Councillors,

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

**DATE:** Tuesday 28 June 2016  
**TIME:** 5.30pm  
**VENUE:** Council Chambers  
2nd Floor  
City Hall  
290 King Street  
Newcastle NSW 2300

F Cordingley  
Interim Chief Executive Officer  

City Administration Centre  
282 King Street  
NEWCASTLE NSW 2300  
17 June 2016

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ITEM-60  CCL 28/06/16 - AMENDMENT TO SECTION 7.06 STORMWATER - NEWCASTLE DEVELOPMENT CONTROL PLAN 2012

ITEM-61  CCL 28/06/16 - HERITAGE CONSERVATION AREA REVIEW PROJECT

ITEM-62  CCL 28/06/16 - BUILDING BETTER CITIES COMMITTEE - PROPOSED EXPENDITURE OF RESIDUAL FUNDS

ITEM-63  CCL 28/06/16 - ANNUAL FEES FOR THE LORD MAYOR AND COUNCILLORS 2016/17

NOTICES OF MOTION

NOTE: NOTICES OF MOTION RECEIVED ON THE AFTERNOON PRIOR TO THE EARLY RELEASE DATE OF THE COUNCIL AGENDA ARE TO BE DISTRIBUTED UNDER SEPARATE COVER)

ITEM-7  NOM 28/06/16 - NEWCASTLE TO BECOME AN OFFICIAL RV FRIENDLY TOWN OR DESTINATION

CONFIDENTIAL REPORTS

ITEM-22  CON 28/06/16 - SUPPLEMENTARY REPORT TO ITEM-12 CON 26/4/16 - CONSIDERATION OF SALE OF AA COMPANY HOUSE THROUGH PUBLIC TENDER

ITEM-23  CON 28/06/16 - CONFIDENTIAL PROPERTY MATTER - LOT 383 DP 548603

ITEM-24  CON 28/06/16 - TENDER CONTRACT 2016/348T MUSEUM CATERING AND CAFE SERVICES

ITEM-25  CON 28/06/16 - TENDER FOR THE SUPPLY OF READY MIXED CONCRETE FOR CONTRACT NO 2016/414T

ITEM-26  CON 28/06/16 - TREE MAINTENANCE SERVICES CONTRACT NO 2016/449T

ITEM-27  CON 28/06/16 - IN-VEHICLE TRACKING AND ROUTING SOFTWARE CONTRACT NO. 2016/309T

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

MINUTES EXTRAORDINARY COUNCIL MEETING 10 MAY 2016

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 160510 Extraordinary Council Meeting Minutes

Note: The attached minutes are a record of the decisions made by Council at the meeting and are draft until adopted by Council. They may be viewed at www.newcastle.nsw.gov.au
PRESENT
The Lord Mayor (Councillor N Nelmes), Councillors D Clausen, D Compton, J Dunn, M Osborne, S Posniak and A Rufo.

IN ATTENDANCE
F Cordingley (Interim Chief Executive Officer), G Cousins (Director Corporate Services), K Liddell (Acting Director Infrastructure), A Baxter (Acting Director Planning and Regulatory), F Giordano (Manager Legal and Governance), G Sainsbury (Manager Projects and Contracts), I Challis (Contracts Management Specialist), S Adams (Program Coordinator), S Drewe (Project Manager), K Sullivan (Council Services/Minutes) and A Leach (Council Services/Meetings Management).

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

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

APOLOGIES

MOTION
Moved by Cr Compton, seconded by Cr Osborne
The apologies submitted on behalf of Councillors Crakanthorp, Doyle, Luke, Robinson, Tierney and Waterhouse be received and leave of absence granted. Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS
Nil.

CONFIDENTIAL REPORTS

ITEM-14 CON 26/04/16 - NEWCASTLE WAR MEMORIAL CULTURAL CENTRE - WINDOW UPGRADE AND STRUCTURAL WORKS CONTRACT NO. 2016/388T
PROCEDURAL MOTION
Moved by Cr Rufo, seconded by Cr Clausen

Council proceed into confidential session for discussion on Confidential Items 14 and 16 for the reasons outlined in the business papers.  

