ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

REPORTS BY COUNCIL OFFICERS

ITEM-60 CCL 27/06/17 - EXECUTIVE MONTHLY PERFORMANCE REPORT - MAY 2017
Attachment A

Report and Attachments A to D to be distributed under separate cover

ITEM-73 CCL 27/06/17 - ADOPTION OF SECTION 3.03 RESIDENTIAL DEVELOPMENT OF NEWCASTLE DEVELOPMENT CONTROL PLAN 2012
Attachments A to C

DISTRIBUTED UNDER SEPARATE COVER
ORDINARY COUNCIL MEETING
27 JUNE 2017

CCL 27/06/17
EXECUTIVE MONTHLY PERFORMANCE REPORT - MAY 2017

Attachment A: Executive Monthly Performance Report - May 2017
Monthly Performance Report
May 2017
Contents

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

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

Capital
Works Program Summary
Ward 4 Capital Works Update

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

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

<table>
<thead>
<tr>
<th>Department / Service Unit</th>
<th>Indicator</th>
<th>Comments</th>
<th>Variance ($,000)</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Executive Management</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Manager’s Office</td>
<td></td>
<td></td>
<td>18</td>
<td>2%</td>
</tr>
<tr>
<td><strong>Planning &amp; Regulatory</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning &amp; Regulatory Director</td>
<td></td>
<td></td>
<td>74</td>
<td>10%</td>
</tr>
<tr>
<td>Development &amp; Building</td>
<td></td>
<td>- High development assessment income ($0.2m)</td>
<td>183</td>
<td>12%</td>
</tr>
<tr>
<td>Strategic Planning</td>
<td></td>
<td>- Timing variance in the delivery of operational strategic projects ($0.4m)</td>
<td>440</td>
<td>9%</td>
</tr>
<tr>
<td>Regulatory Services</td>
<td></td>
<td></td>
<td>34</td>
<td>1%</td>
</tr>
<tr>
<td>Cultural Facilities</td>
<td></td>
<td>- The positive budget variance is due to general staff vacancies and a slight timing variance in operational projects</td>
<td>359</td>
<td>6%</td>
</tr>
<tr>
<td>Libraries</td>
<td></td>
<td></td>
<td>37</td>
<td>1%</td>
</tr>
<tr>
<td><strong>Corporate Services</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corporate Services Director</td>
<td></td>
<td></td>
<td>18</td>
<td>5%</td>
</tr>
<tr>
<td>Finance</td>
<td></td>
<td></td>
<td>94</td>
<td>0%</td>
</tr>
<tr>
<td>Information Technology</td>
<td></td>
<td></td>
<td>30</td>
<td>1%</td>
</tr>
<tr>
<td>Human Resources</td>
<td></td>
<td>- Timing variance in the delivery of Council training ($0.4m)</td>
<td>473</td>
<td>7%</td>
</tr>
<tr>
<td>Commercial Property</td>
<td></td>
<td>- Above budget revenue generated through the Stockton Beach Holiday Park ($0.1m)</td>
<td>124</td>
<td>7%</td>
</tr>
<tr>
<td>Customer Service</td>
<td></td>
<td></td>
<td>47</td>
<td>1%</td>
</tr>
<tr>
<td>Communication and Engagement</td>
<td></td>
<td></td>
<td>81</td>
<td>5%</td>
</tr>
<tr>
<td>Legal and Governance</td>
<td></td>
<td></td>
<td>79</td>
<td>2%</td>
</tr>
<tr>
<td><strong>Infrastructure</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Infrastructure Director</td>
<td></td>
<td></td>
<td>82</td>
<td>14%</td>
</tr>
<tr>
<td>Infrastructure Planning</td>
<td></td>
<td></td>
<td>549</td>
<td>1%</td>
</tr>
<tr>
<td>Civil Works</td>
<td></td>
<td>- Timing variance in the maintenance of local and classified roads with savings in materials ($0.8m) and labour ($0.8m). It is forecast these costs will increase in June.</td>
<td>1,546</td>
<td>8%</td>
</tr>
<tr>
<td>Projects and Contracts</td>
<td></td>
<td></td>
<td>25</td>
<td>1%</td>
</tr>
<tr>
<td>Facilities &amp; Recreation</td>
<td></td>
<td>- Timing variance in the delivery of Council’s buildings trades program ($0.2m). It is forecast these costs will increase in June.</td>
<td>385</td>
<td>2%</td>
</tr>
<tr>
<td>Waste Management</td>
<td></td>
<td></td>
<td>63</td>
<td>1%</td>
</tr>
</tbody>
</table>
### Operating Analysis as at 30 May, 2017

#### Definite Budget Issue

- Potential Budget Issue

#### Budget on Track or better

---

<table>
<thead>
<tr>
<th>Department / Service Unit</th>
<th>Indicator</th>
<th>Var (1'000)</th>
<th>Var(%)</th>
<th>Issue</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Operating Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rates and charges</td>
<td></td>
<td>0</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>User charges &amp; fees</td>
<td></td>
<td>(55)</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td></td>
<td>(92)</td>
<td>-1%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other operating revenues</td>
<td></td>
<td>60</td>
<td>1%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grants &amp; contributions - Operating</td>
<td></td>
<td>(4)</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Operating Expenses

<table>
<thead>
<tr>
<th>Department / Service Unit</th>
<th>Indicator</th>
<th>Var (1'000)</th>
<th>Var(%)</th>
<th>Issue</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee costs</td>
<td></td>
<td>(2,544)</td>
<td>-3%</td>
<td>Staff</td>
<td>- Lower than forecast staff costs due to general vacancies including $0.8m relating to Civil Works and a timing variance in the delivery of training ($0.4m)</td>
</tr>
<tr>
<td>Borrowing costs</td>
<td></td>
<td>0</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Materials &amp; contracts</td>
<td></td>
<td>(1,368)</td>
<td>-4%</td>
<td>Maintenance programs - $1m</td>
<td>- There is a timing variance in the delivery of Council’s road maintenance ($0.8m) and building trades ($0.2m) programs</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Operational projects - $0.5m</td>
</tr>
<tr>
<td>Depreciation &amp; Amortisation</td>
<td></td>
<td>0</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other operating expenses</td>
<td></td>
<td>77</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net Loss from disposal of assets</td>
<td></td>
<td>(197)</td>
<td>-2%</td>
<td>Asset Renewal</td>
<td>- The residual book value of assets subject to renewal work is required under Australian Accounting Standards to be written off. There is a positive YTD variance in the value of these write-offs 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.</td>
</tr>
</tbody>
</table>
### Overall Budget Funding Summary

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

<table>
<thead>
<tr>
<th>Full Year</th>
<th>Revised Budget</th>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>YTD</td>
<td>$'000</td>
<td>Actual $'000</td>
<td>$'000</td>
<td>%</td>
<td>+ve / -ve</td>
<td>$'000</td>
</tr>
</tbody>
</table>

#### Operating Revenue

<table>
<thead>
<tr>
<th>Description</th>
<th>Revised Budget</th>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>146,809 Rates &amp; charges</td>
<td>133,999</td>
<td>133,999</td>
<td>0</td>
<td>0%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>70,893 User charges &amp; fees</td>
<td>65,147</td>
<td>65,092</td>
<td>(55)</td>
<td>0%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>9,940 Interest</td>
<td>8,991</td>
<td>8,999</td>
<td>(92)</td>
<td>-1%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>10,519 Other operating revenues</td>
<td>9,948</td>
<td>10,008</td>
<td>60</td>
<td>1%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>16,514 Grants &amp; contributions - Operating</td>
<td>15,380</td>
<td>15,376</td>
<td>(4)</td>
<td>0%</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

#### Total Operating Revenue

<table>
<thead>
<tr>
<th>YTD</th>
<th>Revised Budget</th>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>233,465</td>
<td>233,374</td>
<td>(91)</td>
<td>0%</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

#### Operating Expenses

<table>
<thead>
<tr>
<th>Description</th>
<th>Revised Budget</th>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>95,220 Employee costs</td>
<td>85,891</td>
<td>83,347</td>
<td>(2,544)</td>
<td>-3%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>3,901 Borrowing costs</td>
<td>3,574</td>
<td>3,574</td>
<td>0</td>
<td>0%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>56,872 Materials &amp; contracts</td>
<td>48,269</td>
<td>46,301</td>
<td>(1,968)</td>
<td>-4%</td>
<td>+</td>
<td>3,058</td>
</tr>
<tr>
<td>41,444 Depreciation &amp; amortisation</td>
<td>37,358</td>
<td>37,358</td>
<td>0</td>
<td>0%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>47,791 Other operating expenses</td>
<td>44,411</td>
<td>44,888</td>
<td>77</td>
<td>0%</td>
<td>-</td>
<td>434</td>
</tr>
<tr>
<td>4,146 Net Loss from disposal of assets</td>
<td>3,823</td>
<td>3,426</td>
<td>(397)</td>
<td>-10%</td>
<td>+</td>
<td></td>
</tr>
</tbody>
</table>

#### Total Operating Expenses

<table>
<thead>
<tr>
<th>YTD</th>
<th>Revised Budget</th>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>223,326</td>
<td>218,494</td>
<td>(4,832)</td>
<td>-2%</td>
<td>+</td>
<td>3,492</td>
</tr>
</tbody>
</table>

#### Total Operating Revenue Less Operating Expenditure

<table>
<thead>
<tr>
<th>YTD</th>
<th>Revised Budget</th>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,301</td>
<td>10,139</td>
<td>14,880</td>
<td>4,741</td>
<td>47%</td>
<td>+</td>
<td></td>
</tr>
</tbody>
</table>

#### Capital Revenues

<table>
<thead>
<tr>
<th>Description</th>
<th>Revised Budget</th>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>25,704 Grants &amp; contributions - Capital</td>
<td>23,562</td>
<td>24,890</td>
<td>1,328</td>
<td>6%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>6,500 Proceeds from the sale of Assets</td>
<td>5,958</td>
<td>5,325</td>
<td>(633)</td>
<td>-11%</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

#### Total Capital Raising revenue

<table>
<thead>
<tr>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>32,204</td>
<td>695</td>
<td>2%</td>
<td>+</td>
<td>0</td>
</tr>
</tbody>
</table>

#### Net Surplus/(deficit) after capital revenue

<table>
<thead>
<tr>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>37,505</td>
<td>5,436</td>
<td>14%</td>
<td>+</td>
<td>0</td>
</tr>
</tbody>
</table>

#### Adjustments for Non Cash Items

<table>
<thead>
<tr>
<th>Description</th>
<th>Revised Budget</th>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>41,444 Add back Depreciation</td>
<td>37,358</td>
<td>37,358</td>
<td>0</td>
<td>0%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>4,146 Add back loss on Disposal</td>
<td>3,823</td>
<td>3,426</td>
<td>(397)</td>
<td>-10%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>(13,831) Less land &amp; infrastructure donations</td>
<td>(12,678)</td>
<td>(12,678)</td>
<td>0</td>
<td>0%</td>
<td>+</td>
<td></td>
</tr>
</tbody>
</table>

#### Funding available for capital expenditure

<table>
<thead>
<tr>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>69,264</td>
<td>5,039</td>
<td>7%</td>
<td>+</td>
<td>0</td>
</tr>
</tbody>
</table>

#### Capital Expenses

<table>
<thead>
<tr>
<th>Description</th>
<th>Revised Budget</th>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>30,752 Asset renewals</td>
<td>28,357</td>
<td>25,412</td>
<td>(2,945)</td>
<td>-10%</td>
<td>+</td>
<td>11,796</td>
</tr>
<tr>
<td>8,669 2012 SRV Priority Projects</td>
<td>7,952</td>
<td>6,887</td>
<td>(1,065)</td>
<td>-13%</td>
<td>+</td>
<td>6,443</td>
</tr>
<tr>
<td>12,366 New / upgrade</td>
<td>10,787</td>
<td>9,288</td>
<td>(1,499)</td>
<td>-14%</td>
<td>+</td>
<td>6,458</td>
</tr>
<tr>
<td>11,908 Non-Infrastructure Projects</td>
<td>10,444</td>
<td>7,660</td>
<td>(2,784)</td>
<td>-27%</td>
<td>+</td>
<td>5,124</td>
</tr>
</tbody>
</table>

#### Total capital spend

<table>
<thead>
<tr>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>63,695</td>
<td>(8,293)</td>
<td>-14%</td>
<td>+</td>
<td>29,821</td>
</tr>
</tbody>
</table>

#### Loan Principal Repayment

<table>
<thead>
<tr>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,600</td>
<td>2,383</td>
<td>0%</td>
<td>0%</td>
<td></td>
</tr>
</tbody>
</table>

#### Net Funds Generated / (Used)

<table>
<thead>
<tr>
<th>Revised Result</th>
<th>Variance</th>
<th>Variance %</th>
<th>Financial Impact</th>
<th>Outstanding Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,969</td>
<td>13,332</td>
<td>162%</td>
<td>+</td>
<td>33,313</td>
</tr>
</tbody>
</table>

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**Note 1** - Actual and Budget results include an estimate for the Newcastle Airport

**Note 2** - Budget revised at March 2017
Overall Performance Graphs as at 30 May, 2017

Operating Revenues

<table>
<thead>
<tr>
<th>Component</th>
<th>YTD Revised Budget</th>
<th>YTD Actual Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rates &amp; charges</td>
<td>120,000</td>
<td></td>
</tr>
<tr>
<td>User charges</td>
<td>60,000</td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td>20,000</td>
<td></td>
</tr>
<tr>
<td>Other revenues</td>
<td>40,000</td>
<td></td>
</tr>
<tr>
<td>Operating grants</td>
<td>20,000</td>
<td></td>
</tr>
</tbody>
</table>

Operating Expenditure

<table>
<thead>
<tr>
<th>Component</th>
<th>YTD Revised Budget</th>
<th>YTD Actual Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee</td>
<td>90,000</td>
<td></td>
</tr>
<tr>
<td>Borrowing</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>Materials</td>
<td>40,000</td>
<td></td>
</tr>
<tr>
<td>Depreciation</td>
<td>30,000</td>
<td></td>
</tr>
<tr>
<td>Other expenses</td>
<td>30,000</td>
<td></td>
</tr>
<tr>
<td>Loss on disposal</td>
<td>20,000</td>
<td></td>
</tr>
</tbody>
</table>

Capital Expenditure

<table>
<thead>
<tr>
<th>Component</th>
<th>YTD Revised Budget</th>
<th>YTD Actual Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asset renewals</td>
<td>30,000</td>
<td></td>
</tr>
<tr>
<td>SRV</td>
<td>5,000</td>
<td></td>
</tr>
<tr>
<td>New / upgrade</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>Non-Infrastructure</td>
<td>10,000</td>
<td></td>
</tr>
</tbody>
</table>
## Operating Revenue

<table>
<thead>
<tr>
<th>Revenue Type</th>
<th>YTD Budget ($'000)</th>
<th>YTD Actual ($'000)</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rates &amp; charges</td>
<td>1,118</td>
<td>1,118</td>
<td></td>
<td>0%</td>
</tr>
<tr>
<td>User charges &amp; fees</td>
<td>14,002</td>
<td>14,250</td>
<td>2,250</td>
<td>15%</td>
</tr>
<tr>
<td>Interest</td>
<td>8,679</td>
<td>8,587</td>
<td>-92</td>
<td>-1%</td>
</tr>
<tr>
<td>Other operating revenues</td>
<td>5,046</td>
<td>4,192</td>
<td>-854</td>
<td>-17%</td>
</tr>
<tr>
<td>Grants &amp; contributions - Operating</td>
<td>844</td>
<td>3,484</td>
<td>-2,640</td>
<td>-77%</td>
</tr>
<tr>
<td><strong>Total Operating Revenue</strong></td>
<td>21,010</td>
<td>11,015</td>
<td>-1,461</td>
<td>-7%</td>
</tr>
</tbody>
</table>

## Operating Expenses

<table>
<thead>
<tr>
<th>Expense Type</th>
<th>YTD Budget ($'000)</th>
<th>YTD Actual ($'000)</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee costs</td>
<td>691</td>
<td>21,291</td>
<td>20,594</td>
<td>12%</td>
</tr>
<tr>
<td>Borrowing costs</td>
<td>7,269</td>
<td>2,264</td>
<td>-905</td>
<td>-5%</td>
</tr>
<tr>
<td>Materials &amp; contracts</td>
<td>4,584</td>
<td>4,584</td>
<td>-22</td>
<td>0%</td>
</tr>
<tr>
<td>Depreciation &amp; amortisation</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Other operating expenses</td>
<td>78</td>
<td>3,707</td>
<td>3,629</td>
<td>1%</td>
</tr>
<tr>
<td>Net Loss from disposal of assets</td>
<td>3,823</td>
<td>3,484</td>
<td>-339</td>
<td>-9%</td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td>1,013</td>
<td>11,015</td>
<td>-3,997</td>
<td>-37%</td>
</tr>
</tbody>
</table>

## Total Operating Revenue Less Operating Expenditure

<table>
<thead>
<tr>
<th>Revenue Type</th>
<th>YTD Budget ($'000)</th>
<th>YTD Actual ($'000)</th>
<th>Var ($)</th>
<th>Var(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Operating Revenue Less Operating Expenditure</strong></td>
<td>(1,013)</td>
<td>(15,841)</td>
<td>(4,828)</td>
<td>31%</td>
</tr>
<tr>
<td>Planning &amp; Regulatory</td>
<td>For the month ending 30 May, 2017</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>----------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Operating Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Rates &amp; charges</td>
<td>1,118</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 User charges &amp; fees</td>
<td>2,938 3,204</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Interest</td>
<td>64 86</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Other operating revenues</td>
<td>144 171</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Grants &amp; contributions - Operating</td>
<td>144 171</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Operating Revenue</strong></td>
<td>2,938 3,204</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Operating Expenses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Employee costs</td>
<td>662 640</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Borrowing costs</td>
<td>57 6 598 618</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Materials &amp; contracts</td>
<td>298 298 418 418</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Depreciation &amp; amortisation</td>
<td>1,748 1,773</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Other operating expenses</td>
<td>3 2 14 13</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Net Loss from disposal of assets</td>
<td>722 648</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td>722 648</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Operating Revenue Less Operating Expenditure</strong></td>
<td>(722) (648)</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Planning &amp; Regulatory</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>YTD Budget $'000</strong></td>
</tr>
<tr>
<td><strong>YTD Actual $'000</strong></td>
</tr>
<tr>
<td><strong>YTD Budget $'000</strong></td>
</tr>
<tr>
<td><strong>YTD Actual $'000</strong></td>
</tr>
<tr>
<td><strong>YTD Budget $'000</strong></td>
</tr>
<tr>
<td><strong>YTD Actual $'000</strong></td>
</tr>
<tr>
<td><strong>YTD Budget $'000</strong></td>
</tr>
<tr>
<td><strong>YTD Actual $'000</strong></td>
</tr>
<tr>
<td><strong>YTD Budget $'000</strong></td>
</tr>
<tr>
<td><strong>YTD Actual $'000</strong></td>
</tr>
<tr>
<td><strong>YTD Budget $'000</strong></td>
</tr>
<tr>
<td><strong>YTD Actual $'000</strong></td>
</tr>
<tr>
<td><strong>Var ($)</strong></td>
</tr>
<tr>
<td><strong>Var(%)</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Planning &amp; Regulatory</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Direction</strong></td>
</tr>
<tr>
<td><strong>Development &amp; Build.</strong></td>
</tr>
<tr>
<td><strong>Strategic Planning</strong></td>
</tr>
<tr>
<td><strong>Regulatory Services</strong></td>
</tr>
<tr>
<td><strong>Cultural Facilities</strong></td>
</tr>
<tr>
<td><strong>Libraries</strong></td>
</tr>
<tr>
<td><strong>Planning &amp; Regulatory</strong></td>
</tr>
</tbody>
</table>

