATION

1 Council resolves to place the draft Wickham Master Plan, as provided in Attachment A, on public exhibition for a period of eight weeks.

KEY ISSUES

2 Interest in redeveloping land in Wickham has been increasing since the release of the Newcastle Urban Renewal Strategy (NURS). Council has received several significant development applications in the Wickham area since 2012. The urban renewal initiatives of the State Government, including the development of a transport interchange at Wickham, provides opportunities for higher density, transit oriented development in this area.

3 A key issue will be managing growth to ensure local accessibility and amenity is improved. The draft Wickham Master Plan has been prepared to ensure future development occurs in a strategic and integrated manner. It establishes priorities and triggers a range of actions in order to achieve the objectives of the Master Plan.

4 The draft Wickham Master Plan has the following objectives:
   i) improve connectivity within Wickham and to adjoining destinations
   ii) create safe, attractive and inclusive public places
   iii) ensure the built environment is functional, responsive and resilient.

5 The draft Wickham Master Plan identifies six distinct precincts that have different residential, recreational and employment opportunities and challenges. Strategies have been developed to achieve the Master Plan vision for each precinct. These strategies will be implemented through a mix of new planning controls, developer contributions, management plans and technical manuals as identified in the Implementation Plan included in the draft Master Plan.
6 The potential built form, scale and density was established and tested using 3D Modelling. Independent testing and modelling was also undertaken of the economic viability of the proposed planning controls and the road network capacity to accommodate the envisaged density and mix of future development.

7 The draft Wickham Master Plan advocates the preparation of a new Community Benefits Policy to enable the community to share in the land value uplift where increases in density are achieved. The Community Benefit Policy, new planning controls, and management plans are identified as actions to occur post adoption of the draft Wickham Master Plan. These actions will require separate consultation and public exhibition.

FINANCIAL IMPACT

8 Implementation of the Wickham Master Plan will require a number of actions to be undertaken over the short and longer terms. Preparation of planning controls and technical manuals can be undertaken by Council staff within normal work plans. Similarly, programming of infrastructure works will be undertaken as funding is available.

9 The draft Wickham Master Plan is recommending the preparation of a Section 94 Plan specific to Wickham and Community Benefit Policy. The Community Benefit Policy will identify a monetary rate payable for additional floor space gained above existing controls as a result of Local Environmental Plan 2012 (LEP) amendments to increase building height and floor space ratios. This payment would be separate to Section 94 Contributions and will be linked to the provision of identified community benefit projects in Wickham such as public car parking and public domain and open space embellishments.

COMMUNITY STRATEGIC PLAN ALIGNMENT

10 The draft Wickham Master Plan aligns with the connected city and liveable and distinctive built environment strategic directions of the Community Strategic Plan.

IMPLEMENTATION PLAN/IMPLICATIONS

11 The draft Wickham Master Plan includes an Implementation Plan which prioritises actions over the short and longer terms. The preparation of new plans and policies and amendments to the LEP and Development Control Plan 2012 (DCP) are within Council's resources to deliver.
RISK ASSESSMENT AND MITIGATION

12 No significant risks are associated with the recommendation to place the draft Wickham Master Plan on public exhibition. The draft Master Plan proposes a range of actions, covering the preparation of new plans and policies and amendments to the LEP and DCP. Should the Master Plan be adopted by Council, projects will be submitted in the budget planning process each year for approval as required. Risk assessments for individual projects will be undertaken in accordance with Council’s risk management framework.

RELATED PREVIOUS DECISIONS

13 Nil.

CONSULTATION

14 Targeted consultation was undertaken to prepare the draft Wickham Master Plan. A discussion report was presented at two facilitated workshops of local landowners and businesses, State agencies and Council staff. The workshops were to confirm Council’s initial findings and interpretation, and identify options for addressing these matters.

15 The draft Wickham Master Plan is based on the feedback from the workshops, subsequent stakeholder liaison and expert advice.

16 If Council resolves to place the draft Wickham Master Plan (Attachment A) on public exhibition, this will provide further opportunity for community consideration and feedback. Consultation is proposed to include notification to stakeholders including workshop attendees, online links to the draft Wickham Master Plan and other relevant background information (such as the 3D model of the Master Plan area and consultant reports). Opportunities for providing feedback are proposed to include an online survey, interactive mapping tool, and local drop-in sessions.

17 The draft Wickham Master Plan advocates the implementation of a Local Area Traffic Management (LATM) plan to provide further detail of traffic calming and pedestrian safety mechanisms. A draft LATM plan was prepared and reported to Council's Local Traffic Committee on 20 February 2017. It is intended for both draft plans to be exhibited concurrently but be reported back to Council separately for consideration and endorsement.
OPTIONS

Option 1

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

Option 2

19 Council not proceed with the draft Wickham Master Plan. This is not the recommended option.

BACKGROUND

20 In 2012 the NSW State Government released the NURS. This strategy was updated in 2014 and advocates a strategic shift of the commercial core of the Newcastle city centre from Newcastle East to Newcastle West. The NURS identified that Council should undertake further work to develop appropriate planning controls for Wickham consistent with the objectives of the NURS. As a result Council officers have prepared this draft Master Plan.

21 The draft Wickham Master Plan was prepared following extensive stakeholder consultation and feedback and rigorous testing and assessment of options and scenarios. The program included field surveys, targeted consultation with local landowners and business operators, as well as analysis of trends and influences impacting on Wickham to assist with the development of a discussion report.

22 The discussion report identified the challenges and opportunities applicable to the area. This report was presented to Wickham landowners, State agencies and Council officers in well attended, facilitated workshops. Feedback obtained in the workshops was used to identify key issues to be addressed by the master plan.