Carried

Council moved into confidential session at 6.47pm and reconvened at 6.50pm and the Interim Chief Executive Officer announced the details of the resolutions approved by Council in confidential session.

MOTION

1 Council accepts the tender of Kingston Building (Australia) Pty Ltd in the amount of $752,201.82 (excluding GST) for the Newcastle War Memorial Cultural Centre Window Upgrade and Structural Works Contract No. 2016/388T.

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

Carried

ITEM-16 CON 26/04/16 - NEWCASTLE CITY COUNCIL ADMINISTRATION BUILDING FACADE REPAIR AND DRIVEWAY UPGRADE CONTRACT NO. 2016/317T

MOTION

1 Council accept the tender of Michilis Pty Ltd in the amount of $755,899.00 (excluding GST) for Newcastle City Council Administration Building Façade Repair and Driveway Upgrade Contract No. 2016/317T.

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

Carried

The meeting concluded at 6.53pm.
MINUTES PUBLIC VOICE COMMITTEE 17 MAY 2016

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 160517 Public Voice Committee Minutes

Note: The attached minutes are a record of the decisions made by Council at the meeting and are draft until adopted by Council. They may be viewed at www.newcastle.nsw.gov.au
Minutes of the Public Voice Committee Meeting held in the Council Chambers, 2nd
Floor City Hall on Tuesday 17 May 2016 at 5.30pm.

PRESENT
The Deputy Lord Mayor (Councillor J Dunn), Councillors D Clausen, T Crakanthorp
(arrived 5.35pm), B Luke, S Posniak, A Robinson, A Rufo and L Tierney.

IN ATTENDANCE
F Cordingley (Interim Chief Executive Officer), G Cousins (Director Corporate
Services), K Liddell (Acting Director Infrastructure), A Baxter (Acting Director
Planning and Regulatory), M Blackburn-Smith (Manager Development and Building),
F Giordano (Manager Legal and Governance), J Gaynor (Manager Strategic
Planning), K Hyland (Manager Communications and Engagement), K Sullivan
(Council Services/Minutes) and A Leach (Council Services/Meetings Management).

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

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

APOLOGIES

MOTION
Moved by Cr Clausen, seconded by Cr Luke

The apologies submitted on behalf of the Lord Mayor, Cr Nelmes, Councillors
Compton, Doyle, Osborne and Waterhouse be received and leave of absence
granted.    

Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS
Nil.

PUBLIC VOICE SESSIONS

ITEM-1 PVC 17/05/16 - COMMENTS ON URBANGROWTH'S ENGAGEMENT
OUTCOMES REPORT DECEMBER 2015

Following a Public Voice application received on 21 April 2016 and the Council
resolution that was passed at the Ordinary Council Meeting on 26 April 2016,
community representatives Dr Patricia Gillard and Mr Fred Dumbrell were invited to
address the Public Voice Committee.
Due to illness, Dr Gillard was unable to attend the meeting and her written submission was presented by Robert Waters. Fred Dumbrell addressed the meeting and the points raised focused on an analysis of the survey results and reporting of consultation undertaken by UrbanGrowth NSW (UGNSW) during 2015.

The Public Voice application was submitted by the Access Newcastle Foreshore community group who indicated it was opposed to plans to rezone and develop the rail corridor and to put the light rail on Hunter and Scott Streets, Newcastle.

In summary, the points raised included the following:

- Scott Street and its unsuitability for light rail
- Pedestrian safety issues
- Resident's concerns not addressed in consultation
- The electromagnetic study has not been available for review
- The rail corridor is public land and should remain for public access, including cycleways
- The Review of Environment Factors does not allow for benefits to the corridor
- Light and open views will be limited by high rise on the rail corridor
- Heritage values of properties will be affected if corridor is rezoned
- Release of asbestos that may be dug up in the rail corridor
- The impact on indigenous burial sites
- Hunter and Scott Streets currently used by emergency vehicles and services to the East End
- Roads are close to capacity and currently congested
- Increase in daily traffic movements
- Heavy rail corridor can transport significantly more people than the proposed light rail
- Parking has only been addressed at the eleventh hour.
- The residents seek light rail retained on the heavy rail corridor (a convincing business case has not been presented)

The community representatives urged Council to protect their interests as residents and provide clear guidance to the Administrator to ensure the rail corridor land is protected and the REF is rejected.