For the month ending 30 May, 2017

Regulatory Services
Director Strategic Planning
Development & Build. Cultural Facilities Libraries
<table>
<thead>
<tr>
<th>Operating Revenue</th>
<th>Director</th>
<th>Finance</th>
<th>Information Tech.</th>
<th>Human Resources</th>
<th>Commercial Property</th>
<th>Customer Service</th>
<th>Communication &amp; Engagement</th>
<th>Legal &amp; Governance</th>
<th>Corporate Services</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>YTD Budget</td>
<td>YTD Actual</td>
<td>YTD Budget</td>
<td>YTD Actual</td>
<td>YTD Budget</td>
<td>YTD Actual</td>
<td>YTD Budget</td>
<td>YTD Actual</td>
<td>YTD Budget</td>
</tr>
<tr>
<td>1 Rates &amp; charges</td>
<td>113,327</td>
<td>113,327</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 User charges &amp; fees</td>
<td>511</td>
<td>484</td>
<td>454</td>
<td>461</td>
<td>2,578</td>
<td>2,583</td>
<td>271</td>
<td>253</td>
<td>9</td>
</tr>
<tr>
<td>3 Interest</td>
<td>8,679</td>
<td>8,587</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Other operating revenues</td>
<td>1,649</td>
<td>1,604</td>
<td>27</td>
<td>27</td>
<td>2,514</td>
<td>2,541</td>
<td>2</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>5 Grants &amp; contributions - Operating</td>
<td>10,853</td>
<td>10,812</td>
<td>199</td>
<td>203</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Operating Revenue</td>
<td>135,019</td>
<td>134,814</td>
<td>454</td>
<td>461</td>
<td>226</td>
<td>230</td>
<td>5,052</td>
<td>5,124</td>
<td>273</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Employee costs</td>
<td>339</td>
<td>331</td>
<td>4,592</td>
<td>4,465</td>
<td>2,629</td>
<td>2,672</td>
<td>6,150</td>
<td>5,760</td>
<td>838</td>
</tr>
<tr>
<td>7 Borrowing costs</td>
<td>3,275</td>
<td>3,275</td>
<td>63</td>
<td>63</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Materials &amp; contracts</td>
<td>16</td>
<td>6</td>
<td>1,087</td>
<td>920</td>
<td>1,777</td>
<td>1,734</td>
<td>472</td>
<td>391</td>
<td>1,816</td>
</tr>
<tr>
<td>9 Depreciation &amp; amortisation</td>
<td>873</td>
<td>873</td>
<td>75</td>
<td>75</td>
<td>297</td>
<td>297</td>
<td>26</td>
<td>26</td>
<td></td>
</tr>
<tr>
<td>10 Other operating expenses</td>
<td>1</td>
<td>1</td>
<td>4,328</td>
<td>4,328</td>
<td>823</td>
<td>800</td>
<td>13</td>
<td>15</td>
<td>415</td>
</tr>
<tr>
<td>11 Net Loss from disposal of assets</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Operating Expenses</td>
<td>356</td>
<td>338</td>
<td>13,282</td>
<td>12,983</td>
<td>6,102</td>
<td>6,079</td>
<td>6,710</td>
<td>6,241</td>
<td>3,429</td>
</tr>
<tr>
<td>Total Operating Revenue Less Operating Expenditure</td>
<td>(356)</td>
<td>(338)</td>
<td>121,737</td>
<td>121,831</td>
<td>(5,648)</td>
<td>(5,618)</td>
<td>(6,484)</td>
<td>(6,011)</td>
<td>1,663</td>
</tr>
<tr>
<td></td>
<td>Infrastructure Planning</td>
<td>Civil Works</td>
<td>Projects &amp; Contracts</td>
<td>Facilities &amp; Recreation</td>
<td>Waste Management</td>
<td>Infrastructure Projects &amp; Contracts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------------</td>
<td>-------------------------</td>
<td>------------</td>
<td>----------------------</td>
<td>------------------------</td>
<td>-----------------</td>
<td>--------------------------------------</td>
<td>---</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Operating Revenue</strong></td>
<td>YTD Budget $'000</td>
<td>YTD Actual $'000</td>
<td>YTD Budget $'000</td>
<td>YTD Actual $'000</td>
<td>YTD Budget $'000</td>
<td>YTD Actual $'000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Rates &amp; charges</td>
<td>80</td>
<td>80</td>
<td>5,041</td>
<td>4,860</td>
<td>1,448</td>
<td>1,373</td>
<td>19,474 19,474</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 User charges &amp; fees</td>
<td>361</td>
<td>444</td>
<td>40</td>
<td>55</td>
<td>217</td>
<td>225</td>
<td>710     771</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Other operating revenues</td>
<td>1,944</td>
<td>1,956</td>
<td>1,094</td>
<td>1,076</td>
<td>89</td>
<td>83</td>
<td>3,484    3,473</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Grants &amp; contributions - Operating</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0        0</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Operating Revenue</strong></td>
<td>2,370</td>
<td>2,486</td>
<td>6,255</td>
<td>6,052</td>
<td>5</td>
<td>9</td>
<td>50,030 49,966</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Operating Expenses</strong></td>
<td>YTD Budget $'000</td>
<td>YTD Actual $'000</td>
<td>YTD Budget $'000</td>
<td>YTD Actual $'000</td>
<td>YTD Budget $'000</td>
<td>YTD Actual $'000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Employee costs</td>
<td>409</td>
<td>382</td>
<td>15,382</td>
<td>14,578</td>
<td>1,605</td>
<td>1,581</td>
<td>5,426    5,275</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Borrowing costs</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0        0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Materials &amp; contracts</td>
<td>158</td>
<td>103</td>
<td>9,431</td>
<td>9,442</td>
<td>4,765</td>
<td>3,832</td>
<td>11,063   10,906</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Depreciation &amp; amortisation</td>
<td>5</td>
<td>5</td>
<td>18,671</td>
<td>18,671</td>
<td>4,041</td>
<td>4,041</td>
<td>29,830   29,830</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Other operating expenses</td>
<td>1</td>
<td>1</td>
<td>3,304</td>
<td>3,325</td>
<td>948</td>
<td>936</td>
<td>28,320   28,443</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Net Loss from disposal of assets</td>
<td>3,823</td>
<td>3,426</td>
<td>948</td>
<td>936</td>
<td>13</td>
<td>11</td>
<td>3,823    3,426</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td>573</td>
<td>491</td>
<td>41,608</td>
<td>41,175</td>
<td>25,136</td>
<td>23,387</td>
<td>137,332 134,462</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Operating Revenue Less Operating Expenditure</strong></td>
<td>(573)</td>
<td>(491)</td>
<td>(39,238)</td>
<td>(38,689)</td>
<td>(18,881)</td>
<td>(17,335)</td>
<td>(76,918) (74,268)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Rates Income as at 30 May, 2017

### Rates and Charges

<table>
<thead>
<tr>
<th></th>
<th>YTD Budget (000's)</th>
<th>YTD Actual (000's)</th>
<th>Variance (000's)</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Rates</td>
<td>111,568</td>
<td>111,568</td>
<td>0</td>
</tr>
<tr>
<td>Domestic Waste</td>
<td>18,857</td>
<td>18,857</td>
<td>0</td>
</tr>
<tr>
<td>Stormwater</td>
<td>1,802</td>
<td>1,802</td>
<td>0</td>
</tr>
<tr>
<td>Levies</td>
<td>1,772</td>
<td>1,772</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Rates</strong></td>
<td><strong>133,999</strong></td>
<td><strong>133,999</strong></td>
<td><strong>0</strong></td>
</tr>
</tbody>
</table>

### Rates Income as at 30 May, 2017

![Bar chart showing rates income]
### Outstanding Rates

<table>
<thead>
<tr>
<th>Debt Recovery Action</th>
<th>No. of Properties</th>
<th>$ Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Action</td>
<td>324</td>
<td>$1,483,068</td>
</tr>
<tr>
<td>Formal Arrangements</td>
<td>243</td>
<td>$311,458</td>
</tr>
<tr>
<td>Deferral against estate</td>
<td>46</td>
<td>$640,263</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>613</strong></td>
<td><strong>2,434,789</strong></td>
</tr>
</tbody>
</table>

### Aged Debtors Report

<table>
<thead>
<tr>
<th>Period</th>
<th>Apr-17</th>
<th>May-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>1,133,809</td>
<td>1,903,387</td>
</tr>
<tr>
<td>30 Days</td>
<td>104,748</td>
<td>596,576</td>
</tr>
<tr>
<td>60 Days</td>
<td>36,379</td>
<td>39,832</td>
</tr>
<tr>
<td>90 Days</td>
<td>746,595</td>
<td>706,963</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2,021,531</strong></td>
<td><strong>3,246,758</strong></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Debtor</th>
<th>Business Unit</th>
<th>Total $</th>
<th>Current $</th>
<th>30 Days $</th>
<th>60 Days $</th>
<th>90 Days $</th>
</tr>
</thead>
<tbody>
<tr>
<td>BP Australia Pty Ltd</td>
<td>Infrastructure Planning</td>
<td>$586,023</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>$586,023</td>
</tr>
<tr>
<td>Veolia</td>
<td>Waste Management</td>
<td>$534,818</td>
<td>-</td>
<td>534,818</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Ditchfield Contracting</td>
<td>Waste Management</td>
<td>$119,963</td>
<td>119,963</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Cleanaway</td>
<td>Waste Management</td>
<td>$466,177</td>
<td>466,177</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Telstra</td>
<td>Civil Works</td>
<td>$122,303</td>
<td>94,600</td>
<td>2,536</td>
<td>25,168</td>
<td>-</td>
</tr>
<tr>
<td>Nobbys Surf Life Saving</td>
<td>Projects &amp; Contracts</td>
<td>$275,000</td>
<td>275,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Hunter Development Corporation</td>
<td>Projects &amp; Contracts</td>
<td>$550,000</td>
<td>550,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Office of Local Government</td>
<td>Finance</td>
<td>$157,591</td>
<td>157,591</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

### Commentary on Material Debtors greater than 90 days

**BP Australia Pty Ltd**

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

For the month ending 30 May, 2017

<table>
<thead>
<tr>
<th>Works Program</th>
<th>YTD Revised Budget $,000</th>
<th>YTD Actual Result $,000</th>
<th>Variance to YTD budget (%)</th>
<th>% of Budget spent YTD</th>
<th>% Spend Required YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>42,380</strong></td>
<td>Asset Renewal</td>
<td>40,046</td>
<td>35,017</td>
<td>14%</td>
<td>83%</td>
</tr>
<tr>
<td><strong>13,700</strong></td>
<td>Non - Infrastructure Projects</td>
<td>13,119</td>
<td>8,906</td>
<td>47%</td>
<td>65%</td>
</tr>
<tr>
<td><strong>14,792</strong></td>
<td>New Assets</td>
<td>13,147</td>
<td>11,605</td>
<td>13%</td>
<td>78%</td>
</tr>
<tr>
<td><strong>11,101</strong></td>
<td>Special Rate Variation Projects</td>
<td>9,633</td>
<td>8,900</td>
<td>8%</td>
<td>80%</td>
</tr>
<tr>
<td><strong>81,973</strong></td>
<td><strong>Total Works Program</strong></td>
<td><strong>75,945</strong></td>
<td><strong>64,428</strong></td>
<td><strong>18%</strong></td>
<td><strong>79%</strong></td>
</tr>
<tr>
<td><strong>11,526</strong></td>
<td>Building and Structures</td>
<td>10,985</td>
<td>11,443</td>
<td>-4%</td>
<td>99%</td>
</tr>
<tr>
<td><strong>12,009</strong></td>
<td>City Roads</td>
<td>11,004</td>
<td>8,688</td>
<td>21%</td>
<td>72%</td>
</tr>
<tr>
<td><strong>18,845</strong></td>
<td>Environment</td>
<td>18,057</td>
<td>14,886</td>
<td>18%</td>
<td>79%</td>
</tr>
<tr>
<td><strong>42,380</strong></td>
<td><strong>Total Asset Renewal</strong></td>
<td><strong>40,046</strong></td>
<td><strong>35,017</strong></td>
<td><strong>14%</strong></td>
<td><strong>83%</strong></td>
</tr>
<tr>
<td><strong>8,798</strong></td>
<td>Fleet Replacement</td>
<td>8,491</td>
<td>4,966</td>
<td>42%</td>
<td>56%</td>
</tr>
<tr>
<td><strong>2,320</strong></td>
<td>IT</td>
<td>2,122</td>
<td>2,469</td>
<td>-16%</td>
<td>106%</td>
</tr>
<tr>
<td><strong>1,426</strong></td>
<td>Strategic</td>
<td>1,461</td>
<td>574</td>
<td>61%</td>
<td>40%</td>
</tr>
<tr>
<td><strong>1,156</strong></td>
<td>Minor Capital</td>
<td>1,045</td>
<td>897</td>
<td>14%</td>
<td>78%</td>
</tr>
<tr>
<td><strong>13,700</strong></td>
<td><strong>Total Non - Infrastructure</strong></td>
<td><strong>13,119</strong></td>
<td><strong>8,906</strong></td>
<td><strong>47%</strong></td>
<td><strong>65%</strong></td>
</tr>
<tr>
<td><strong>5,207</strong></td>
<td>Built Infrastructure</td>
<td>4,150</td>
<td>3,345</td>
<td>19%</td>
<td>64%</td>
</tr>
<tr>
<td><strong>9,585</strong></td>
<td>Waste</td>
<td>8,997</td>
<td>8,260</td>
<td>8%</td>
<td>86%</td>
</tr>
<tr>
<td><strong>14,792</strong></td>
<td><strong>Total New Assets</strong></td>
<td><strong>13,147</strong></td>
<td><strong>11,605</strong></td>
<td><strong>13%</strong></td>
<td><strong>78%</strong></td>
</tr>
<tr>
<td><strong>2012 SRV - Priority Projects</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>905</strong></td>
<td>Hunter St Revitalisation</td>
<td>741</td>
<td>569</td>
<td>23%</td>
<td>63%</td>
</tr>
<tr>
<td><strong>6,258</strong></td>
<td>Coastal Revitalisation</td>
<td>5,168</td>
<td>5,029</td>
<td>3%</td>
<td>80%</td>
</tr>
<tr>
<td><strong>3,084</strong></td>
<td>Cycleways</td>
<td>2,935</td>
<td>2,911</td>
<td>1%</td>
<td>94%</td>
</tr>
<tr>
<td><strong>854</strong></td>
<td>Blackbutt</td>
<td>789</td>
<td>391</td>
<td>50%</td>
<td>46%</td>
</tr>
<tr>
<td><strong>11,101</strong></td>
<td>Total 2012 SRV - Priority Projects</td>
<td><strong>9,633</strong></td>
<td><strong>8,900</strong></td>
<td><strong>8%</strong></td>
<td><strong>80%</strong></td>
</tr>
</tbody>
</table>

Note: The Budget above is inclusive of operational and capital works

Note: % Spend required is based upon the spread of costs over the past 5 years
### Ward 4 Capital Works at 30 May, 2017

<table>
<thead>
<tr>
<th>Item</th>
<th>Due Date</th>
<th>Actual Date</th>
<th>Reason for delay</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) Wallsend bridge replacement</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tyrell St bridge concept design</td>
<td>Completed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tyrell St detail design under contract</td>
<td>Oct-17</td>
<td>n/a</td>
<td>Services and property interaction</td>
</tr>
<tr>
<td>Anticipated construction 2018</td>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(ii) Minmi Road footpath and road widening between Cowper Street and Macquarie Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street lighting relocations and upgrade construction</td>
<td>Feb-17</td>
<td>Mar-17</td>
<td>Contractor availability and approval for power outage</td>
</tr>
<tr>
<td>Civil Design drawings</td>
<td>Mar-17</td>
<td>Mar-17</td>
<td>n/a</td>
</tr>
<tr>
<td>Civil construction commencement</td>
<td>Apr-17</td>
<td>Mar-17</td>
<td>n/a</td>
</tr>
<tr>
<td>Civil construction completion</td>
<td>Aug-17</td>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>(iii) Water main replacement and road re-sealing Anderson Drive Tarro</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Start project</td>
<td>2015</td>
<td>Sep-16</td>
<td>Funding commitment from HWC</td>
</tr>
<tr>
<td>Award tender for water main feasibility and design</td>
<td>Dec-16</td>
<td>Dec-16</td>
<td>n/a</td>
</tr>
<tr>
<td>Water main design submitted to Hunter Water Corporation</td>
<td>Jun-17</td>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>Water main Tender</td>
<td>Jul-17</td>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>Water main commence construction</td>
<td>Nov-17</td>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>Water main complete construction</td>
<td>Feb-18</td>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>Civil construction commencement</td>
<td>Mar-18</td>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>Civil construction completion</td>
<td>Jul-18</td>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>(iv) Wallsend and Beresfield Public Domain Plans</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wallsend Public Domain Plan Draft Concept Plan</td>
<td>Late March 2017</td>
<td>Late March 2017</td>
<td>n/a</td>
</tr>
<tr>
<td>Traffic Committee</td>
<td>10-Apr-17</td>
<td>10-Apr-17</td>
<td>n/a</td>
</tr>
<tr>
<td>Exhibition of Draft PDP</td>
<td>May-17</td>
<td>May-17</td>
<td>n/a</td>
</tr>
<tr>
<td>Report to Council for adoption of PDP</td>
<td>Jul-17</td>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>Beresfield Public Domain Plan Draft Concept Plan</td>
<td>Traffic plan adopted by Council 28/02/2017</td>
<td>n/a</td>
<td>n/a</td>
</tr>
</tbody>
</table>
Executive summary:

1. Council’s temporary surplus funds are invested consistent with Council’s Investment Policy and The Local Government Act and Regulations. Demonstrated compliance is disclosed later within this report.

2. Council’s overall investment portfolio holdings are $319,473,762 comprising $311,914,720 invested, and $7,559,042 Cash At Call. Further disclosure on investment portfolio composition and details of investment placements for the reporting period are disclosed later in this report.

3. Council achieved a Net Yield on the investment portfolio for the 12 months to 31 May 2017 of 3.07%, against the benchmark of 1.84% 90d Bloomberg AusBond Bank Bill Index.

   Council’s Investment Policy mandates a KPI Active Return (Net Return less benchmark) of 0.50%. The Active Return for the 12 months to May 2017 remained consistent with the prior month at 1.23%.

4. Council’s 2016/17 cumulative year to date interest income from cash and investments is $8,624,726 (excluding Newcastle Airport). The budget to actual interest report as at 31 May 2017 is submitted to Council at the conclusion of this report. Interest income is tracking slightly below the revised March 2017 budget (Negative Variance or 2%) however remains well in excess of the originally adopted budget.

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

Key issues:

6. As outlined above in Section 1, Council’s temporary surplus funds have been invested in a manner consistent with both legislative requirements and Council’s Investment Policy. Accordingly, application of the investment function has remained consistent with requirements outlined within Part E of the Policy Environmentally and Socially Responsible Investments (SRI).

7. All returns on investments are included in Council’s Annual Operational Plan and Delivery Program and Budget. Any amendment to budgeted interest income is effected through the Quarterly Review process.

8. The adopted budget for 2016/17 investment income was $8.0m which has been subsequently revised upward to $9.67m at the March 2017 quarterly budget review. The revised budget remains conservative and achievable.

9. Interest rates for new investments placed during the reporting period have varied between 2.30% and 3.00% for fixed rate investments, and 90d BBSW + 1.30% for the single floating rate investment entered during the period. The variety in investment rates are determined by a number of market forces including institution, investment product, date of purchase, credit rating and term to maturity, macroeconomic environment, etc. These factors are...
taken into consideration upon investment of funds to ensure present and future cash flow requirements of Council are met, as well as ensuring compliance with asset and risk diversification principles of Council’s policy and strategies.

**Interest Rate forecasts:**

10 Council’s temporary surplus funds are invested on varying terms to match the cash flow requirements of Council’s annual budget and longer term commitments. Council’s new and rolled investments are subject to current and future economic financial market prices. The below graphs display the average of interest rate forecasts (which unchanged from the prior month) sourced from the 4 major Australian Banks as at 31 May 2017.