23 A Councillor Workshop was held on 14 March 2017 to provide Council with an overview of the draft Wickham Master Plan.

REFERENCES

ATTACHMENTS

Attachment A: Draft Wickham Master Plan

Attachment A distributed under separate cover.
ITEM-34  CCL 28/03/17 - EXHIBITION OF PROPOSED NEW DRAFT SECTION 7.11 - DEVELOPMENT ADJOINING LANEWAYS OF NEWCASTLE DEVELOPMENT CONTROL PLAN 2012

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

PURPOSE

The purpose of this report is to outline proposed amendments to Newcastle Development Control Plan 2012 (DCP) comprising a new section for Development Adjoining Laneways, including an associated amendment to the glossary of the DCP (Attachment A) and obtain a resolution of Council to place the draft amendments on public exhibition.

RECOMMENDATION

1 Council resolves to place draft amendments to the DCP on public exhibition for 28 days, incorporating a new Section 7.11 Development Adjoining Laneways and amendments to Section 9.00 Glossary.

KEY ISSUES

2 There are currently no formal planning guidelines within the DCP for the design and assessment of development adjoining laneways and any associated upgrade works. This is resulting in an 'ad-hoc' approach to the approval of development adjoining laneways and any associated laneway upgrade works.

3 It is proposed to amend the DCP to include a new Section 7.11 Development Adjoining Laneways. This section will include guidelines for development adjoining laneways and laneway construction standards.

4 The inclusion of development guidelines and standard design drawings for laneways will benefit Council and the community by:

   i) ensuring the community has easy access to information about development design requirements adjacent to laneways and the laneway upgrading requirements.

   ii) providing a consistent approach to the assessment of development adjacent to laneways and the upgrading of the laneway.

   iii) ensuring new development adjacent to laneways can be appropriately serviced.

5 An amendment to the definition of laneways within Section 9.00 Glossary is also proposed to distinguish between public and private laneways.
FINANCIAL IMPACT

6 The proposed amendments do not have a direct financial impact on the operations of Council. The provision of clear and consistent development guidelines for development adjoining laneways has an indirect benefit through more efficient processing of development applications.

COMMUNITY STRATEGIC PLAN ALIGNMENT

7 The proposed amendments align with the Connected City direction of the Community Strategic Plan, in particular to maintain and enhance safe local road networks.

8 The proposed amendments also align with the Liveable and Distinctive Built Environment direction of the Community Strategic Plan, in particular to ensure good quality, publicly accessible development with active street frontages.

9 The amendments are also consistent with the strategic directions of Council's Local Planning Strategy by facilitating integrated land use and transport.

IMPLEMENTATION PLAN/IMPLICATIONS

10 The process for preparing and amending DCPs and the matters that a DCP may deal with are specified in the Environmental Planning and Assessment Act 1979 (the Act) and associated Regulation. The Act and Regulation require a relevant planning authority to prepare a DCP and that the DCP be placed on public exhibition for at least 28 days.

11 Following consideration of submissions, the Council may approve the DCP (with or without amendments) or decide not to proceed.

RISK ASSESSMENT AND MITIGATION

12 There are no risks to Council in the proposed amendments to the DCP. The process as detailed in the Act is being followed. This includes the recommended public exhibition period of 28 days.

RELATED PREVIOUS DECISIONS

13 There are no previous related decisions.

CONSULTATION

14 Consultation has occurred with Council's Development and Building Services and Infrastructure Planning Services sections.
OPTIONS

Option 1

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

Option 2

16 Council not proceed with the draft amendments to the DCP. This is not the recommended option.

BACKGROUND

17 There are currently more than 900 laneways in the Newcastle Local Government Area (LGA) which vary in width, standard of construction and the services provided. Some of the laneways were first constructed in the mid-1800s and many have not been designed to accommodate frequent vehicular traffic. Development adjoining laneways and the associated intensification of the use of the laneway is causing issues including infrastructure failure, drainage problems, poor safety and security and difficulty in accessing waste collection.

18 A large number of residential properties in the LGA have a secondary frontage to a laneway at the rear of the property. The growth in population and demand in affordable housing types such as secondary dwellings has seen a vast increase in development adjacent to laneways.

19 There is currently an 'ad-hoc' approach to the design and assessment of works adjoining laneways and the upgrading works that are required.

20 In many cases, Council has required developers to maintain access to the primary street for property identification, mail box position, waste collection and emergency services vehicle access. However, buildings are often designed to face the laneway (eg. front door and habitable windows) and there is increasing pressure from new residents of these developments for Council to upgrade the laneway so that it can be used as the primary street frontage.

21 Council does not currently have a section 94 contributions plan that would enable the collection of funds from developers to contribute to the upgrading of laneways to a standard that is suitable for primary access.

22 A consistent approach to developments adjoining laneways, along with laneway construction standards, is therefore required to ensure appropriate development outcomes, as well as forward planning for stormwater disposal, waste collection, access and maintenance.
ATTACHMENTS

Attachment A: Draft new Section 7.11 Development Adjoining Laneways and Draft Section 9.00 Glossary.

Distributed under separate cover
CONFIDENTIAL REPORTS

ITEM-4 CON 28/03/17 - CONFIDENTIAL PROPERTY MATTER - LOT 11 DP13333 (SALE 22 SEA VIEW STREET KOTARA)

REPORT BY: CORPORATE SERVICES
CONTACT: DIRECTOR CORPORATE SERVICES / MANAGER COMMERCIAL PROPERTY

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)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Section 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) 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 the sale of Council property at 22 Seaview Street Kotara.

Section 10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

B The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.

C It is contrary to the public interest to discuss the matter in an open meeting because the report includes information which would provide a commercial advantage to persons interested in purchasing the property. Public disclosure of this information may detrimentally affect the outcome of any future sale.