A letter received by Council dated 16 May 2016 from UGNSW was also tabled at the meeting. It was self-explanatory in that it described the governance arrangements and rigour of the design and execution of the engagement program and report and highlighted key points such as UGNSW:

- had not been provided with information on Dr Gillard and Mr Dumbrell's concerns regarding the Revitalising Newcastle engagement program;

- had contacted Dr Gillard offering to provide background material and to discuss any particular matters that Dr Gillard might wish to raise. Dr Gillard "did not wish to engage with [UrbanGrowth NSW] nor share any information about her material to be raised in the presentation."
had expressed the belief that it would be productive for both it and Council to jointly understand the concerns of Dr Gillard and Mr Dumbrell and to assess them together consistent with Memorandum of Understanding and the Steering Group charter.

Councillors were given the opportunity to ask questions and raise issues of concern.

It was indicated that several of the issues raised by the community representatives would be addressed in Council's written submission.

The issue of consultation with UGNSW was discussed and the reason why UGNSW had not been given the opportunity to present to the Committee.

Although it was raised during debate at the Ordinary Council Meeting held on 26 April 2016, Councillors were reminded that Council's resolution did not extend to inviting UGNSW to present at the Public Voice Committee meeting, however, further consultation with UGNSW was encouraged by the Councillors and it was requested that a copy of Dr Gillard's written presentation be made available to UGNSW.

The meeting concluded at 6.00pm.
MINUTES ORDINARY COUNCIL MEETING 24 MAY 2016

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 160524 Ordinary Council Meeting Minutes

Note: The attached minutes are a record of the decisions made by Council at the meeting and are draft until adopted by Council. They may be viewed at www.newcastle.nsw.gov.au
PRESENT
The Lord Mayor (Councillor N Nelmes), Councillors D Clausen D Compton, T Crakanthorp (arrived 5.37pm), T Doyle, J Dunn, B Luke, S Posniak, A Robinson, A Rufo, L Tierney (arrived at 5.41pm) and S Waterhouse.

IN ATTENDANCE
F Cordingley (Interim Chief Executive Officer), G Cousins (Director Corporate Services), K Liddell (Acting Director Infrastructure), P Chrystal (Director Planning and Regulatory), F Giordano (Manager Legal and Governance), P Moore (Manager Facilities and Recreation), A Glauser (Manager Finance), R Bales (Customer Service Manager), A Baxter (Manager Regulatory Services), P Nelson (Manager Commercial Property), K Hyland (Manager Communications and Engagement), N Baker (Chief of Staff to the Lord Mayor), G Sainsbury (Manager Projects and Contracts), I Challis (Contracts Management Specialist), K Baartz and B Johnson (Communications), A Leach (Council Services/Minutes) and K Sullivan (Council Services/Meetings Management).

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

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

APOLOGIES

MOTION
Moved by Cr Posniak, seconded by Cr Doyle

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

Carried
MOTION
Moved by Cr Luke, seconded by Cr Waterhouse

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

For the Motion: Councillors Compton, Doyle, Luke, Robinson, Rufo and Waterhouse

Against the Motion: Lord Mayor Councillor Nelmes and Councillors Clausen Crakanthorp, Dunn and Posniak

Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor Compton
Councillor Compton declared a significant non-pecuniary interest in Item 1 LMM 24/05/16 Novocastrian Pride and said as he was still employed by Port Stephens Council he would exit the Chamber when the item was discussed.

Councillor Luke
Councillor Luke declared a less than significant non-pecuniary interest in Item 48 Executive Monthly Performance Report, as Council may invest with businesses he is associated with. Councillor Luke said the interest was less than significant as the report to Council was to be received and he was not involved in any decision making processes.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - PUBLIC VOICE COMMITTEE MEETING 19 APRIL 2016

MOTION
Moved by Cr Dunn, seconded by Cr Clausen

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

Carried

MINUTES - ORDINARY COUNCIL MEETING 26 APRIL 2016

MOTION
Moved by Cr Dunn, seconded by Cr Clausen

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

Carried
LORD MAYORAL MINUTE

LMM 24/05/16 - NOVOCASTRIAN PRIDE

Due to his conflict of interest on this item Councillor Compton excused himself from the Chamber at 5.45pm.