Floating rate investments entered into by Council are generally priced on the 90 Bank Bill Swap Rate (BBSW), plus a margin (margin not reflected in graph).

The 3yr swap rate is representative of the fixed interest rate Council can obtain on a 3yr fixed investment, plus a margin (margin not reflected in graph).
**Investment Policy objectives:**

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

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

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

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

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

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

1.7 All investments are to comply with the following:

   1.7.1 Local Government Act 1993 (NSW) - Section 625
   1.7.2 Local Government (General) Regulation 2005 (NSW)
   1.7.3 Prevailing Ministerial Investment Order
   1.7.4 Local Government Code of Accounting Practice and Financial Reporting
   1.7.5 Division of Local Government Investment Circulars; and
   1.7.6 Australian Accounting Standards

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

   1.8.1 The investment is compliant with legislation and Investment Policy objectives (listed above) and parameters; and
   1.8.2 The rate of return is favourable relative to comparable investments on offer to Council at the time of investment.
Portfolio Summary:

### Investment Portfolio by Investment type

<table>
<thead>
<tr>
<th>Investment type</th>
<th>March 2017</th>
<th>April 2017</th>
<th>May 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash At Call</td>
<td>4,024,907</td>
<td>4,916,217</td>
<td>7,559,042</td>
</tr>
<tr>
<td>Term Deposit: Fixed rate</td>
<td>95,778,847</td>
<td>86,778,847</td>
<td>101,778,847</td>
</tr>
<tr>
<td>Term Deposit: Floating rate</td>
<td>38,500,000</td>
<td>38,500,000</td>
<td>34,500,000</td>
</tr>
<tr>
<td>Floating Rate Note</td>
<td>159,044,058</td>
<td>159,044,090</td>
<td>159,589,587</td>
</tr>
<tr>
<td>Fixed Rate Bond</td>
<td>16,046,286</td>
<td>16,046,286</td>
<td>16,046,286</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>313,394,098</strong></td>
<td><strong>305,285,440</strong></td>
<td><strong>319,473,762</strong></td>
</tr>
</tbody>
</table>

### Asset Class allocation: May 2017

- Term Deposit - Fixed rate: 50%
- Term Deposit - Floating rate: 11%
- Floating rate Note: 32%
- At Call: 5%
- Fixed Rate Bond: 2%

### Total Cash and Investments

- $319,473,762 at May 31, 2017
- Trend line showing fluctuations from April 2016 to May 2017
New and matured Investments:

**Matured Investments:**

<table>
<thead>
<tr>
<th>Date matured</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Original Term</th>
<th>Original date invested</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 May 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.60%</td>
<td>105 days</td>
<td>20 Jan 2017</td>
</tr>
<tr>
<td>10 May 2017</td>
<td>NAB</td>
<td>Term Deposit: Floating Rate</td>
<td>$2,000,000</td>
<td>90d bbsw + 1.22%</td>
<td>4 yrs</td>
<td>10 May 2013</td>
</tr>
<tr>
<td>17 May 2017</td>
<td>Bendigo Bank</td>
<td>Floating Rate Note</td>
<td>$1,500,000</td>
<td>90d bbsw + 1.20%</td>
<td>4 yrs</td>
<td>17 May 2013</td>
</tr>
<tr>
<td>19 May 2017</td>
<td>Maitland Mutual</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.40%</td>
<td>115 days</td>
<td>24 Jan 2017</td>
</tr>
<tr>
<td>22 May 2017</td>
<td>NAB</td>
<td>Term Deposit: Floating Rate</td>
<td>$2,000,000</td>
<td>90d bbsw + 1.16%</td>
<td>4 yrs</td>
<td>20 May 2013</td>
</tr>
</tbody>
</table>

**New Investments:**

<table>
<thead>
<tr>
<th>Date invested</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Term</th>
<th>Maturity date</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 May 2017</td>
<td>Heritage Bank</td>
<td>Floating Rate Note</td>
<td>$2,050,000</td>
<td>90 bbsw + 1.30%</td>
<td>3 yrs</td>
<td>4 May 2020</td>
</tr>
<tr>
<td>20 May 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.51%</td>
<td>130 days</td>
<td>12 Sept 2017</td>
</tr>
<tr>
<td>9 May 2017</td>
<td>Beyond Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.55%</td>
<td>70 days</td>
<td>18 Jul 2017</td>
</tr>
<tr>
<td>17 May 2017</td>
<td>Suncorp</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.51%</td>
<td>128 days</td>
<td>22 Sept 2017</td>
</tr>
<tr>
<td>17 May 2017</td>
<td>Westpac</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>Yrs 1-2 3.00% Yrs 3-5 90d bbsw + 1.05%</td>
<td>5 yrs</td>
<td>17 May 2022</td>
</tr>
<tr>
<td>30 May 2017</td>
<td>BankWest</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.30%</td>
<td>45 days</td>
<td>18 Jul 2017</td>
</tr>
<tr>
<td>31 May 2017</td>
<td>BankWest</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.50%</td>
<td>121 days</td>
<td>29 Sept 2017</td>
</tr>
<tr>
<td>31 May 2017</td>
<td>Suncorp</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.52%</td>
<td>142 days</td>
<td>20 Oct 2017</td>
</tr>
</tbody>
</table>

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

Andrew Glauser
Acting Responsible Accounting Officer
Performance measurement:

The Key Performance Indicator (KPI) for income on investments is benchmarked at 0.50% above the 1 year return on the 90 day Bloomberg AusBond Bank Bill Index).

Commentary:
The above graph indicates an overall downward trend in Council Portfolio Yield. The downward trend is principally due to the downward trend in the benchmark as Councils Active Return has remained relatively consistent throughout (as shown in the second graph).

Portfolio yield remains comfortably above inflation. Council’s portfolio retains a natural hedge against inflationary impacts via its investment in floating rate products. The rate of return on these floating rate investments are repriced quarterly at a fixed margin over the Benchmark. Whilst ever the Reserve Bank of Australia retains an inflation targeting monetary policy stance the yield generated by Councils investments should continue to outperform inflation.
Credit Risk compliance:

During the month of May S&P downgraded by one notch 23 Australian financial institutions. The ratings actions reflected the view held by S&P that continued build-up of economic imbalances in Australia over the past few years due to a rapid rise in private sector debt and house prices - particularly in two of the most populous cities of Sydney and Melbourne - has exposed Australian financial institutions to greater economic risks.

The impact of this rating change on Councils portfolio saw a significant reallocation from the A rated risk category to the BBB category. Council retains a conservative position in relation to credit allocations and all investments retain an investment grade rating and are compliant with the existing Investment policy risk parameters.

Over the course of impending months Council will seek additional flexibility within its risk framework by allowing maturing investments with a BBB+ rating or lower to roll off and any new investments entered into placed with higher rated institutions.

The institutions subject to the downgrade, with which Council holds investments as at 31 May 2017 are disclosed on the following page.
Credit risk compliance cont:

### Credit allocation: May 2017

<table>
<thead>
<tr>
<th>Institution</th>
<th>Institution abbreviation</th>
<th>Credit rating (S&amp;P)</th>
<th>March 2017</th>
<th>April 2017</th>
<th>May 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANZ</td>
<td>ANZ</td>
<td>AA-</td>
<td>32,983,247</td>
<td>32,983,906</td>
<td>32,983,035</td>
</tr>
<tr>
<td>Commonwealth Bank</td>
<td>CBA</td>
<td>AA-</td>
<td>34,153,981</td>
<td>38,045,244</td>
<td>46,688,069</td>
</tr>
<tr>
<td>National Australia Bank</td>
<td>NAB</td>
<td>AA-</td>
<td>58,234,397</td>
<td>49,234,397</td>
<td>45,234,397</td>
</tr>
<tr>
<td>Westpac</td>
<td>WBC</td>
<td>AA-</td>
<td>33,001,461</td>
<td>33,001,461</td>
<td>36,001,347</td>
</tr>
<tr>
<td>Rabobank</td>
<td>RABO</td>
<td>A+</td>
<td>5,001,692</td>
<td>5,001,692</td>
<td>5,001,465</td>
</tr>
<tr>
<td>Suncorp Metway</td>
<td>SUN</td>
<td>A+</td>
<td>16,009,858</td>
<td>10,008,755</td>
<td>16,008,755</td>
</tr>
<tr>
<td>AMP Bank *</td>
<td>AMP</td>
<td>A</td>
<td>8,508,442</td>
<td>8,508,442</td>
<td>8,507,992</td>
</tr>
<tr>
<td>Credit Suisse AG</td>
<td>CS</td>
<td>A</td>
<td>3,000,000</td>
<td>3,000,000</td>
<td>3,000,000</td>
</tr>
<tr>
<td>Macquarie Bank</td>
<td>MQG</td>
<td>A</td>
<td>7,500,000</td>
<td>7,500,000</td>
<td>7,500,000</td>
</tr>
<tr>
<td>Bendigo Bank *</td>
<td>BEN</td>
<td>BBB+</td>
<td>20,018,634</td>
<td>20,018,634</td>
<td>18,515,993</td>
</tr>
<tr>
<td>Bank of Queensland *</td>
<td>BOQ</td>
<td>BBB+</td>
<td>20,502,420</td>
<td>20,502,420</td>
<td>20,502,219</td>
</tr>
<tr>
<td>Heritage Bank</td>
<td>HBS</td>
<td>BBB+</td>
<td>2,000,000</td>
<td>2,000,000</td>
<td>4,050,000</td>
</tr>
<tr>
<td>Beyond Bank *</td>
<td>BEY</td>
<td>BBB</td>
<td>3,000,000</td>
<td>3,000,000</td>
<td>6,000,000</td>
</tr>
<tr>
<td>Credit Union Australia *</td>
<td>CUA</td>
<td>BBB</td>
<td>2,000,000</td>
<td>2,000,000</td>
<td>2,000,000</td>
</tr>
<tr>
<td>Greater Bank *</td>
<td>GBS</td>
<td>BBB</td>
<td>17,000,000</td>
<td>20,000,000</td>
<td>20,000,000</td>
</tr>
<tr>
<td>Illawarra Mutual Bank *</td>
<td>IMB</td>
<td>BBB</td>
<td>3,000,000</td>
<td>6,000,000</td>
<td>6,000,000</td>
</tr>
<tr>
<td>ME Bank *</td>
<td>ME</td>
<td>BBB</td>
<td>18,509,958</td>
<td>18,508,351</td>
<td>18,508,351</td>
</tr>
<tr>
<td>Newcastle Permanent *</td>
<td>NPBS</td>
<td>BBB</td>
<td>24,968,695</td>
<td>21,970,937</td>
<td>21,970,937</td>
</tr>
<tr>
<td>Teachers Mutual *</td>
<td>TMB</td>
<td>BBB</td>
<td>1,001,313</td>
<td>1,001,202</td>
<td>1,001,202</td>
</tr>
<tr>
<td>Maitland Mutual *</td>
<td>MMBS</td>
<td>Not rated</td>
<td>3,000,000</td>
<td>3,000,000</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>313,394,098</strong></td>
<td><strong>305,285,440</strong></td>
<td><strong>319,473,762</strong></td>
</tr>
</tbody>
</table>

### Commentary:

Where the credit rating of an institution and investment diverge exposure is reported on a conservative basis with the lower of the two rating applied.

* = Indicates those institutions that were downgraded one notch by S&P during the month of May 2017. Institution credit rating disclosed above is reflective of credit rating post downgrade.
### Maturity risk compliance:

*The investment portfolio is to be managed within the following maturity constraints in order to manage Maturity Risk and limit liquidity risk, whilst also allowing for diversification of the portfolio.*

#### Maturity profile: May 2017

<table>
<thead>
<tr>
<th>Term to Maturity</th>
<th>March 2017</th>
<th>April 2017</th>
<th>May 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-1 years</td>
<td>101,810,764</td>
<td>105,205,523</td>
<td>117,348,349</td>
</tr>
<tr>
<td>1-3 years</td>
<td>119,171,352</td>
<td>114,136,630</td>
<td>113,183,446</td>
</tr>
<tr>
<td>3-5 years</td>
<td>92,411,982</td>
<td>85,943,287</td>
<td>88,941,967</td>
</tr>
<tr>
<td>5+ years</td>
<td>-</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>Total</td>
<td>313,394,098</td>
<td>305,285,440</td>
<td>319,473,762</td>
</tr>
</tbody>
</table>

**Commentary:**

The majority of new placements made during the month of May focused on filling impending liquidity gaps forecast to arise in the short term largely due to the seasonal nature of Councils rates income.
Interest Income Variance analysis:

Commentary:
The adopted budget for 2016/17 investment income was $8.0m. This was subsequently revised upward to $9.7m at the March 2017 quarterly budget review. The revised budget remains conservative and achievable.

The upward revision can be attributable to the combined impacts of greater than forecast funds invested, both short and longer term interest rates remaining above the budget forecast level, as well as a market widening trend for investment margins attainable on ADI term deposits and Fixed Income investments.

Total interest income generated in the month to May 2017 was $0.73m, resulting in cumulative interest income tracking above the adopted budget, however slightly below the revised budget year to date. It is expected that interest income will end the financial year slightly below the revised budget position.
New and matured Investments:

<table>
<thead>
<tr>
<th>Date matured</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Original Term</th>
<th>Original date invested</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 Apr 2017</td>
<td>Newcastle Permanent</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.80%</td>
<td>229 days</td>
<td>18 Aug 2016</td>
</tr>
<tr>
<td>13 Apr 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.72%</td>
<td>136 days</td>
<td>28 Nov 2016</td>
</tr>
<tr>
<td>21 Apr 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.71%</td>
<td>192 days</td>
<td>11 Oct 2016</td>
</tr>
<tr>
<td>21 Apr 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.69%</td>
<td>199 days</td>
<td>4 Oct 2016</td>
</tr>
<tr>
<td>24 Apr 2017</td>
<td>Suncorp Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.75%</td>
<td>145 days</td>
<td>30 Nov 2016</td>
</tr>
<tr>
<td>28 Apr 2017</td>
<td>Suncorp Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.75%</td>
<td>172 days</td>
<td>7 Nov 2016</td>
</tr>
</tbody>
</table>

New Investments:

<table>
<thead>
<tr>
<th>Date invested</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Term</th>
<th>Maturity date</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 Apr 2017</td>
<td>IMB Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.55%</td>
<td>115 days</td>
<td>28 Jul 2017</td>
</tr>
<tr>
<td>11 Apr 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.54%</td>
<td>115 days</td>
<td>4 Aug 2017</td>
</tr>
<tr>
<td>11 Apr 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.54%</td>
<td>122 days</td>
<td>11 Aug 2017</td>
</tr>
<tr>
<td>21 Apr 2017</td>
<td>BankWest</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.50%</td>
<td>60 days</td>
<td>20 Jun 2017</td>
</tr>
<tr>
<td>28 Apr 2017</td>
<td>Greater Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>3.20%</td>
<td>2 yrs</td>
<td>28 Apr 2019</td>
</tr>
</tbody>
</table>

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

Glen Cousins
Responsible Accounting Officer
# Investment Policy compliance report

## 31 March 2017

### New and matured Investments:

#### Matured Investments:

<table>
<thead>
<tr>
<th>Date matured</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Original Term</th>
<th>Original date Invested</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Mar 2017</td>
<td>Westpac</td>
<td>Term Deposit: Floating Rate</td>
<td>$2,000,000</td>
<td>90d bbsw + 1.10%</td>
<td>4yrs</td>
<td>1 Mar 2013</td>
</tr>
<tr>
<td>3 Mar 2017</td>
<td>Bank of QLD</td>
<td>Term Deposit: Floating Rate</td>
<td>$2,000,000</td>
<td>90d bbsw + 1.10%</td>
<td>3yrs</td>
<td>3 Mar 2014</td>
</tr>
<tr>
<td>10 Mar 2017</td>
<td>ME Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.75%</td>
<td>115days</td>
<td>15 Nov 2016</td>
</tr>
<tr>
<td>14 Mar 2017</td>
<td>ING Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$4,000,000</td>
<td>3.10%</td>
<td>379days</td>
<td>29 Feb 2016</td>
</tr>
<tr>
<td>20 Mar 2017</td>
<td>CUA</td>
<td>Floating Rate Note</td>
<td>$2,000,000</td>
<td>90d bbsw + 1.30%</td>
<td>3yrs</td>
<td>20 Mar 2014</td>
</tr>
<tr>
<td>20 Mar 2017</td>
<td>CUA</td>
<td>Floating Rate Note</td>
<td>$2,000,000</td>
<td>90d bbsw + 1.20%</td>
<td>2.75yrs</td>
<td>20 Jun 2014</td>
</tr>
<tr>
<td>20 Mar 2017</td>
<td>CUA</td>
<td>Floating Rate Note</td>
<td>$500,000</td>
<td>90d bbsw + 1.09%</td>
<td>1.5yrs</td>
<td>31 Aug 2015</td>
</tr>
<tr>
<td>24 Mar 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.72%</td>
<td>114days</td>
<td>30 Nov 2016</td>
</tr>
<tr>
<td>28 Mar 2017</td>
<td>ME Bank</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.70%</td>
<td>196days</td>
<td>13 Sep 2016</td>
</tr>
</tbody>
</table>

#### New Investments:

<table>
<thead>
<tr>
<th>Date invested</th>
<th>Institution</th>
<th>Asset Class</th>
<th>Amount</th>
<th>Rate of Return</th>
<th>Term</th>
<th>Maturity date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Mar 2017</td>
<td>NAB</td>
<td>Term Deposit: Fixed Rate</td>
<td>$3,000,000</td>
<td>2.57%</td>
<td>135days</td>
<td>14 Jul 2017</td>
</tr>
<tr>
<td>3 Mar 2017</td>
<td>Rabobank</td>
<td>Floating Rate Note</td>
<td>$3,000,000</td>
<td>90d bbsw + 1.08%</td>
<td>5yrs</td>
<td>3 Mar 2022</td>
</tr>
<tr>
<td>7 Mar 2017</td>
<td>ANZ</td>
<td>Floating Rate Note</td>
<td>$3,000,000</td>
<td>90d bbsw + 1.00%</td>
<td>5yrs</td>
<td>7 Mar 2022</td>
</tr>
<tr>
<td>20 Mar 2017</td>
<td>CUA</td>
<td>Floating Rate Note</td>
<td>$2,000,000</td>
<td>90d bbsw + 1.30%</td>
<td>3yrs</td>
<td>20 Mar 2020</td>
</tr>
<tr>
<td>24 Mar 2017</td>
<td>NAB</td>
<td>Fixed Rate Bond</td>
<td>$5,000,000</td>
<td>3.45%</td>
<td>5yrs</td>
<td>24 Mar 2022</td>
</tr>
<tr>
<td>30 Mar 2017</td>
<td>AMP Bank</td>
<td>Floating Rate Note</td>
<td>$3,000,000</td>
<td>90d bbsw + 1.05%</td>
<td>5yrs</td>
<td>30 Mar 2022</td>
</tr>
</tbody>
</table>

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

Andrew Glauser  
Acting Responsible Accounting Officer
Customer Service

Monthly Performance Report

May 2017

Monthly Overview

- During May the CCC received a small volume of additional calls regarding the Fire and Emergency Service Levy. We have not seen any calls since the levy was deferred indefinitely on 30/05/2017.

- The average phone enquiry handle time was 6:35 minutes (m:ss) for May, a 30 second decrease on April's result of 7:05. Counter enquiries decreased to 18:55 minutes per transaction, down from the 20:00 minutes in April.

- Customer wait times for phone calls decreased to 60 seconds in May (on average), down from the 2:30 minutes result in April. Wait times for front counter enquiries stayed fairly constant at 2:25 minutes on average for May. April's result was 2:35 minutes.

- The phone servicing result for May increased to 60% of calls answered within 30 seconds, up from the 32% result in April.

- There were no major system outages across the month impacting the CCC. The P&R upgrade over weekend of 12-14 May saw some minor delays in lodging requests however, this had very little impact to our customers.

- Phone quality scores decreased to 47.5% in May, a substantial drop from the 55.0% result in April. This is due in part to some of the newer staff beginning to handle more complex calls.

- Counter and back office areas processed 1290 payments in May, totalling over $2.5 million in revenue. We had the highest number of mail applications on record with just under 600 applications received. Even though the staff processed close to 580 applications, there were fewer applications processed than received. This resulted in the end of month 'on hand' application figure climbing up to 58 (compared with 43 in April).

- The CCC received 8 compliments across the month. Some verbatim comments are below:-
  o "...front facing staff at the council office are outstanding."
  o "She spoke to me in a tone that was both refreshing and very soothing while making me feel happy and also getting all the answers to my dumb questions"
  o "This sort of excellent treatment is NOT what I am used to when dealing with some areas of local and state government"

- In Records, the incoming correspondence for May was 5,477 being 44.2% more than April 2017 (3,799) and 9.7% more than the same month last year (4,985).
CCL 27/06/17
ADOPTION OF AMENDMENT TO NEWCASTLE DEVELOPMENT CONTROL PLAN 2012 - RESIDENTIAL DEVELOPMENT

Attachment A: Draft Section 3.03 Residential Development

DISTRIBUTED UNDER SEPARATE COVER
3.03 Residential Development

Amendment history

<table>
<thead>
<tr>
<th>Version Number</th>
<th>Date Adopted by Council</th>
<th>Commencement Date</th>
<th>Amendment Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>/</strong>/20__</td>
<td><strong>/</strong>/20__</td>
<td>New</td>
</tr>
</tbody>
</table>

Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined as though the provisions of this section did not apply.

Land to which this section applies

This section applies to all land to which residential accommodation is permissible with consent under the Newcastle Local Environmental Plan 2012.

Development (type/s) to which this section applies

This section applies to all development consisting of:

- attached dwellings
- boarding houses
- dual occupancies
- group homes
- hostels
- multi dwelling housing
- residential flat buildings
- semi-detached dwellings
- seniors housing

This section does not apply to shop top housing, single dwellings or secondary dwellings.

Applicable environmental planning instruments and legislation

The provisions of the following listed environmental planning instrument/s also apply to development applications to which this section applies:

- Newcastle Local Environmental Plan 2012.
- State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Building Sustainability Index: Basix) 2004
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

In the event of any inconsistency between this section and the above listed environmental planning instruments, the environmental planning instrument will prevail to the extent of the inconsistency.
Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: Section 74E (3) of the *Environmental Planning and Assessment Act 1979* enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

**Related sections**

The following sections of this DCP **will** also apply to development to which this section applies:

- 4.04 Safety and Security
- **6.13 Precinct Maps**
- 7.02 Landscape, Open Space and Visual Amenity
- 7.03 Traffic, Parking and Access
- 7.06 Stormwater
- 7.08 Waste Management

The following sections of this DCP **may** also apply to development to which this section applies:

- **3.01 Subdivision**
- 4.01 Flood Management - all land which is identified as flood prone land under the Newcastle Flood Policy or within a PMF or area likely to flood
- 4.02 Bush Fire Protection - within a mapped bushfire area/zone
- 4.03 Mine Subsidence - within a mine subsidence area
- 4.05 Social Impact
- 5.02 Land Contamination - land on register/where risk from previous use
- 5.03 Tree Management - trees within 5m of a development footprint or those trees likely to be affected by a development
- 5.04 Aboriginal Heritage - known/likely Aboriginal heritage item/site and/or potential soil disturbance
- 5.05 Heritage Items - known heritage item or in proximity to a heritage item
- 5.06 Archaeological Management - known/likely archaeological site or potential soil disturbance
- 5.07 Heritage Conservation Areas - known conservation area
- 5.10 Soil Management - works resulting in any disturbance of soil and/or cut and fill
- 6.01 Newcastle City Centre - if proposed development is located in this precinct
- 6.03 Wickham
- 6.04 Islington Renewal Corridor
- 6.05 Mayfield Renewal Corridor
- 6.06 Hamilton Renewal Corridor
- 6.07 Broadmeadow Renewal Corridor
- 6.08 Adamstown Renewal Corridor
- 6.12 Minmi
- 7.04 Movement Networks
- **7.11 Draft Development adjoining laneways**

**Associated technical manual/s**

- Nil

**Additional information**

This section of the DCP has performance criteria that explain the planning outcomes to be achieved. Accompanying the performance criteria are acceptable solutions that illustrate the preferred way of complying with the corresponding performance criterion. There may be other ways of complying with performance criteria and it is up to the applicant to demonstrate how an alternative solution achieves this.
Acceptable Solutions

The acceptable solutions provide a certain outcome of achieving compliance with Council controls for this section. To achieve the acceptable solution the applicant must demonstrate that they have satisfied the required control/s within each section. Any variation from the acceptable solution will mean the application will be required to meet the performance criteria for that section and the application will become a performance based assessment.

The acceptable solutions provide a means of achieving compliance with the performance criteria for this section. Where a development proposal does not meet all of the acceptable solutions in each section the development will be required to meet the performance criteria for that section and the application will become a performance based assessment.

Performance Criteria

The performance criteria permit applicants to be flexible and innovative in responding to the DCP requirements. Applications which meet the performance criteria are assessed on merit and it is the applicant’s responsibility to demonstrate how the performance criteria have been met. Compliance with the performance criteria can be undertaken through the use of 3D montages, 3D models, constraints mapping and other forms of visual representation.

Note: Development application forms, checklists and other explanatory information are available on Council’s website to assist with the use of this section of the Development Control Plan.

Note: Diagrams are provided for illustrative purposes only

Definitions

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Section 9.00 - Glossary, of this plan and include:

- **Row housing** - a form of multi dwelling housing consisting of three or more detached and/or semi-detached dwellings that are arranged in a lineal fashion with a single driveway along one side of the site or a central driveway with dwellings on each side.

Objectives of this section

1. To ensure the efficient use of land for residential purposes.
2. To encourage increased residential development in areas in proximity to services and transport.
3. To encourage innovation and diversification in the type and size of residential development.
4. To ensure development respects the amenity and character of surrounding development.
5. To ensure new development is compatible with the scale and desired residential character.
6. To ensure dwellings provide their occupants with adequate levels of amenity, comfort and security.
7. To ensure new development is designed to complement the individual site conditions including slope, aspect, trees and existing buildings.

8. To ensure landscaping is in scale with the building and complements the desired character of the area and surrounding development.
3.03.01 Principal controls

This section applies to development for residential accommodation (except for single dwellings, secondary dwellings or shop top housing)

A. Frontage widths

Performance criteria

1. Sites are wide enough to accommodate new development that respects the desired character of the surrounding area, the amenity of adjoining development and provides good internal site amenity.

2. Development in the R3, R4 or B4 zones does not result in isolated sites that have less than the minimum developable site frontage.

Acceptable solutions

The following controls apply to all forms of residential development:

1. The minimum site frontage width is:

<table>
<thead>
<tr>
<th>Residential development Type</th>
<th>Site Frontage Width</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>R2*</td>
</tr>
<tr>
<td>Dual Occupancy /attached dwellings</td>
<td>12m</td>
</tr>
<tr>
<td>Multi-dwelling with basement car park</td>
<td>15m</td>
</tr>
<tr>
<td>Multi-dwelling row housing</td>
<td>18m</td>
</tr>
<tr>
<td>Residential Flat Building</td>
<td></td>
</tr>
</tbody>
</table>

*Excluding the Moderate Growth Precinct. Development in the Moderate Growth Precinct is to comply with the frontage requirements of the R3, R4 or B4 zone

2. The minimum site frontage for boarding houses, group homes, hostels and seniors housing is consistent with the minimum frontage in clause 1 based on the type of building proposed. For example, a seniors housing development in the form of a residential flat building would require a frontage of 18m in the R2 zone and 15m in the R3 zone.

3. In the R3, R4 and B4 zones the development does not result in the creation of an isolated lot. Where a development will result in an isolated lot, the Planning Principles outlined by the NSW Land and Environment Court for redevelopment resulting in isolated sites are satisfied.

Note: The Planning Principles require the following matters to be addressed:

1. Where a property will be isolated by a proposed development and that property cannot satisfy the minimum lot requirements then negotiations between the owners of the properties should commence at an early stage and prior to the lodgement of the development application.

2. Where no satisfactory result is achieved from the negotiations, the development application should include details of the negotiations between the owners of the properties. These details
should include offers to the owner of the isolated property. A reasonable offer, for the purposes of determining the development application and addressing the planning implications of an isolated lot, is to be based on at least one recent independent valuation and may include other reasonable expenses likely to be incurred by the owner of the isolated property in the sale of the property.

3. The level of negotiation and any offers made for the isolated site are matters that can be given weight in the consideration of the development application. The amount of weight will depend on the level of negotiation, whether any offers are deemed reasonable or unreasonable, any relevant planning requirements and the provisions of s 79C of the Environmental Planning and Assessment Act 1979.

4. Whether both sites can achieve a development that is consistent with the planning controls. If variations to the planning controls would be required, such as non-compliance with a minimum allotment size, will both sites be able to achieve a development of appropriate urban form and with acceptable level of amenity.

To assist in this assessment, an envelope for the isolated site may be prepared which indicates height, setbacks, resultant site coverage (both building and basement). This should be schematic but of sufficient detail to understand the relationship between the subject application and the isolated site and the likely impacts the developments will have on each other, particularly solar access and privacy impacts for residential development and the traffic impacts of separate driveways if the development is on a main road.

The subject application may need to be amended, such as by a further setback than the minimum in the planning controls, or the development potential of both sites reduced to enable reasonable development of the isolated site to occur while maintaining the amenity of both developments.

B. Front setbacks

Performance criteria

1. Setbacks are consistent with the existing or intended local streetscape.

2. Garages and carports are integrated into a development and do not dominate the streetscape.

3. Setbacks provide suitable space for site landscaping.

4. Setbacks provide suitable privacy and amenity for the building occupants.

Acceptable Solutions

The following controls apply to all forms of residential development:

1. Compliance with the locality specific controls in section 6 of this DCP. Where there are no locality specific controls front setbacks are:

   (a) In established areas the proposed building is setback the average distance of buildings within 40m either side of the lot on the same primary road (see Figure 1). The setback on a corner lot (secondary road) is 2m.

   (b) If there is no established building line, the front setback is:
2. Entries to a basement car park, garage or carport are setback at least 1m behind the front building line. Where the building line is less than 4.5m, the entry to the basement car park, garage or carport is setback at least of 5.5m from the primary boundary with the road.

3. An articulation zone that extends 1.5m from the building line into the setback from the primary road may be provided where the setback from the primary road is 3m or greater. The articulation zone is a maximum 25% width of the lot at the building line. See Figure 2.

<table>
<thead>
<tr>
<th>Road Type</th>
<th>Zone</th>
<th>Front Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>R2</td>
<td>R3, R4 or B4</td>
</tr>
<tr>
<td>Primary road</td>
<td>4.5m</td>
<td>4.5 5.0m</td>
</tr>
<tr>
<td>Corner lot</td>
<td>2m</td>
<td>2m</td>
</tr>
<tr>
<td>(secondary road)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Classified road</td>
<td>As defined in any applicable Environmental Planning Instrument, or if none exists 9m.</td>
<td></td>
</tr>
</tbody>
</table>

Articulation zone means an area within a lot where building elements are or may be located, that consists of that part of the setback area from a primary road that is measured horizontally for a distance of 1.5m from:

(a) the required front setback (building line), or
(b) a gable or roof parapet having a surface area of more than 10m².

The following building elements are permitted in an articulation zone:

(a) an entry feature or portico,
(b) a balcony, deck, patio, pergola, terrace or verandah,
(c) a window box treatment,
(d) a bay window or similar feature,
(e) an awning or other feature over a window,
(f) a sun shading feature.

Figure 1: Front setbacks consistent with neighbouring buildings 40m either side
C. Side and rear setbacks

Performance criteria

1. Development is consistent with and complements the desired built form prevailing in the street and local area.

2. Setbacks maintain the amenity and privacy of public spaces and adjoining dwellings and their private open space.

3. Significant views from adjoining properties are maintained.

4. Sufficient landscape and deep soil areas are provided around the development to conserve existing trees and to accommodate intensive new landscaping.

Acceptable solutions

The following controls apply to all forms of residential development:

1. Compliance with the locality specific controls in section 6 of the DCP. Where there are no locality specific controls, side and rear setbacks are:

   (a) In the R2 Low Density Residential Zone:

   (i) Side setbacks are a minimum of 900mm from each boundary up to a height of 4.5m, then at an angle of 4:1 up to the maximum permitted height under Newcastle Local Environmental Plan 2012 (see Figure 3).

   (ii) Rear setbacks are a minimum of 3m for walls up to 4.5m in height and 6m for walls greater than 4.5m height.
(b) In the R3 Medium Density Residential, R4 High Density Residential and B4 Mixed Use zones:

<table>
<thead>
<tr>
<th>Wall height</th>
<th>Side and rear setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 4.5</td>
<td>3 1.5m</td>
</tr>
<tr>
<td>4.5 - 8.5m</td>
<td>6 3m</td>
</tr>
<tr>
<td>Over 8.5m</td>
<td>12 6m</td>
</tr>
</tbody>
</table>

Note: Dwellings should be orientated to the front and rear of the site. Orientation to a side boundary may be considered where it is necessary to achieve good solar access to living rooms and private open space. In these cases, greater side boundary setbacks will be required.

2. In the R3 Medium Density Residential, R4 High Density Residential and B4 Mixed Use zones side or rear boundary setbacks may be reduced/built to the boundary where:

(a) the wall height and length match an existing or similarly constructed wall on the adjoining site; and

(b) the proposed wall and the wall on the adjoining property do not contain any openings; and

(d) the wall will not impede the flow of stormwater or overland flow paths.

3. In the R3 Medium Density Residential, R4 High Density Residential and B4 Mixed Use zones, side and rear boundary setbacks are increased, where the site directly adjoins a site in the R2 Low Density Residential Zone.

Note: In these cases, building setbacks will need to be sufficient to ensure solar access, amenity and privacy to the adjoining properties.

4. Where a rear boundary adjoins a lane, development complies with Section 7.11 - Development adjoining laneways, of this DCP that has a road reserve width of 5m or greater, development is setback 4.53m from the boundary with the lane.

5. In corner lots, the boundary opposite the primary road frontage is taken to be the rear boundary for the purposes of applying setbacks.
D. Landscaped Area

**Performance criteria**

1. New development integrates into established streetscapes and neighbourhoods.
2. Landscaped areas are sized and located so that the amenity and privacy of adjoining dwellings is maintained.
3. Landscaped areas are of usable size and proportions to add value and quality of life for occupants within a development in terms of privacy, outlook, views and recreational opportunities.
4. New development respects and incorporates existing established trees and provides appropriate sized places and soil depths for the planting of new medium and large sized trees.

**Acceptable solutions**

The following controls apply to all forms of residential development:

1. Landscaped areas are provided as follows:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Minimum landscaped area (% of site area)</th>
<th>Minimum deep soil zone (% of site area)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R2 zone</td>
<td>30%</td>
<td>15%</td>
</tr>
<tr>
<td>R2 zone - Moderate Growth Precinct</td>
<td>25%</td>
<td>12%</td>
</tr>
<tr>
<td>R3 zone</td>
<td>25%</td>
<td>12%</td>
</tr>
<tr>
<td>R4 and B4 zones</td>
<td>20%</td>
<td>10%</td>
</tr>
</tbody>
</table>
Note: The moderate growth precinct covers areas within a SAFE 5 minute walk of local or neighbourhood centres and is considered suitable for increased residential density. While a wide range of housing is expected to be undertaken, residential flat buildings and multi dwelling housing are encouraged. This precinct also forms a transition between the limited and substantial precincts. Refer to Section 6.13 of the DCP for the Residential Growth Precinct Maps.

Further information about the Residential Growth Precincts and the SAFE criteria can be found in Newcastle Local Planning Strategy [www.newcastle.nsw.gov.au](http://www.newcastle.nsw.gov.au)

2. Landscaped areas have a minimum width of 1.5m and the following items are excluded from the landscaped area calculation:
   
   (a) Paving wider than 1m, impervious or otherwise
   
   (c) Structures such as air conditioning units, awnings, decks, patios, garden sheds, hot water systems, LPG storage tanks, water tanks and the like (see Figure 7).

3. A minimum 25% of the front setback is landscaped area.

4. A minimum 3m wide landscaped area is located along the rear boundary.

5. Landscaped areas are distributed throughout the site and incorporated into both private open space and communal open space areas.

6. Landscaped areas take advantage of existing site conditions and respond to significant site features such as:

   (a) significant landscape features including existing trees

   (b) change of levels

   (c) views.

7. One large tree or two medium sized trees are provided for every 90m² of landscaped area.

4. A medium sized tree with a minimum mature height of 5m is provided in the front setback, where the setback is greater than 3m.

5. Landscaping is consistent with Section 7.02 Landscape, Open Space and Visual Amenity of this DCP.

Note: Pedestrian and vehicle access controls require landscaping to be incorporated into the setbacks of driveways, internal streets, lanes and visitor car parking spaces.
3.03.02 Siting the development

This section applies to development for residential accommodation (except for single dwellings, secondary dwellings or shop top housing)

A. Local character and context

**Performance criteria**

1. The built form, articulation and scale relate to the desired local character of the area and the context.
2. Development does not unreasonably impact on the amenity and privacy of adjoining dwellings and their private open space.

**Acceptable solutions**

The following controls apply to dual occupancies and attached dwellings:

1. A design statement describing how the built form of the development contributes to the character of the local area is submitted with the development application.

The following controls apply to all forms of residential development except for dual occupancies and attached dwellings:

2. A detailed site analysis is undertaken to understand all issues and considerations including:
   (a) relationship to the public domain and surrounding development
   (b) existing vegetation and trees
   (c) boundary treatments
   (d) retaining walls, fences, overshadowing impacts and privacy considerations
   (e) orientation
   (f) slope
   (g) geology
   (h) contamination
   (i) infrastructure
   (j) access arrangements
   (k) stormwater management
   (l) views.
B. Public Domain Interface

Performance criteria

1. Transition between the private and public domain is achieved without compromising security.

2. Front fences and walls do not dominate the public domain and complement the context and character of the area.

3. Amenity of the public domain is retained and enhanced.

Acceptable solutions

The following controls apply to all forms of residential development:

1. Private open space is located behind the building line of the primary road frontage, but may be partially located within an articulation zone.

2. Windows and balconies overlook the public domain.

3. Direct visibility is provided along pathways and driveways from the public domain.

4. Fences and walls forward of the building line of the primary road frontage:
   (a) Have an average height of 1.2m, with a maximum height of 1.5m and are constructed using materials such as slats or pickets with at least 50% of the fence area open.
   (b) High solid acoustic fencing may be used to shield dwellings from the noise from classified roads. These walls may have a maximum height of 2.1m and a setback of at least 1.5m from the boundary. Landscape planting with a mature height of at least 1.5m is provided between the wall and the front boundary.
   (c) Unfinished timber paling and metal panel fences are not used forward of the building line.
   (d) Courtyard fences and walls to secondary street frontages align with the façade facing the street. Solid fencing components are finished with the same material as the building facade.

5. Retaining walls within the front setback that have a height greater than 600mm are softened by landscape planting with a minimum width of 600mm on the low side of the retaining wall.

6. Where development adjoins public parks, open space or bushland, or is a corner site, the design positively addresses this interface by:
   (a) street access, pedestrian paths and building entries which are clearly defined; or
   (b) paths, low fences and planting that clearly delineate between communal/private open space and the adjoining public open space; or
   (c) walls fronting the public spaces have openings that are at least 25% of the surface area of the wall.

The following controls apply to dual occupancies and attached dwellings:
8. Mail boxes are located at each dwelling entry not in a central location.

9. Direct visibility is provided to the front door and garage along paths and driveways from the public domain.

C. Pedestrian and vehicle access

Performance criteria

1. Internal vehicle and pedestrian circulation functions like a street.

2. Adequate space is provided for vehicle circulation and the dominance of driveways within the site and to the streetscape is minimised.

3. Impacts on habitable spaces are minimised.

4. Visual and environmental impacts of car parking are minimised.

Acceptable solutions

The following controls apply to all forms of residential development:

1. Internal streets, lanes, driveways and parking spaces and circulation comply with AS 2890.1.

2. Battle-axe driveways, internal streets, lanes and visitor car parking spaces are setback:
   
   (a) at least 1m from a fence;
   
   (b) at least 1m from another dwelling;
   
   (c) at least 2.5m from a window to a habitable room that has 1m² or larger in size.

3. Landscape planting is incorporated into the driveway, street and lane setbacks.

4. Driveways that are adjacent to a tree are located outside of the dripline or comply with the recommendations in a report prepared by a qualified arborist.

The following controls apply to all forms of residential development except for dual occupancies and attached dwellings:

5. All internal driveways, streets and lanes are overlooked by windows from habitable rooms or private open space.

6. Open space or the window of a dwelling is provided at the termination point of an internal driveway, street or lane.

7. Multi dwelling developments that contain 20 or more dwellings include pedestrian paths that are separated from the internal road or lane by a kerb or landscaped area.

8. Where pedestrian circulation is separated from vehicle circulation, the paths still function like streets with pavement at least 1.5m wide, clearly identifiable dwelling entrances and clear lines of sight to create a legible and safe network.
8. Where pedestrian circulation is separated from vehicle circulation, the paths still function like streets with pavement at least 1.5m wide, clearly identifiable dwelling entrances and clear lines of sight to create a legible and safe network.

9. Lighting is provided in accordance with AS 1158.3 to roads and pedestrian spaces and avoids light spill into private open space or habitable rooms.

10. The maximum length of a dead end lane or driveway is 40m and serves a maximum of 10 dwellings.

11. Lanes and driveways including pedestrian paths are straight and all parts have a clear line of sight from internal or public streets.

The following controls apply to all forms of residential development that incorporate basement car parking:

12. Basement car parking:
   
   (a) does not protrude more than 1m above finished ground level, except at the entrance to the car park
   
   (b) car park entrances have a maximum width of 3.5m where there are less than 10 dwellings served by the car park
   
   (c) the car park entry has a maximum height of 2.7m.

D. Orientation and siting

Performance criteria

1. Building types and layouts respond to the streetscape and site while optimising solar access within the development and maximise street surveillance and connectivity.

2. Development does not unreasonably impact on the amenity and privacy of adjoining dwellings and their private open space.

3. Overshadowing of neighbouring properties is minimised during mid-winter.

4. The development responds to the natural landform of the site, reducing the visual impact and minimising earthworks.

Acceptable solutions

The following controls apply to all forms of residential development:

1. The principal area of private open space and the window to a living room of an adjoining dwelling receives greater than 2 hours of solar access between 9am and 3pm on the winter solstice. Where the window or principal area of private open space is already overshadowed, solar access is not reduced by more than 20%.

2. On sloping sites the buildings respond to the topography with changes in floor level to minimise the need for cut and fill.

3. Fill outside the building footprint does not exceed a height measured from existing ground level of:
The following controls apply to dual occupancies and attached dwellings:

5. Each dwelling has a frontage to a primary, secondary or parallel road.

Note: See section 7.11 Development adjoining laneways for specific design criteria for development adjoining a laneway.

6. Battle-axe lots have access to the primary road of at least 3m.

7. Every wall that faces the street has a window to a habitable room at each level.

8. Excavation does not exceed a depth measured from existing ground level of:
   (a) 1m if located within 1m of a boundary and
   (b) 3m if located greater than 1m from a boundary.

The following controls apply to multi dwelling housing, dual occupancies and attached dwellings:

8. Each dwelling has a frontage to a public street, internal street or lane.

9. Dwellings facing the street have a covered entry door and a window of a habitable room facing the street.

The following controls apply to all forms of residential development except for dual occupancies and attached dwellings:

10. Ground floor levels are not more than 1.3m above existing ground level and not more than 1m below existing ground level.

11. Excavation does not exceed a depth measured from existing ground level of:
    (a) 600mm if located within 1m of a boundary and
    (b) 1m if located greater than 1m from a boundary.

12. Fill outside the building footprint does not exceed a height measured from existing ground level of:
    (a) 600mm if located within 1m of a boundary and
    (b) 1m if located greater than 1m from a boundary.
E. Building Separation

Performance criteria

1. Adequate space is provided between buildings to allow for landscape, daylight access between buildings, provide visual separation, reduce visual bulk.

Acceptable solutions

The following controls apply to dual occupancies and attached dwellings:

1. The minimum separation between two or more buildings on the same lot is 3m.

The following controls apply to all forms of residential development except for dual occupancies and attached dwellings:

2. The minimum separation between two or more buildings on the same lot is:
   
   (a) 3m where a wall height is less than 7.5m
   
   (b) 6m where a wall height is 7.5m or greater.

Note: Building separation may need to be increased to provide adequate privacy or solar access

The following controls apply to all forms of residential development except for dual occupancies and attached dwellings in the R2 Low Density Residential Zone, excluding the Moderate Growth Precinct.

4. For all development, other than dual occupancies, Buildings are broken into a series of massing elements. Each massing element has a maximum wall length of 25m and is separated by a minimum 6m x 6m landscaped area. The landscaped area between each massing element may incorporate open car parking spaces and driveways, only where a minimum 3m wide deep soil zone is provided adjacent to the boundary. This clause does not apply in the moderate growth precinct.

3.03.03 Amenity

This section applies to development for residential accommodation (except for single dwellings, secondary dwellings or shop top housing)

A. Solar and daylight access

Performance criteria

1. The number of dwellings receiving sunlight to habitable rooms and private open space is maximised.

2. Solar access enables passive solar heating in winter and provides a healthy indoor environment.
3. Access to daylight is suited to the function of the room and artificial lighting is minimised.

**Acceptable solutions**

1. Compliance with the standards for 'Solar and daylight access' detailed in the Apartment Design Guide, for all residential flat buildings required to comply with that standard.

Note: State Environmental Planning Policy (SEPP) No. 65 - Design Quality of Residential Apartment Development requires some types of residential development to meet the requirements of The Apartment Design Guide.

SEPP 65 applies to development for the purpose of a residential flat building, shop top housing or mixed use development with a residential accommodation component if:

(a) the development consists of any of the following:

(i) the erection of a new building,
(ii) the substantial redevelopment or the substantial refurbishment of an existing building,
(iii) the conversion of an existing building, and

(b) the building concerned is a least 3 or more storeys (not including levels below ground level (existing) or levels that are less than 1.2m above ground level (existing) that provide for car parking), and

(c) the building concerned contains at least 4 or more dwellings.

2. Compliance with the standards for solar access in State Environmental Planning Policy (Affordable Rental Housing) 2009 for all boarding houses.

The following controls apply to all forms of residential development:

3. The living room and private open space receives a minimum of 2 hours direct sunlight between 9am and 3pm at the winter solstice for:

(a) Each dwelling in a dual occupancy or attached dwelling

(b) At least 70% of dwellings in all other forms of residential development.

4. Direct sunlight is achieved when 1m² of direct sunlight on the glass is achieved for at least 15 minutes. To satisfy 2 hours direct sunlight, 8 periods of 15 minutes will need to be achieved - the periods do not need to be consecutive.

5. Every habitable room has a window in an external wall with a total minimum glass area of at least 15% of the floor area of the room.

6. Daylight is not borrowed from other rooms, except where a room has a frontage to a classified road.

7. No part of a habitable room is more than 8m from a window.
8. No part of a kitchen work surface is more than 6m from a window or skylight.

9. Courtyards are fully open to the sky, have a minimum dimension of one third of the perimeter wall height and a minimum area of 3m².

B. Natural ventilation

Performance criteria

1. All habitable rooms are naturally ventilated.

Acceptable solutions

The following controls apply to all forms of residential development:

1. Compliance with the standards for 'Apartment size and layout' in the Apartment Design Guide, for all residential flat buildings required to comply with that standard.

2. For all other residential development:
   (a) each habitable room is naturally ventilated
   (b) each dwelling is cross ventilated
   (c) the area of unobstructed window openings is equal to at least 5% of the floor area served.

C. Ceiling heights

Performance criteria

1. Ceiling height achieves sufficient natural ventilation and daylight access and provides spatial quality.

Acceptable solutions

The following controls apply to all forms of residential development:

1. Compliance with the standards for 'Ceiling heights' in the Apartment Design Guide, for all residential flat buildings required to comply with that standard.

2. For all other residential development the ceiling height measured between finished floor level and finished ceiling level are:
   (a) 2.7m to all ground floor habitable rooms
   (b) 2.7m to first floor living rooms
   (c) 2.4m to all first floor bedrooms.
D. Dwelling size and layout

Performance criteria

1. Dwellings are of a sufficient size to provide functional, well organised rooms with a high standard of amenity.

2. Dwelling layouts accommodate a variety of household activities and needs appropriate to the number of occupants.

Acceptable solutions

The following controls apply to all forms of residential development:

1. Compliance with the standards for ‘Apartment size and layout’ in the Apartment Design Guide, for all residential flat buildings required to comply with that standard.

2. Compliance with the standards for ‘accommodation size’ in State Environmental Planning Policy (Affordable Rental Housing) 2009 for all boarding houses.

3. For all other residential development:
   (a) Dwellings have the following minimum internal areas:

<table>
<thead>
<tr>
<th>No. Bedrooms</th>
<th>Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>65m²</td>
</tr>
<tr>
<td>2</td>
<td>90m²</td>
</tr>
<tr>
<td>3</td>
<td>115m²</td>
</tr>
</tbody>
</table>

   (b) The minimum internal areas include only one bathroom. An additional 5m² floor area is provided for each additional bathroom.

   (c) An additional 12m² is provided for any bedroom in excess of three.

   (d) Kitchens are not part of the circulation space, except in 1 bedroom dwellings.

   (e) A window is visible from any point in a habitable room.

   (f) One bedroom is a minimum area of 10m² and other bedrooms are a minimum of 9m² (excluding wardrobe space) with a minimum dimension of 3m (excluding wardrobe space).

   (g) Combined living/dining areas have a minimum dimension of 4m (excluding fixtures) and are a minimum of 24m² for dwelling with up to 2 bedrooms and 28m² for dwellings with 3 or more bedrooms.
E. Private Open Space

Performance criteria

1. Private open space and balconies are located and sized to enhance residential amenity and liveability.

Acceptable solutions

The following controls apply to all residential flat buildings:

1. Compliance with the standards for ‘Private open space and balconies’ in the Apartment Design Guide, for all residential flat buildings required to comply with that standard.

2. For residential flat buildings that are not required to comply with the Apartment Design Guide, each dwelling has:

   (a) A minimum area of private open space as follows:

<table>
<thead>
<tr>
<th>Dwelling size</th>
<th>Private Open Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 bedroom</td>
<td>8m²</td>
</tr>
<tr>
<td>2 + bedrooms</td>
<td>12m²</td>
</tr>
<tr>
<td>Ground floor dwellings</td>
<td>16m²</td>
</tr>
</tbody>
</table>

   (b) The minimum dimension of the included area is 2m, excluding any storage space.

   (c) Primary private open space and balconies are located adjacent to living room, dining room or kitchen to extend the living space.

   (d) 50% of the minimum required private open space is covered to provide shade and protection from rain.

   (e) Balconies and terraces above ground floor level are orientated towards the street or rear of the site and not to a side boundary.

The following controls apply to all other forms of residential development:

3. Compliance with the standards for ‘private open space’ in State Environmental Planning Policy (Affordable Rental Housing) 2009 for all boarding houses.

4. For all other residential development:

   (a) All dwellings have at least 16m² private open space.

   (b) The minimum dimension of the included area is 3m, excluding any storage space, rainwater tanks, air-conditioning units or other similar structures.

   (c) Primary private open space and balconies are located adjacent to the living room, dining room or kitchen.

   (d) 50% of the minimum required private open space is covered to provide shade and protection from rain.
5. Multi-dwelling developments incorporate courtyards that are located and orientated away from side boundaries.

F. Storage

Performance criteria

1. Each dwelling has adequate, well designed storage.

Acceptable solutions

The following controls apply to all forms of residential development:

1. Compliance with the standards for 'Storage' in the Apartment Design Guide, for all residential flat buildings required to comply with that standard.

2. For all other residential development
   
   (a) In addition to storage in kitchens, bathrooms and bedrooms, storage is to be provided as follows:

<table>
<thead>
<tr>
<th>Dwelling size</th>
<th>Storage size volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 bedroom</td>
<td>6m³</td>
</tr>
<tr>
<td>2 bedrooms</td>
<td>8m³</td>
</tr>
<tr>
<td>3+ bedrooms</td>
<td>10m³</td>
</tr>
</tbody>
</table>

   (b) At least 50% of the required storage is located in the dwelling.

   (c) Storage not located in a dwelling is secure and clearly allocated to specific dwellings if located in a common area.

G. Car and bicycle parking

Performance criteria

1. Car and bicycle parking is appropriate for the scale of the development.

Acceptable Solutions

The following controls apply to all forms of residential development:

1. Car and bicycle parking comply with Section 7.03 Traffic, Parking and Access of this DCP.

2. Entries to a basement car park, garage or carport are setback at least 1m behind the front building line. Where the building line is less than 4.5m, the entry to the basement car park, garage or carport is setback at least of 5.5m from the primary road.

3. The maximum aggregated garage door width that has a frontage to a primary road is:
4. Where a lot width is less than 7.5m, car parking is provided from a secondary road, parallel road or lane.

The following controls apply to all forms of residential development except for dual occupancies and attached dwellings:

5. Facilities for car washing are provided and a dedicated car wash bay is provided for developments containing 20 or more dwellings.

H. Visual privacy

Performance criteria

1. Adequate building separation distances are shared equitably between neighbouring dwellings to achieve reasonable levels of external and internal visual privacy while retaining amenity for the dwelling.

2. Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space.

Acceptable Solutions

The following controls apply to all forms of residential development:

1. Compliance with the standards for 'Visual privacy' detailed in the Apartment Design Guide, for all residential flat buildings required to comply with that standard.

2. For all other residential development, new development is located and orientated to maximise visual privacy between buildings on site and for neighbouring buildings. This is to be achieved by:

   (a) Inclusion of privacy screens where the distance from the window of a habitable room to the boundary is:

      (i) less than 3m, and the habitable room has a finished floor level greater than 1m above existing ground level, or

      (ii) less than 6m, and the habitable room has a FFL greater than 3m above ground level.

   (b) A privacy screen is not required to:

      (i) a bedroom window with an area less than 2m²; or

      (ii) any window that has a sill height of 1.5m or greater, or

<table>
<thead>
<tr>
<th>Lot width</th>
<th>Aggregate garage door width</th>
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<td>3.2m</td>
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<tr>
<td>&gt;12m</td>
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(iii) any window that has a frontage to a road or public open space.

(c) Provision of a privacy screen on the edge of a terrace, balcony or verandah, where the edge is:

(i) less than 3m from the boundary, and the habitable room has a finished floor level greater than 1m above existing ground level, or

(ii) less than 6m and the habitable room has a finished floor level greater than 2m above ground level.

(d). A privacy screen is not required to a balcony or terrace that has an area less than 3m², or a balcony or terrace of any size that has a frontage to a road or public space.

(e) Separation distances between windows and balconies of dwellings on the same site are double the distances above.

(f) Where privacy screens are provided to windows, they do not cover part of the window required to meet the minimum daylight or solar access requirements, or restrict ventilation.

I. Acoustic privacy

Performance criteria

1. Noise transfer is minimised through the siting of buildings and building layout.

Acceptable Solutions

The following controls apply to all forms of residential development:

1. All noise generating equipment such as air conditioning units, swimming pool filters, fixed vacuum systems and driveway entry shutters are designed to protect the acoustic privacy of residents and neighbours. All such noise generating equipment must be acoustically screened. The noise level generated by any equipment does not exceed an LAeq (15 min) of 5dB(A) above background noise at the property boundary.

The following controls apply to all forms of residential development except for dual occupancies and attached dwellings:

2. Noise sources not associated with the dwelling such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment are located at least 3m from any bedroom.

J. Noise and pollution

Performance criteria

1. Outside noise levels are controlled to acceptable levels in living and bedrooms of dwellings.
Acceptable Solutions

The following controls apply to all forms of residential development:

1. Dwellings that are within 100m of a road corridor with an annual daily traffic (AADT) volume of more than 40,000 vehicles (based on traffic volume data published on the website of the RMS) or 80m from a rail corridor have LAeq measures not exceeding:
   (a) in any bedroom: 35dB(A) between 10pm - 7am
   (b) anywhere else in the building (other than a kitchen, garage, bathroom or hallway): 40dB(A) at any time.

2. This can be achieved by:
   (a) a full noise assessment prepared by a qualified acoustic engineer; or
   (b) complying with relevant noise control treatment for sleeping areas and other habitable rooms in Appendix C of Draft Guide to Infrastructure development near rail corridors busy roads.

3. Dwellings within 25m of a rail corridor have a vibration assessment carried out by a qualified structural engineer.

3.03.04 Configuration

This section applies to development for residential development (except for single dwellings, secondary dwellings or shop top housing)

A. Universal design

Performance criteria

1. Universal design features are included in dwellings to promote flexible housing for all community members.

Acceptable Solutions

The following controls apply to all forms of residential development:

1. Seniors housing development complies with the requirements of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

2. All other dwellings include the Liveable Housing Design Guidelines Silver Level universal design features.

Note: The Liveable Housing Design Guidelines describe basic design standards for key features to facilitate liveable housing design. A liveable home is designed to meet the changing needs of occupants across their lifetime. By including user-friendly design features a liveable home seeks to enhance the quality of life for all occupants at all stages of their life. The 7 core liveable housing design elements are:

(a) A safe continuous and step free path of travel from the street entrance and / or parking area to a dwelling entrance that is level.
(b) At least 1 level (step free) entrance into the dwelling.
(c) Internal doors and corridors that facilitate comfortable and unimpeded movement between spaces.
(d) A toilet on the ground (or entry) level that provides easy access.
(e) A bathroom that contains a hobless (step free) shower recess.
(f) Reinforced walls around the toilet, shower and bath to support the safe installation of grabrails at a later date.
(g) A continuous handrail on 1 side of any stairway where there is a rise of more than 1m.

B. Communal area and open space

Performance criteria

1. Suitably sized communal open space is provided to enhance the amenity of residents.
2. Communal areas are designed to maximise safety.
3. Common circulation spaces achieve good amenity and promote safety and social interaction between residents.

Acceptable Solutions

The following controls apply to all forms of residential development except for dual occupancies and attached dwellings:

1. Where 10 or more dwellings are proposed, a communal open space with a minimum area of 5% of the site area and with a minimum dimension of 8m is provided for active communal open space.
2. The active communal open space is not less than 3m from private open space or 6m from windows of a habitable room.
3. The active communal open space area receives at least 2 hours of direct sunlight between 9am and 3pm at the winter solstice to 50% of the required area.
4. Communal areas and open space are visible from habitable rooms and private open space while maintaining visual privacy.
5. Where open space is provided as public open space it has a direct connection to the internal street along the longest edge.
6. Public through site links have direct line of site sight between public streets.
7. Daylight and natural ventilation is provided to all common circulation spaces above ground.
8. Lighting is provided to common spaces.
C. Architectural design and roof form

**Performance criteria**

1. Roof treatments are integrated into the building design and positively respond to the street.
2. The visual bulk if the development is reduced by breaking up the building massing.

**Acceptable Solutions**

The following controls apply to all forms of residential development:

1. The roof design is integrated with the overall building form.
2. Skylights and ventilation systems are integrated into the roof design.

D. Visual appearance and articulation

**Performance criteria**

1. Façade design is consistent with the desired character of the area.
2. Development does not unreasonably impact on the amenity and privacy of adjoining dwellings and their private open space.
3. Building elements are integrated into the overall building form and façade design.

**Acceptable Solutions**

The following controls apply to all forms of residential development:

1. Provision of an articulation zone forward of the building line.

The following controls apply to all forms of residential development except for dual occupancies and attached dwellings:

1. Facades contain a balanced composition of elements including a mix of solid and void.
2. Building services are integrated within the overall façade.
3. Building facades relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights.
4. Building entries are clearly defined and include a covered entry.
5. All building elements, including shading devices and awnings are coordinated and integrated into the overall façade design.
6. A variety of materials and colours are used.
E. Pools and ancillary development

Performance criteria

1. Swimming pools and spas are located to minimise the impacts on adjoining properties.
2. Detached studios and outbuildings activate rear lanes and do not dominate the rear yard.

Acceptable Solutions

The following controls apply to all forms of residential development:

1. Swimming pools and spas are located in the rear yard.
2. The coping around a swimming pool or spa is not more than 1.4m above existing ground level.
3. The decking or paved area around a swimming pool or spa (excluding coping less than 300mm wide) is not more than 0.6m above existing natural ground level.
4. Water from a swimming pool or spa is connected to the sewage disposal system.
5. The pump is housed in a soundproofed enclosure.
6. A detached studio or outbuilding:
   (a) has a maximum building height of 3.6m. Where the outbuilding is within 0.9m of a lane, the maximum building height is 6m.
   (b) may have a 0m setback from a side or rear boundary where it adjoins a lane. In all other cases, it has a minimum rear setback of 3m and 0m side setbacks.
   (c) has a maximum floor area of 36m² and is included in the gross floor area (unless it is required for car parking).
   (d) all windows have a maximum size of 2m² where the floor level is greater than 1.5m above ground level.
3.03.0705 Environment

This section applies to development for residential development (except for single dwellings, secondary dwellings or shop top housing)

A. Energy efficiency

Performance criteria

1. Development incorporates passive environmental design.

Acceptable Solutions

The following controls apply to all forms of residential development:

1. Development provides an outdoor area for clothes drying that can accommodate at least 16 lineal metres of clothes line per dwelling.

2. Clothes drying areas are screened from public and communal areas.

B. Water management and conservation

Performance criteria

1. Potable water use is minimised.

2. Urban stormwater is treated on site before being discharged to receiving waters.

Acceptable Solutions

The following controls apply to all forms of residential development:

1. Each dwelling is provided with an individual meter for hot or cold water consumption.

2. Stormwater treatment and disposal is provided in accordance with Section 7.06 of this DCP.

C. Waste management

Performance criteria

1. Waste storage and collection facilities are integrated into the development and have minimal impact on the amenity of adjoining residents, building entry and the streetscape.

Acceptable solutions

The following controls apply to all forms of residential development:

1. Waste management facilities comply with the requirements of Section 7.08 Waste Management of this DCP.
2. Where a communal bin storage area is provided, it is located behind the building line of the primary street frontage and appropriately screened from public places and adjoining properties.

3. Where the site characteristics or the number of bins and length of street frontage are not appropriate for kerbside collection of waste and recycling, developments are designed and constructed to facilitate onsite waste collection.

Note: Site owners will need to make private arrangements for waste collection where kerbside collection is not appropriate.
Amendment history

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Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined taking into consideration the provisions of this section.

Land to which this section applies

This section applies to all land to which the Newcastle Local Environmental Plan 2012 applies and to land outside of the Port of Newcastle lease area to which State Environmental Planning Policy (Three Ports) 2013 applies.

Development (type/s) to which this section applies

This section applies to all development consisting of subdivision.

Applicable environmental planning instruments and legislation

The provisions of the Newcastle Local Environmental Plan 2012 also apply to development applications to which this section applies.

In the event of any inconsistency between this section and the above environmental planning instrument, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: Section 74E (3) of the Environmental Planning and Assessment Act 1979 enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

Related sections

The following sections of this DCP will also apply to development to which this section applies:
- 4.04 Safety and Security
- 7.02 Landscaping, Open Space and Visual Amenity
- 7.03 Traffic, Parking and Access
- 7.04 Movement Networks
- 7.06 Stormwater
- 7.08 Waste Management.
5. Provide a range and mix of lot sizes to suit a variety of industrial uses with areas and dimensions to meet user requirements, including provision of storage space, vehicle access, parking, manoeuvring, and landscaping.

6. Provide subdivisions that are responsive to site constraints and opportunities.

7. Ensure appropriate building siting and access to development.

8. Provide adequate open space and recreation areas, vehicle access and parking.

**Controls**

**The following controls apply only to subdivision in residential zones**

1. Refer to Newcastle Local Environmental Plan 2012 for the minimum subdivision lot size in residential zones.

2. A range and mix of lot sizes produced, that:
   (a) are generally rectangular in shape
   (b) provide for diversity in housing choice
   (c) use land efficiently
   (d) protect natural and cultural heritage features
   (e) provide for vehicular access that connects to a public road
   (f) result in a street and lot layout that facilitates energy efficient building siting and design
   (g) allow for erection of dwellings that present a building front to the street.

3. Lot sizes and dimensions provide for:
   (a) rectangular allotments
   (b) a minimum frontage of 15m
   (c) space for parking and manoeuvring of vehicles
   (d) space for private recreation and landscaping.

4. Where an application for subdivision proposes to subdivide land which contains an existing dwelling or that land has consent for the erection of a dwelling, or consent is being sought for dwelling(s), it must be demonstrated that each dwelling on each proposed allotment will comply with section 3.02 Single Dwellings (eg. via provision of parking, adequate solar access, good layout and design, adequate landscaping area and courtyards).

5. Where an application for subdivision proposes to subdivide land which contains:
   i) an existing dual occupancy, semi-detached dwellings development, attached dwellings, multi dwelling housing development or residential flat buildings development, OR
   ii) that the land has consent for, or consent is being sought for, the erection of a dual occupancy, and semi-detached dwellings development, attached dwellings, and multi dwelling housing development or a residential flat buildings development;

   it must be demonstrated that each development dwelling on each proposed allotment will comply with Sections 3.03 Dual Occupancy and Semi-Detached Dwellings, 3.04 Attached
Dwellings and Multi-Dwelling Housing and/or 3.05 Residential Flat Buildings as they apply to the respective developments—Section 3.03 Residential Development.

The following controls apply only to subdivision in residential zones, arising in battleaxe lots

6. The minimum width of the access corridor for a battleaxe lot is 3.5m.

7. Subdivision proposals involving more than two lots served by an access corridor or battleaxe handle are strata or community title subdivision.

8. The maximum length of the access corridor for a battleaxe lot is 50m. Passing bays provided in accordance with Australian Standards.

9. The pavement within the access handle and associated drainage (in accordance with Section 7.04) is constructed from the road to the usable part of the lot prior to release of the subdivision certificate.

10. Where vehicular access is obtained from a laneway, a pedestrian pathway, within a minimum 1m wide access handle, is provided to the street frontage. The pathway allows pedestrian access, garbage services and property identification.

The following controls apply only to subdivision in residential zones, arising in fan-shaped lots

11. Fan-shaped lots have a minimum frontage of 9m and a minimum width measuring 6m from street alignment of 15m.

The following controls apply to subdivision of dual occupancy, attached dwellings and multi dwelling housing as defined by the Newcastle Local Environmental Plan 2012

12. Roof and gutter systems are graded such that each lot drains independently of each other. In the event that an approved development has other stormwater management systems, such as a detention tank, appropriate easements are established to preserve the legal rights of owners and to ensure that maintenance obligations are clearly defined.

Note: The endorsement of a subdivision certificate for subdivision in conjunction with dwellings is at the discretion of Council but will generally not be released prior to lock up stage of the associated development.

The following controls apply only to subdivision in industrial zones

13. Refer to Newcastle Local Environmental Plan 2012 for minimum subdivision lot size in industrial zones.

14. Lots have a minimum frontage of 25m.

15. Within ‘Steel River’ (as indicated on Map 1 below) lots have a minimum frontage of 60m with no direct access off Industrial Drive, Tourle Street or Pacific Highway.

16. Lots are rectangular in shape.

17. The design of the subdivision allows for the largest vehicles anticipated to require access to the subdivision, which will typically be semi-trailers and B-Double trucks.

18. Lot size to allow trucks to manoeuvre on-site without reversing onto or off the lot.
3.10 Commercial Uses

Amendment history

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Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined taking into consideration the provisions of this section.

Land to which this section applies

This section applies to all land zoned:
- R4 High Density Residential
- B1 Neighbourhood Centre
- B2 Local Centre
- B3 Commercial Core
- B4 Mixed Use
- B5 Business Development.

Development (type/s) to which this section applies

This section applies to the following development when located within the zone to which this section applies:
- business premises
- office premises
- retail premises
- wholesale suppliers
- registered clubs
- food and drink premises
- function centres
- service stations
- vehicle sale or hire premise
- amusement centre
- entertainment facility
- veterinary hospital.

Applicable environmental planning instruments and legislation

The provisions of the following listed environmental planning instruments also apply to development applications to which this section applies:
- Newcastle Local Environmental Plan 2012
- State Environmental Planning Policy No 22 – Shops and Commercial Premises
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
In the event of any inconsistency between this section and the above listed environmental planning instruments, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: Section 74E (3) of the Environmental Planning and Assessment Act 1979 enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

**Related sections**

The following sections of this DCP **will** also apply to development to which this section applies:

- 4.04 Safety and Security
- 7.01 Building Design Criteria
- 7.02 Landscaping, Open Space and Visual Amenity
- 7.03 Traffic, Parking and Access
- 7.05 Energy Efficiency
- 7.06 Stormwater
- 7.07 Water Efficiency
- 7.08 Waste Management
- 7.09 Outdoor Advertising and Signage
- 7.10 Street Awnings and Balconies.

The following sections of this DCP **may** also apply to development to which this section applies:

- 4.01 Flood Management – all land which is identified as flood prone land under the Newcastle Flood Policy or within a PMF or area likely to flood
- 4.02 Bush Fire Protection – within mapped bush fire area/zone
- 4.03 Mine Subsidence – within mine subsidence area
- 5.01 Soil Management – works resulting in any disturbance of soil and/or cut and fill
- 5.02 Land Contamination – land on register/where risk from previous use
- 5.03 Tree Management – trees within 5m of a development footprint or those trees likely to be affected by a development
- 5.04 Aboriginal Heritage – known/likely Aboriginal heritage item/site and/or potential soil disturbance
- 5.05 Heritage Items – known heritage item or in proximity to a heritage item.
- 5.06 Archaeological Management – known/likely archaeological site or potential soil disturbance
- 5.07 Heritage Conservation Areas – known conservation area
- 6.01 Newcastle City Centre East - located within the Newcastle City Centre East precinct
- 6.02 Newcastle City Centre West – located within the Newcastle City Centre West precinct
- 6.03 Wickham – located within the Wickham precinct
- 6.04 Islington Renewal Corridor – located within the Islington renewal precinct
- 6.05 Mayfield Renewal Corridor – located within the Mayfield renewal precinct
- 6.06 Hamilton Renewal Corridor – located within the Hamilton renewal precinct
- 6.07 Broadmeadow Renewal Corridor – located within the Broadmeadow renewal precinct
- 6.08 Adamstown Renewal Corridor – located within the Adamstown renewal precinct
- 6.09 Darby Street, Cooks Hill – located within the Darby Street Precinct
- 6.10 Beaumont Street, Hamilton – located within the Royal Newcastle Hospital Site
- 6.11 Royal Newcastle Hospital Site – located within the Royal Newcastle Hospital Site
- 6.12 Minmi – located within the Royal Newcastle Hospital Site
- 7.04 Movement Networks – where new roads, pedestrian or cycle paths are required.
Associated technical manual/s

- Nil

Additional information

- Nil

Definitions

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Part 9.00 – Glossary of this plan, and include:

- **Active street frontage** - a street frontage that enables direct visual and physical contact between the street and the interior of the building. Clearly defined entrances, windows and shop fronts are elements of the building façade that can contribute to an active street frontage.

- **Building envelope** - the three dimensional space that limits the extent of a building on an allotment. The building envelope is defined by building height and front, side and rear boundary setbacks. Refer to definitions for building height and setback for inclusions and exclusions.

- **Building height** (or **height of building**) - has the same meaning as in Newcastle Local Environmental Plan 2012. The term is defined as the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

- **Building line** or **setback** - has the same meaning as in Newcastle Local Environmental Plan 2012. The term is defined as the horizontal distance between the property boundary or other stated boundary (measured at 90° from the boundary) and:
  (a) a building wall, or
  (b) the outside face of any balcony, deck or the like, or
  (c) the supporting posts of a carport or verandah roof, whichever distance is the shortest.

- **Landscaped area** - has the same meaning as in Newcastle Local Environmental Plan 2012. The term is defined as a part of the site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

Aims of this section

1. To enhance the economic viability of commercial centres.

2. To encourage commercial development that has a positive contribution to surrounding development.
3. To establish the scale, dimensions and form of development appropriate for the context of the area.

4. Create people friendly places with active street frontages.

Note: Urban Design Consultative Group

Proposals involving larger development which, by virtue of their location or scale, are likely to have a significant impact within the city may be referred to Council’s Urban Design Consultative Group for independent advice.

In some instances, there will be the opportunity to discuss your proposal directly with the Group prior to the lodgement of your application. The Group will be able to offer independent advice regarding the proposal. The recommendations and advice of the Group will be taken into consideration when assessing the development.

3.10.01 Height of buildings

Objectives

1. Ensure the scale of development enhances and makes a positive contribution towards the desired built form by reinforcing the established centres hierarchy.

2. Allow reasonable daylight access to all developments and the public domain.

Controls

Controls applying to all development to which this section applies

1. Refer to the Newcastle Local Environmental Plan 2012 for building height controls.

3.10.02 Density - floor space ratio

Objectives

1. Provide an appropriate density of development consistent with the established centres hierarchy.

2. Ensure building density, bulk and scale makes a positive contribution towards the desired built form as identified by the centres hierarchy.

Controls

Controls applying to all development to which this section applies

1. Refer to the Newcastle Local Environmental Plan 2012 for floor space ratio controls.
3.10.03 Streetscape and front setbacks

Objectives
1. Ensure new development makes a positive contribution to the local context.

Controls
1. Within established areas the front setback is consistent with those of adjoining development. Some variations to minimum setbacks can be considered particularly where such variations are used to create streetscape variety and interest.
2. Development facilitates pedestrian access from the street frontage and provides individual identity to dwellings.

3.10.04 Side and rear setbacks

Objectives
1. Enable flexibility in the siting of buildings and the provision of side and rear setbacks.
2. Ensure adequate natural light, ventilation and privacy between buildings.
3. Ensure buildings are related to land form, with minimal cut and fill.

Controls
1. Side and rear setbacks to walls are in accordance with the Building Code of Australia and subject to consideration of impact on the privacy, private open space and solar access of adjoining properties.

3.10.05 Street activation

Objectives
1. Provide activation of street frontages to ensure a safe and accessible environment.
2. Promote uses that attract pedestrian traffic along ground floor street frontage in business zones.

Controls
The following controls apply to all development which this section applies
1. Provide activated street edges at ground level through the provision of retail premises or business premises uses in business/commercial zones.
2. Ground floor retail uses provide multiple pedestrian accesses along the street frontage.
3. A visual connection into uses at ground level and avoid the use of solid walls or covered glassing for lengths greater than 3m.

3.10.06 Building design and appearance

Objectives
1. Ensure the design of new development responds to and contributes to its context.
2. Encourage the creation of attractive well designed development.

Controls
1. New development enhances and makes a positive contribution towards the desired built form.
2. The following features of existing areas are considered and integrated into new development where possible:
   (a) street setbacks
   (b) grouping or ‘rhythm’ of buildings within the streetscape
   (c) corner feature sites
   (d) traditional street and lane patterns
   (e) pedestrian walkways and other public open space areas
   (f) pavement design, including materials and finishes, kerb and gutter treatment.

3.10.07 Views and privacy

Objectives
1. Encourage the sharing of views while not restricting the reasonable development potential of a site.

Controls
1. Properties are able to be developed within the established planning guidelines, however, existing views from dwellings are not substantially affected where it is reasonable to design for the sharing of views.
2. Grand vistas and views from dwellings which are recognised and valued by the community are not unreasonably obscured by new development.
3. Views to heritage or familiar dominant landmarks from dwellings are not unreasonably obscured.
4. A minimum 9m separation is provided between the windows of habitable rooms of facing dwellings that abut a public or communal street. This distance is increased to 12m for windows above first floor level.

5. Direct views between living area windows of adjacent dwellings are screened or obscured where:

   (a) ground and first floor windows are within an area described by taking a 9m radius from any part of the window of the adjacent dwelling. An area so defined is described as a 'privacy sensitive zone'.

   (b) other floor windows are within a 'privacy sensitive zone' described by a 12m radius.

6. Direct views from living rooms of dwellings into the principal area of private open space of other dwellings are screened or obscured within a 'privacy sensitive zone' described by a 12m radius.

7. Direct views described in (5) and (6) may be obscured by one of the following measures:

   (a) 1.8m high solid fences and walls between ground floor level windows and adjoining open space, where the slope is below 10%

   (b) screening that has a maximum area of 25% openings, is permanently fixed and is made of durable materials

   (c) landscape screening either by existing dense vegetation or new planting that can achieve a 75% screening effectiveness within three years.

8. Mechanical plant or equipment designed and located to minimise noise nuisance.

3.10.08 Fencing and walls

Objectives

1. Ensure front and side fences and walls provide privacy, security and noise attenuation without having a detrimental impact upon the streetscape and adjacent buildings.

2. Ensure that fencing provides for active street frontages and pedestrian access.

3. Enable outlook from buildings to the street for safety and surveillance.

Controls

1. The use of fencing along street frontages is not supported.

2. Fences and walls complement the existing streetscape in relation to scale and materials and use similar or compatible materials to those used in attractive buildings within the locality.

3. The use of sheet-metal fencing is avoided adjacent to public places, unless the visual impact is softened by landscaping.
3.10.09 Utilities and services

Objectives

1. Ensure site facilities, such as garbage and recycling bins / enclosures, mail boxes, external storage facilities, exterior lighting and signage are designed to be conveniently reached and require minimal maintenance.

2. Ensure facilities are visually attractive and blend in with the streetscape.

Controls

1. Mail boxes (where provided onsite) are located close to each ground floor entry, or a mail box structure located close to the major pedestrian entry to the site and complying with the requirements of Australia Post.

2. Bin storage areas are roofed and designed to conceal contents from view from adjacent public space and/or other properties. The bin storage area is provided with a water-tap for wash down purposes and is drained to connect to the sewer. The bin storage area is located as close as practicable to the pick-up location.
Note: the amendments shown in this part of the DCP will also be applied to:

6.03 Wickham  
6.04 Islington Renewal Corridor  
6.05 Mayfield Renewal Corridor  
6.06 Hamilton Renewal Corridor  
6.07 Broadmeadow Renewal Corridor

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**Savings provisions**

Any development application lodged but not determined prior to this section coming into effect will be determined taking into consideration the provisions of this section.

**Land to which this section applies**

This section applies to all land identified in Map 1 - Adamstown Renewal Corridor area.
Note: Any inconsistency between the locality specific provision and a landuse specific provision, the locality specific provision will prevail to the extent of the inconsistency.

- 4.04 Safety and Security

**7.01 Building Design Criteria**

*Note: Limited application as per control 6.08.01A) – Land Use*

- 7.02 Landscaping, Open Space and Visual Amenity
- 7.03 Traffic, Parking and Access
- 7.05 Energy Efficiency
- 7.06 Stormwater
- 7.07 Water Efficiency
- 7.08 Waste Management.

The following sections of this DCP may also apply to development to which this section applies:

- 4.01 Flood Management – all land which is identified as flood prone land under the Newcastle Flood Policy or within a PMF or area likely to flood
- 4.02 Bush Fire Protection – within mapped bushfire area/zone
- 4.03 Mine Subsidence – within mine subsidence area
- 5.01 Soil Management – works resulting in any disturbance of soil and/or cut and fill
- 5.02 Land Contamination – land on register/where risk from previous use
- 5.03 Tree Management – trees within 5m of a development footprint or those trees likely to be affected by a development
- 5.04 Aboriginal Heritage – known/likely Aboriginal Heritage item/site and/or potential soil disturbance
- 5.05 Heritage Items – known heritage item or in proximity to a heritage item
- 5.06 Archaeological Management – known/likely archaeological site or potential soil disturbance
- 7.04 Movement Networks – where new roads, pedestrian or cycle paths are required
- 7.09 Outdoor Advertising and Signage – signage and outdoor advertising
- 7.10 Street Awnings and Balconies – awnings or balconies to be located over public land.

**Associated technical manual/s**

- Nil

**Additional information**

- Nil

**Definitions**

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Part 9.00 - Glossary of this plan.
6.08.01 Land use and development

A. Land use

Objectives

1. Ensure desired outcomes relating to increasing residential, commercial and retail densities are achieved in suitable locations.

Controls

General controls applying to all development to which this section applies

1. Despite any other provisions within this plan, development comprising wholly or partly of residential accommodation, shall comply with the provisions identified within Section 7.04 Building Design Criteria Section 3.03 Residential Accommodation with respect to the following:
   - open space
   - views and privacy
   - solar access
   - fencing and walls
   - utilities and services.
   - Landscaped area
   - Siting the development
   - Amenity
   - Configuration
   - Environment

The following control applies to development within Precinct 1

2. Provide a range of compatible uses including higher density residential and low intensity employment.

The following control applies to development within Precinct 2

3. Provide a range of compatible uses including higher density residential and employment including commercial, wholesaling, and retailing (other than groceries, clothing, newsagencies, or chemists).

The following control applies to development within Precinct 3

4. Provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.

The following control applies to development within Precinct 4

5. Provide a range of small-scale retail, business and community uses that serve the needs of people who live and work in the surrounding neighbourhood.
Controls

General controls applying to all development to which this section applies

1. Landscaping is provided as per Section 7.02 Landscaping, Open Space and Visual Amenity in accordance with Section 3.03.01 D - Landscaped Area.

2. Provides lighting to front setback to ensure well lit building entries and landscaped areas.

3. Landscape/Communal Open Space requirements for mixed use development and non-residential development is assessed on its merits, having respect for the character of the existing streetscape and that of adjoining land.

4. On-site open space requirements may be achieved on upper levels and rooftops of development.

5. Soft landscaping (plantings) on upper levels and roof tops through use of roof and wall gardens and the like is encouraged and is calculated as part of the landscape requirements of the development.

6. Waste management facilities are appropriately screened and/or located where not visible from the streetscape.

7. Development fronting Brunker Road that requires four or more wheelie bins are required to use a waste removal contractor rather than Council's kerbside service.

The following controls apply to all development in Precinct 1

8. Funding or works-in-kind of s94A developer contributions may be negotiated to achieve embellishment of Arthur Park (93A Brunker Road, Broadmeadow) including a new playground and/or other outdoor recreation facilities.

The following controls apply to all development in Precinct 2

9. Maintains vegetated setback to Brunker Road between Kyle and Glebe Road.

10. Development of the former Adamstown Public School site at the corner setback of Brunker and Kyle Roads to incorporate an informal public open space with playground facilities.

11. Provide pedestrian link between Kyle and Glebe Roads as an extension of Narara Road, incorporating formalised landscaping as a forecourt to development and as a gathering place, as shown in Figure 4.

12. On-site car parking associated with redevelopment of the former Adamstown Public School is provided at sub-grade with vehicle access from Gosford Road to maximise landscape opportunities on site, as shown in Figure 4.
Amendment history

<table>
<thead>
<tr>
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</tr>
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Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined taking into consideration the provisions of this section.

Land to which this section applies

This section applies to all land to which Newcastle Local Environmental Plan 2012 applies.

Development (type/s) to which this section applies

This section applies to all development requiring consent that consists of:
- a new building or structure
- alterations or additions to the external footprint of an existing building or structure.

Applicable environmental planning instruments and legislation

The provisions of the Newcastle Local Environmental Plan 2012 also apply to development applications to which this section applies.

In the event of any inconsistency between this section and the above environmental planning instrument, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: Section 74E (3) of the Environmental Planning and Assessment Act 1979 enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

Related sections

The following sections of this DCP may also apply to development to which this section applies:
- 5.03 Tree Management

Associated technical manual/s

- Urban Forest Technical Manual
- Landscape Technical Manual
- Stormwater Technical Manual
7.02.03 Residential development -

Objectives

1. Enhance the appearance and amenity of developments through the retention and/or planting of large and medium sized trees.
2. Encourage landscaping between buildings for screening.
3. Ensure landscaped areas are consolidated and maintainable spaces that contribute to the open space structure of the area.
4. Provide landscaped areas of usable size and proportions.
5. Assist new development to integrate into established streetscapes and neighbourhood.
6. Add value and quality of life for residents and occupants within a development in terms of privacy, outlook, views and recreational opportunities.

Controls

The following controls apply to development consisting wholly of residential accommodation of the following type: attached dwellings, dual occupancy, multi dwelling housing, residential flat buildings and semi-detached dwellings, as defined in the Newcastle Local Environmental Plan 2012.

1. Landscape area is to be provided in accordance with the development type and Newcastle Urban Strategy precinct, as detailed in Table 1 (Residential Flat Building) and Table 2 (Dual Occupancy/Villa/Townhouses) below.

   Landscape area can include any private open space area in excess of the principal area of private open space*, provided it satisfies other landscape requirements under the DCP as shown in Figure 2.

   *The principal area of private open space is a 4m x 4m level area of private open space directly accessible from the main living area of the dwelling.
Figure 2: Landscape area and principal area of private open space

Table 1: Residential Flat Building

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Landscape Area</th>
<th>Deep Soil (% of Site Area) **</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limited Precinct</td>
<td>30%#</td>
<td>15%</td>
</tr>
<tr>
<td>Moderate Precinct</td>
<td>25%#</td>
<td>12%</td>
</tr>
<tr>
<td>Substantial Precinct</td>
<td>20%#</td>
<td>10%</td>
</tr>
</tbody>
</table>

**The deep soil percentages are a percentage of the site area not the landscape percentage. The deep soil zones are still landscape areas for the purposes of the landscape area calculations.

#Consideration may be given, on a merit assessment basis, to varying the landscape percentage to 20% for sites within the Moderate and Limited precincts where a local level park is directly adjacent or adjoining the development site. Parks which have District/Regional level facilities that exclude general use by public (e.g., Ausgrid Stadium and other permanent fixed fields which exclude casual use by the general public) or that are predominately unavailable for use such as native bushland would not attract this variation.
### Table 2: Dual Occupancy/Villa/Townhouses

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Landscape Area (m²) per dwelling</th>
<th>Deep Soil (% of Site Area) **</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limited Precinct</td>
<td>70+</td>
<td>15%</td>
</tr>
<tr>
<td>Moderate Precinct</td>
<td>60+</td>
<td>12%</td>
</tr>
<tr>
<td>Substantial Precinct</td>
<td>50+</td>
<td>10%</td>
</tr>
</tbody>
</table>

**The deep soil percentages are a percentage of the site area not the landscape percentage. The deep soil zones are still landscape areas for the purposes of the landscape area calculations.

**Residential Flat Buildings (ie. RFBs) still use the landscape area percentages in conjunction with the courtyard/balcony arrangements whereas the Dual Occupancies and Villa/Townhouse developments have the option of using either the 25% landscape area rate or the set area per dwelling given in the Table. The set area is an accumulative total for a development and can be designed as private open space, communal space or combination of both.

1. The option of using these set landscape areas is subject to a comprehensive landscape plan being submitted with the Development Application demonstrating that denser landscaping is proposed at a height and quality to contribute to the visual quality of the development and improved amenity for residents. In each of these departures kerbs, impervious materials and all paving is excluded from being counted within the landscape area calculations. It is further clarified that this ‘set landscape area per dwelling’ option also allows the landscaping to be distributed across a development site, it does not have to be divided evenly per dwelling within the subdivision.

2. A landscape area has a minimum dimension of 3m. Areas less than 3m in width are excluded from the landscape area calculation (refer to Figure 3).

The following departures from the 3m minimum dimension are allowed under each specific circumstance subject to a comprehensive landscape plan* being submitted with the Development Application demonstrating that denser landscaping is proposed at a height and quality that contributes to the visual quality of the development and improved amenity for residents being provided for the whole of the site. In each of these departures kerbs, impervious materials and all paving is excluded from being counted within the landscape area calculations.

* The comprehensive landscape plan is to be provided across the whole of the subject site once the benefit of any of the departure provisions is utilised.

Note: These departures do not apply to the ‘3m wide landscaping strip located along one boundary’ required by point 3.

(a) Driveway/Boundary Landscape Zone – where the landscaping between the side boundary and driveway is 1m wide or greater this can be included as part of the calculated landscape area.

Note: The area at the rear/end of the driveway is not included in this standard (see instead sub-point (c) below).

(b) Driveway/Dwelling Landscape Zone – where the landscaping between the proposed dwellings and the driveway is 2m wide or greater this can be included as part of the calculated landscape area.
(c) Driveway End Zone — where the landscaping at the end of the driveway, between the end of the driveway and boundary fence, is a minimum 2m wide or greater this can be included as part of the calculated landscape area.

(d) Contiguous landscaping* — where the landscaping area is:
- adjoining and contiguous* with the private open space area (ie. including the principle area of private open space), and
- has a boundary with the private open space which is at least 3m wide and is at least 2m deep, such that it forms a wide strip of landscaped area adjoining the private open space — areas which are narrower and deeper are not to be included within this departure wide (see Figure 4: Courtyard Landscaping), this can be included as part of the calculated landscape area.

* Landscaping can be considered to be contiguous, on a merit assessment basis, even where the landscaping is separated by a minor feature such as a courtyard fence. In this circumstance the smaller ‘divided’ portion of landscaping must be at least 1m wide (see Figure 3: Landscape Dimensions) and results in an improved planning outcome (eg. landscaping screening of a courtyard fence from the internal driveway).
3. A minimum 3m wide strip of landscaping is to be provided along one boundary, preference is given to the front and rear boundaries. Driveway crossings may be accepted within this strip, on a merits basis, where it is demonstrated that the overall development will achieve a high quality landscape outcome and the combined ratio of driveway width relative to the landscape area is not excessive within the strip area.

4. Deep soil zones are to be provided in accordance with the development type and Newcastle Urban Strategy precinct, as detailed in Table 1 (Residential Flat Building) and Table 2 (Dual Occupancy/Villa/Townhouses) above.

   **Note 1:** The proposed tree/shrub species selected for the deep soil planting needs to be appropriate to the available area and gives consideration to retention of solar access during winter.

   **Note 2:** Exceptions may be made in urban areas where sites are built out and there is no capacity for water infiltration. In these instances, stormwater treatment must be integrated with the design of the building.

5. The area between the street front boundary and the building line (ie. normally 5m) is to be used as a prime deep soil zone for taller tree planting and will not be included as an area of private open space. No fencing greater than 1.2m in height is to be erected within this area or on any street front boundary associated within this area. Any paving within this area is to be minimised and designed to be compatible with the tree planting.
6. Landscaping requirements for mixed use development will be assessed on its merits, having regard to other controls of this section, respect for the character of the existing streetscape and that of adjoining land.

Note: Refer also to Section 7.02.07 Green walls and roof space

7. The proposed design, where a subdivision is included concurrently or proposed at a subsequent time, must demonstrate that:

(i) the overall development achieves the required landscape area given in Control 1 above; and

(ii) each dwelling on any resultant lot achieves at least the minimum landscaping and private open space required under section 3.02.07 - Landscaping and existing vegetation.

7.02.04 03 Subdivision

A. Layout

Objectives

1. Ensure subdivision layouts take into account landscaping and site characteristics.

2. Ensure significant landscape elements are retained and protected.

3. Minimise the impact of development on significant views and vistas.

4. Ensure adequate provision is made for planted buffer zones between major road corridors and nearby development.

Controls

The following controls apply to development consisting of subdivision

1. A landscape Concept Plan/Masterplan showing all stages of subdivision and development is submitted at development application stage as required under Section 7.02.01. The plan describes the existing landscape character and reinforces this character in the development.

2. Building envelopes, accessways and roads avoid ridge tops and steep slopes.

3. Landscape elements, including valuable wildlife habitats are retained and conserved.

4. Subdivisions are designed so that, when subsequently developed, visually significant vegetation, or other natural or built elements, is retained.

5. Proposals to subdivide visually sensitive or prominent areas address the visual impacts of development in the Statement of Environmental Effects accompanying the application.
**Controls**

The following controls apply to development consisting of subdivision

<table>
<thead>
<tr>
<th>Note: Hazard assessments may be required depending on the hydraulic characteristics of the proposal.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Development caters for pedestrian and vehicular access within the drainage system by providing footpaths, cycleway and parking areas along the margins, while recognising the hazards associated with people using these areas.</td>
</tr>
<tr>
<td>2. Access to all parts of the open space and drainage system is required for maintenance purposes.</td>
</tr>
<tr>
<td>3. Permanent water bodies within the detention basin are incorporated where possible to increase the amenity value of the area and contribute to the aesthetic quality of the development.</td>
</tr>
<tr>
<td>4. Consideration given to water quality and the incorporation of gross pollutant traps or wetlands filters upstream.</td>
</tr>
<tr>
<td>5. Consideration given to bank treatments and the provision for safety and access to water’s edge.</td>
</tr>
<tr>
<td>6. Surface and subsurface treatments are suitable for intensity of use of the area and can be used as soon as possible after inundation, eg. stripping and stockpiling topsoil, adding gypsum, adding sand to topsoil to improve drainage.</td>
</tr>
<tr>
<td>7. If appropriate, automatic irrigation systems are installed in active sport areas. Consideration is also given to the installation of adequate watering points for maintenance.</td>
</tr>
<tr>
<td>8. The functional requirements of the open space areas are reflected in the overall design, eg. dry land grass species for informal low use areas, fine turf grass for organised sports, exotic trees within the residential component.</td>
</tr>
<tr>
<td>9. Planting within the overland flow paths is compatible with hydraulic design for the system, and as determined by Council.</td>
</tr>
</tbody>
</table>

**7.02.0504 Car parking**

**Objectives**

1. Ensure car parks do not dominate the landscape and detract from the local environment.
2. Ensure where car parks are provided, they function efficiently and safely while having sufficient shade to reduce heat build-up and glare.
3. Ensure significant landscape elements are retained and protected.
**Controls**

**Controls applying to development which contains more than six external parking spaces**

1. Significant landscape elements are conserved and incorporated within the car park design.

2. Generous shade trees are planted within the parking area at a rate of at least one shade tree per six parking spaces with an aim to achieve at least 50% shade cover of the area. Shade area is to be calculated from the estimated crown projections of a tree 15 years in age under suitable growing conditions. Selected tree species are to develop a clean trunk height greater than 4.5m and a crown projection of at least 50m² to provide adequate shade and vehicle clearance. Landscape documentation is to detail the provision of sub-grade load bearing root vaults to provide suitable rooting volume for the required number of shade trees.

3. A landscape strip of between 1.5m and 3m is provided along the frontage to a street and/or other public space.

4. Reduce the visual impact of large parking areas using canopy trees and different surface treatments, such as permeable paving and the provision of pedestrian access.

5. Consideration is given to the following:
   - (a) using contrasting paving to delineate pedestrian and vehicular zones
   - (b) lighting for night use
   - (c) using kerbs or wheel restraints to contain and define parking areas
   - (d) using shrubs to screen cars from the street.

6. Clear sightlines are maintained between parking areas, public roads and paths.

7. Landscaping does not conflict with lighting services and casual surveillance of parking areas.

8. Trees and shrubs are positioned to provide adequate sight distance on corners and intersections of roads and paths within the development to avoid safety hazards to motorist and pedestrians.

**7.02.0605 Industrial development**

**Objectives**

1. Improve the visual amenity of industrial developments using landscape design that relates to the building scale and uses long lived species.

2. Ensure industrial land uses are adequately screened from residential uses.
Note: In assessing the landscaping requirements for industrial development the following criteria are also taken into consideration:
- the proximity of the development to public roads, railway lines, residential development and/or public places
- the nature and scale of the development proposal
- the extent of landscaping that has applied to existing development in the vicinity and the age of such development
- the location of services.

7.02.07 06 Green walls and roof space

Objectives

1. Improve the microclimate and solar performance within the development.
2. Contribute to the quality and amenity of open space where provided over built structures.
3. Encourage the establishment and healthy growth of trees and shrubs in urban areas.
4. Encourage green roof to be used in communal open space in mixed-use residential developments and non-residential developments where the landscaping will not be on natural ground.
5. Minimise the use of potable water for irrigating planting on structures.
6. Maximise green cover on roofs, walls and within open space to improve environmental conditions and improve energy and water efficiency.
7.03 Traffic, Parking and Access

Amendment history

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Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined taking into consideration the provisions of this section.

Land to which this section applies

This section applies to all land to which the Newcastle Local Environmental Plan 2012 applies.

Development (type/s) to which this section applies

This section applies to all development:
- involving a change of use
- generating an increase in gross floor area of a building
- related to an activity generating a demand for parking.

Related sections

The following sections of this DCP may also apply to development to which this section applies:
- Section 7.04 Movement Networks

Applicable environmental planning instruments and legislation

The provisions of the following listed environmental planning instrument/s also apply to development applications to which this section applies:
- Newcastle Local Environmental Plan 2012
- State Environmental Planning Policy (Infrastructure) 2007

In the event of any inconsistency between this section and the above listed environmental planning instrument, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.
Note 2: Section 74E (3) of the Environmental Planning and Assessment Act 1979 enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.
<table>
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<th>Car Parking</th>
<th>Bike Parking</th>
<th>Motorbike Parking</th>
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<tr>
<td><strong>RECREATIONAL FACILITIES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bowling alleys</td>
<td>3 spaces per alley</td>
<td>1 space per 20 staff (Class 2)</td>
<td>1 space per 20 car spaces</td>
</tr>
<tr>
<td>Bowling greens</td>
<td>30 spaces for first green plus 15 spaces for each additional green</td>
<td>1 space per 20 staff (Class 2)</td>
<td>1 space per 20 car spaces</td>
</tr>
<tr>
<td>Gymnasium</td>
<td>Minimum 4.5 spaces per 100m²; maximum 7.5 spaces per 100m²</td>
<td>1 space per 20 staff (Class 2)</td>
<td>1 space per 20 car spaces</td>
</tr>
<tr>
<td>Squash courts</td>
<td>3 spaces per court</td>
<td>1 space per 20 staff (Class 2)</td>
<td>1 space per 20 car spaces</td>
</tr>
<tr>
<td>Tennis courts</td>
<td>3 spaces per court</td>
<td>1 space per 20 staff (Class 2)</td>
<td>1 space per 20 car spaces</td>
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<td><strong>RESIDENTIAL ACCOMMODATION</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Attached dwellings, Dual occupancies, Multi dwelling housing, Residential Flat Buildings, Semi-detached dwellings, Shop Top Housing</td>
<td>City wide (excluding Newcastle City Centre and Renewal Corridors): Minimum of 1 space per 1, 2 or 3 bedroom dwelling. Minimum 1 space for the first 5 dwellings (excluding dual occupancies) plus 1 space for every 5 thereafter or part thereof for visitors.</td>
<td>Bike parking of 1 space per dwelling is required unless separate storage is provided (Council determine the required class of security) 1 space per 10 dwellings (Class 3) for visitors</td>
<td>1 space per 20 car spaces</td>
</tr>
<tr>
<td>Land Use</td>
<td>Car Parking</td>
<td>Bike Parking</td>
<td>Motorbike Parking</td>
</tr>
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<td>------------------------------------------------------------------------</td>
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<td>Newcastle City Centre and Renewal Corridors:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Small (&lt;75m² or 1 bedroom) average 0.6 spaces per dwelling</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Medium (75m² - 100m² or 2 bedrooms) average 0.9 spaces per dwelling</td>
<td></td>
<td></td>
</tr>
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<td></td>
<td>Large (&gt;100m² or 3 bedrooms) average 1.4 spaces per dwelling</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space for the first 3 dwellings plus 1 space for every 5 thereafter or part thereof for visitors</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boarding House</td>
<td>1 space plus 1 space per 2 bedrooms</td>
<td>1 space per 10 bedrooms (Class 2) for staff/residents</td>
<td>1 space per 20 car spaces</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 space per 20 bedrooms (Class 3) for visitors</td>
<td></td>
</tr>
<tr>
<td>Boarding House</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dual Occupancy, Semi-detached Dwelling</td>
<td>1 space per dwelling less than 150m²</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2 spaces per dwelling over 150m²</td>
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<tr>
<td>Dwelling House</td>
<td>1 space per dwelling &lt; 125m²</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>2 spaces per dwelling &gt; 125m²</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group Home</td>
<td>1 space plus 1 space per 2 bedrooms</td>
<td>1 space per 10 bedrooms (Class 2) for staff/residents</td>
<td>1 space per 20 car spaces</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 space per 20 bedrooms (Class 3) for visitors</td>
<td></td>
</tr>
<tr>
<td>Housing for Seniors or People with a Disability</td>
<td>Refer to SEPP (Housing for Seniors or People with a Disability) 2004</td>
<td>Refer to SEPP (Housing for Seniors or People with a Disability) 2004</td>
<td>Refer to SEPP (Housing for Seniors or People with a Disability) 2004</td>
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<td>24/10/2016</td>
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</tr>
<tr>
<td>4</td>
<td>TBC</td>
<td>TBC</td>
<td>Amended</td>
</tr>
</tbody>
</table>

Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined as though the provisions of this section did not apply.

Land to which this section applies

This section applies to all land to which the Newcastle Local Environmental Plan 2012 applies and to land outside of the Port of Newcastle lease area to which State Environmental Planning Policy (Three Ports) 2013 applies.

Development (type/s) to which this section applies

This section applies to all development consisting:

- residential development
- business/commercial development
- industrial development.

Applicable environmental planning instruments

The provisions of the following listed environmental planning instrument/s also apply to development applications to which this section applies:

- Newcastle Local Environmental Plan 2012
- State Environmental Planning Policy Building Sustainability Index: BASIX 2004

In the event of any inconsistency between this section and the above listed environmental planning instruments, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note: Section 74E (3) of the Environmental Planning and Assessment Act 1979 enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

Related sections

- Nil
Associated technical manual/s

▪ Nil

Additional information

▪ Green Building Council Australia  http://www.gbca.org.au
▪ Your home technical manual http://www.yourhome.gov.au

Definitions

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Part 9.00 - Glossary, of this plan, and include:

▪ **BASIX** - Building Sustainability Index (BASIX) is an online rating system used to ensure residential buildings are designed to use less potable water and be responsible for fewer greenhouse gas emissions by setting energy and water reduction targets for house and units.

▪ **NABERS** - NABERS (the National Australian Built Environment Rating System) is a performance-based rating system for existing buildings. NABERS rates a commercial office, hotel or residential building on the basis of its measured operational impacts on the environment.

▪ **Urban heat island** - the areas of a metropolitan area which are significantly warmer than suburban or rural areas due to less vegetation and more land coverage.

Aims of this section

1. To encourage sustainable development.
2. To encourage the innovation of energy efficient technologies and processes.
3. To encourage efficient use of resources and the use of recycled materials.
4. To promote best practice energy use.
5. To improve the efficiency of energy use and reduce the long term energy consumption for residential, business and industrial uses.
6. To restrict the reflection of sunlight from buildings onto surrounding areas and buildings.
7.05.01 Residential development

Objectives

1. Provide residential development with access to fresh air through cross ventilation.
2. Ensure adequate solar access to dwellings.
3. Minimise energy comfort through higher thermal performance.
4. Provide energy efficient appliances and fittings.

Controls

The following controls apply to all development containing “residential accommodation” as defined within Newcastle Local Environmental Plan 2012, where not complying development:

1. Residential developments are carried out in accordance with the requirements set in State Environmental Planning Policy Building Sustainability Index (BASIX) 2004.
2. The dimensions and configurations of residential development support cross ventilation.
3. Maximise the number of apartments that are naturally cross ventilated.
4. Living rooms and private open space to receive a minimum of 3 hours direct sunlight between 9am and 3pm on 21 June (winter solstice).
5. Sunlight to any existing solar panels on neighbouring dwellings is not to be reduced to less than 3 hours between 9am and 3pm on 21 June.
6. A section of north facing roof is provided to allow for future installation of solar panels.
7. Optimise natural light access to reduce the amount of energy used to run artificial lighting.

7.05.021 Business development

Objectives

1. Provide business development that is orientated and designed to maximise the benefits of solar access.
2. Minimise the need for artificial lighting and employ energy efficient forms of artificial lighting only when required.
3. Use building materials which are renewable/sustainable and construction techniques that improve the thermal comfort of the building.
4. Minimise the demand for mechanical heating, cooling and ventilation through appropriate design, orientation and energy efficient mechanical equipment.
5. Maximise the use of energy efficient appliances in commercial businesses.
6. Provide adequate plantings and green space to reduce the urban heat island effect.
**Controls**

The following controls apply only to “registered club, veterinary hospital, child care centre, community facilities, public administration building, health service facilities, tourist and visitor accommodation, business premises, office premises, retail premises, environmental facilities, sex service premises,” as defined within Newcastle Local Environmental Plan 2012, where not complying development.

1. Development is to meet a minimum 4 Star Green Star Rating in the Green Building Council of Australia rating system where applicable.

2. An energy efficiency report from a suitably qualified consultant should accompany any development application for new commercial office development over $5 million in estimated cost. The required report is to demonstrate that the building would achieve a rating of not less than 4 Star Green Star Rating in the Green Building Council of Australia Rating System where applicable.

3. The placement of glazing on new buildings and facades does not result in glare that causes discomfort or threatens safety of pedestrians or drivers, or negatively impact on adjoining development.

4. Building materials used on the facades of new buildings are low reflectivity.

5. Subject to the extent and nature of glazing and reflective materials used, a reflectivity report may be required that analyses potential solar glare from the proposed development on pedestrians or motorists.

The following controls apply only to “change of use applications over 2000m²” as defined within Newcastle Local Environmental Plan 2012, where not complying development.

6. Development is to achieve a minimum 3.5 Star Energy Rating with NABERS.

**7.05.032 Industrial development**

**Objectives**

1. Minimise the need for artificial lighting within industrial development through appropriate orientation and design that maximises solar access and natural lighting.

2. Employ energy efficient forms of lighting when artificial lighting is required.

3. Use building materials which are renewable/sustainable and construction techniques to improve the thermal comfort of the building.

4. Minimise the demand for mechanical heating, cooling and ventilation through appropriate design, orientation and energy efficient mechanical equipment.

5. Use energy efficient appliances where applicable.
7.07 Water Efficiency

Amendment history

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<tr>
<th>Version Number</th>
<th>Date Adopted by Council</th>
<th>Commencement Date</th>
<th>Amendment Type</th>
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<td>15/11/2011</td>
<td>15/06/2012</td>
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<td>28/05/2013</td>
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Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined as though the provisions of this section did not apply.

Land to which this section applies

This section applies to all land to which the Newcastle Local Environmental Plan 2012 applies and to land outside of the Port of Newcastle lease area to which State Environmental Planning Policy (Three Ports) 2013 applies.

Development (type/s) to which this section applies

This section applies to all development consisting:
- residential development
- commercial/business development
- industrial development.

Related sections

- 7.06 Stormwater

Applicable environmental planning instruments

The provisions of the following listed environmental planning instrument/s also apply to development applications to which this section applies:
- Newcastle Local Environmental Plan 2012
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

In the event of any inconsistency between this section and the above listed environmental planning instruments, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: Section 74E (3) of the Environmental Planning and Assessment Act 1979 enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.
**Associated technical manual/s**

- AS 6400 water efficient products – ratings and labelling

**Definitions**

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Part 9.00 - Glossary, of this plan, and include:

- **BASIX** - Building Sustainability Index (BASIX) is an online rating system used to ensure residential buildings are designed to use less potable water and be responsible for fewer greenhouse gas emissions by setting energy and water reduction targets for house and units.
- **NABERS** - NABERS (the National Australian Built Environment Rating System) is a performance-based rating system for existing buildings. NABERS rates a commercial office, hotel or residential building on the basis of its measured operational impacts on the environment.

**Aims of this section**

1. To assist in efficient use of mains water.
2. To encourage sustainable development.
3. To utilise rainwater within developments.
4. To minimise the consumption of potable water and discharge of wastewater.

**7.07.01 Water efficiency**

**Objectives**

1. Improve the efficiency of water use and reduce the long term water consumption for residential, business and industrial uses through best practice water use.
2. Encourage the innovation of water efficient technologies and processes.
3. Incorporation of water sensitive urban design elements into the urban landscape.
Controls

The following controls apply only to “residential accommodation” as defined within Newcastle Local Environmental Plan 2012, where not complying development

1. Development for the purpose of residential accommodation is carried out in accordance with the requirements set out in State Environmental Planning Policy Building Sustainability Index (BASIX)-2004.

General controls applying to all development (other than residential development)

1. Where plumbing fixtures and water appliances are proposed to be installed, such are to be of the following types:
   (a) a minimum WELS 3 Star Water Rating
   (b) maximum 6L dual flush toilet cisterns where they are not supplied by a roof water tank.

2. Where washing appliances are installed, they are WELS 3 Star (or better) Water Rated where they are not supplied by a roof water tank.

3. Where installed, garden water hoses are fitted with trigger nozzles in order to maximise the efficiency of garden watering.

4. A rainwater tank is installed for the dual purposes of mains water demand management and reducing the volume of stormwater discharge from sites. The rainwater tank must be connected to roof areas and not be connected to possible contaminating water sources. All rainwater tanks must be fitted with a first flush device to prevent contaminates fouling water and to prolong the life of the tank. Rainwater tanks should be designed to cater for maintenance and cleaning.

Where rainwater tanks are provided, the volume of the tank can be used to offset any additional discharge control storage that is required. Rainwater tanks are to supply water for toilets, watering systems and other reuse devices and be designed and installed in accordance with Council’s Stormwater and Water Efficiency for Development Technical Manual.

5. Toilets and watering systems for landscaping are connected to rainwater supply.

6. Where devices in Table 1 are installed, they are to be of the type indicated. Where water is supplied to washing appliances from roof water tanks, this requirement does not apply.

Table 1: Water device requirements

<table>
<thead>
<tr>
<th>Device</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shower heads</td>
<td>WELS 3 Star or better</td>
</tr>
<tr>
<td>Toilet Cisterns</td>
<td>6L – 3L dual flush</td>
</tr>
<tr>
<td>Basin Taps</td>
<td>WELS 3 Star or better</td>
</tr>
<tr>
<td>Dishwasher</td>
<td>WELS 3 Star or better</td>
</tr>
<tr>
<td>Washing Machine</td>
<td>WELS 3 Star or better</td>
</tr>
</tbody>
</table>

Note: All 3 Star ratings are using the current rating system.
Amendment history

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<td>6</td>
<td>14/3/2017</td>
<td>3/4/2017</td>
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<tr>
<td>7</td>
<td>TBC</td>
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</tbody>
</table>

Aboriginal cultural heritage - means Aboriginal objects and declared Aboriginal places as defined under the *National Parks and Wildlife Act, 1974*.

**Note:** *The National Parks and Wildlife Act, 1974* defines *Aboriginal objects* as: any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

Aboriginal place means any place declared to be an Aboriginal place under Section 84.

Absorption trench - a trench excavated into the ground for the purpose of storing an initial volume of rainfall before that water seeps into the soil in which the trench is excavated.

Act of prostitution - has the meaning ascribed to it under Section 20 of the *Summary Offences Act, 1988*.

The Act - the *Environmental Planning and Assessment Act 1979*.

Active solar energy systems - systems which combine the sun’s energy with local climatic conditions to achieve thermal comfort inside buildings with the use of mechanical devices. An example is sub-floor heating which uses a pump to circulate hot water from a tank through the floor and back to solar collectors.

Activity centres - areas where commercial, retail and entertainment facilities are focused.

Activity nodes - see Activity centres.

Accessible path of travel - a continuous accessible path of travel is an uninterrupted part of travel to or within a building, providing access to all required facilities. It does not incorporate any step, stairway, turnstile, revolving door, escalator or other impediment which would prevent it from being safely negotiated by people with disabilities.

Adaptable Housing - refers to the means of designing a house/unit that enables easy and relatively cheap adaptation to make it comply fully with access standards (refer AS 4299 Adaptable Housing - Class C). This housing is designed in such a way that it can be easily modified in the future to meet changing needs of occupants.
**Remediation site** - a site that is land declared to be a remediation site by a declaration in force under Division 3 of Part 3 of the *Contaminated Land Management Act 1997*.

**Research Design** - refers to the set of research questions and methodology developed for a site within a wider research framework.

**Restoration** - means returning the existing fabric of a building or work to a known earlier state by removing accretions or by reassembling existing components without the introduction of new materials.

**Retainable tree** - a tree that has been subjected to and passed the relevant assessment tests noted in Section 4 of the Technical Manual.

*Note:* that these tests are to be undertaken by a suitably qualified arborist.

**Retention tank** - a water tank, whether above ground or below ground designed to retard the discharge of runoff from an impervious surface to a rate not harmful to the environment.

**Riparian Zone** - is an area of river or creek bank that supports, or has at one time supported a unique ecosystem pertaining to the river microenvironment. Generally, a width of 40m is considered to be the minimum viable riparian zone.

**Road** - means a public road or a private road within the meaning of the *Roads Act 1993*, and includes a classified road.

**Road/street reserve** - the land incorporating the full width from property line to opposite property line.

**Roof terrace** - the flat roof of a lower level building, which is both directly accessible for the exclusive use from the dwelling it adjoins and also open to the sky except for a pergola or similar sun control devices.

**Routes** - roads or paths along which major movements occur and which provide the framework within which individual project sites are accessed.

**Row housing** - a form of multi dwelling housing consisting of three or more detached and/or semi-detached dwellings that are arranged in a lineal fashion with a single driveway along one side of the site or a central driveway with dwellings on each side.

**Runoff** - the portion of rainfall that flows across the ground surface as water.

**Scale** - the size of a building in relation to its surroundings.

**Section 94 Developer Contributions** - Section 94 of the Environmental Planning and Assessment Act 1979 is the principal legislation enabling Council to levy contributions for amenities and services. Contributions are imposed by way of a condition of consent and can be satisfied by either:

(a) dedication of land
(b) monetary contribution
(c) material public benefit
(d) combination of the above.
CCL 27/06/17
ADOPTION OF AMENDMENT TO NEWCASTLE DEVELOPMENT CONTROL PLAN 2012 - RESIDENTIAL DEVELOPMENT

Attachment C: Summary of issues raised in submissions and Council response
## Attachment C - Summary of issues raised in submissions and Council response

<table>
<thead>
<tr>
<th>Issue</th>
<th>Planning Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed DCP amendments give a 'broad brush approach' to development types - some controls may be excessive for dual occupancies and manor housing.</td>
<td>All controls have been reviewed and separated to clearly define the requirements that apply only to dual occupancies or attached dwellings. Where the draft Medium Density Design Guideline includes less restrictive controls for dual occupancies, these have been incorporated into the DCP.</td>
</tr>
<tr>
<td>The draft section proposes tighter restrictions than those listed in the Department's Medium Design Guide on areas including cut/fill, increased setbacks on laneways and increased open space requirements.</td>
<td>Controls in the DCP have been updated to be consistent with cut and fill requirements of the draft Medium Density Design Guide. Open space requirements have been updated to include private open space requirements for residential flat buildings that are not required to comply with the Apartment Design Guide.</td>
</tr>
<tr>
<td>An inconsistent approach (between draft section and the Department's Medium Density Design Guideline) will introduce unfairness in the market, and lead to longer delivery times and potentially lower supply for this type of housing.</td>
<td>The draft MDDG has been introduced to support the broadening of complying development to some forms of medium density development, as well as support good design outcomes. However, adoption of the MDDG is not mandatory and Councils will be able to continue to use local DCP controls. Notwithstanding, the draft DCP is intended to be generally consistent with the draft MDDG and additional controls have been included to address some of the differences between the various medium density building forms. In some cases, the DCP controls are more generous than the proposed complying development standards. When the Department of Planning finalises the MDDG, Council will have the option to amend the DCP by referencing the MDDG, which would remove any inconsistencies.</td>
</tr>
<tr>
<td>Concern over 18m minimum frontage requirements for row housing and that it will limit development potential and discourage urban development.</td>
<td>The intention of the minimum frontage is to encourage medium density forms of development that are better able to reflect the low density residential character, ensure sites are able to meet all of the associated design criteria and improve internal site amenity. An 18m frontage will assist by ensuring sites are adequately sized to accommodate the increased landscaped requirements, particularly around driveways,</td>
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<tr>
<td>Issue</td>
<td>Planning Comment</td>
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<tr>
<td>and other design controls such as courtyards being orientated away from side boundaries.</td>
<td>All forms of residential accommodation will remain permissible within the R2 Low Density Residential Zone and other forms of medium density development, such as dual occupancies and attached dwellings, will be possible on sites that do not have an 18m frontage.</td>
</tr>
<tr>
<td>An 18m lot width provision (in isolation from other provisions) will not alter the impact on neighbouring dwellings.</td>
<td>The DCP includes numerous provisions aimed at improving the relationship between multi dwelling development in the R2 Low Density Residential Zone and the surrounding single dwellings. In particular:</td>
</tr>
<tr>
<td></td>
<td>• increased minimum landscaped area from 25% to 30%,</td>
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<td></td>
<td>• inclusion of a 1m wide landscaped area between the driveway and the side boundary,</td>
</tr>
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<td></td>
<td>• inclusion of a 2.5m landscaped setback between habitable windows and driveways/internal laneways,</td>
</tr>
<tr>
<td></td>
<td>• a minimum rear boundary setback of 3m for walls up to 4.5m high and 6m for walls greater than 4.5m in height,</td>
</tr>
<tr>
<td></td>
<td>• buildings being broken into separate elements with a maximum length of 25m and separated by a minimum 6m landscaped area.</td>
</tr>
<tr>
<td>The requirement for an 18m frontage for row housing will lead to short/medium term impact on delivery of these forms of developments, which will lead to supply issues and affect affordability.</td>
<td>The 18m minimum frontage has been included to provide for medium density forms of development that are better able to reflect the low density residential character and ensure sites are able to meet all of the associated design criteria.</td>
</tr>
<tr>
<td>A mix of residential accommodation types will remain available across all zones and the Newcastle local government area contains a variety of lot sizes and frontages which can accommodate various building forms. The minimum frontage reflects the site width needed to address all of the built form and landscaped area requirements for multi dwelling row housing.</td>
<td></td>
</tr>
<tr>
<td>Issue</td>
<td>Planning Comment</td>
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<td>In addition, Council officers have received verbal feedback that the proposed changes to the DCP, in particular, landscaped area and private open space requirements, will be beneficial to developments in the medium and high density zones, thus making development in these areas more attractive.</td>
</tr>
<tr>
<td></td>
<td>The introduction of complying development for medium density development forms - for dual occupancies (side by side and one above the other), multi dwelling housing (terraces) and manor houses (a building on a single lot containing 3 or 4 dwellings) will likely see an increase in those forms of development being undertaken in the future.</td>
</tr>
</tbody>
</table>