MOTION
Moved by Cr Nelmes

That Council:

1. Rejects the recommendation of the NSW Government’s Delegate Report on the forced amalgamation of the Newcastle and Port Stephens Local Government Areas to rename an amalgamated Council Area the “City of Hunter Coast”.

2. Notes the Premier’s commitment to give an elected council the final say on planning decisions involving the rail corridor land (Attachment A).

3. Rejects the recommendation of the NSW Government’s Delegate Report on the forced amalgamation of the Newcastle and Port Stephens Local Government Areas to remove elected representatives from office and appoint an Administrator.

4. Writes to the Premier and Minister for Local Government (with copies to the State Members for Newcastle, Wallsend and Charlestown) requesting that a merged council be named The City of Newcastle or The City of Greater Newcastle should an amalgamation be forced as per our previous resolution and submission to the inquiry.

5. Seeks legal advice on options available to the City of Newcastle on both retaining the City’s name as ‘Newcastle’ and the retention of an elected decision making body through the amalgamation process including consideration of the application of interim governance arrangements like those applied in other states where elected bodies remain in place.

Councillor Tierney moved a procedural motion that the motion be moved in seriatim and parts 1, 2, 3 and 5 be moved as part A and part 4 be moved as part B.

PROCEDURAL MOTION
Moved by Cr Tierney, seconded by Cr Crakanthorp

The motion be moved in seriatim with parts 1, 2, 3 and 5 moved as part A and part 4 moved as part B.

Carried
MOTION
Moved by Cr Nelmes

PART A

That Council:

1. Rejects the recommendation of the NSW Government’s Delegate Report on the forced amalgamation of the Newcastle and Port Stephens Local Government Areas to rename an amalgamated Council Area the “City of Hunter Coast”.

2. Notes the Premier’s commitment to give an elected council the final say on planning decisions involving the rail corridor land (Attachment A).

3. Rejects the recommendation of the NSW Government’s Delegate Report on the forced amalgamation of the Newcastle and Port Stephens Local Government Areas to remove elected representatives from office and appoint an Administrator.

4. Seeks legal advice on options available to the City of Newcastle on both retaining the City’s name as ‘Newcastle’ and the retention of an elected decision making body through the amalgamation process including consideration of the application of interim governance arrangements like those applied in other states where elected bodies remain in place.

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

Against the Motion: Councillors Luke, Robinson, Rufo, Tierney and Waterhouse.

Carried
MOTION
Moved by Cr Nelmes

PART B

That Council:

Writes to the Premier and Minister for Local Government (with copies to the State Members for Newcastle, Wallsend and Charlestown) requesting that a merged council be named The City of Newcastle or The City of Greater Newcastle should an amalgamation be forced as per our previous resolution and submission to the inquiry.

For the Motion: Lord Mayor, Cr Nelmes and Councillors Clausen, Crakanthorp, Doyle, Dunn, Posniak, Robinson, Rufo and Tierney

Against the Motion: Councillors Luke, and Waterhouse.

Councillor Compton returned to the Chamber at 6.14pm.

REPORTS BY COUNCIL OFFICERS

ITEM-47 CCL 24/05/16 - QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2016

MOTION
Moved by Cr Compton, seconded by Cr Waterhouse

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

Carried

ITEM-48 CCL 24/05/16 - EXECUTIVE MONTHLY PERFORMANCE REPORT - APRIL 2016

MOTION
Moved by Cr Luke, seconded by Cr Waterhouse

The report be received.

Carried
ITEM-49  CCL 24/05/16 - THIRD PARTY DELEGATIONS

MOTION
Moved by Cr Clausen, seconded by Cr Dunn

1 Council confirms acceptance of the third party delegation from Roads and Maritime Services (RMS) at Attachment A.
2 Council confirms delegation of the functions to the person who holds the position of Chief Executive Officer from time to time.

Carried

ITEM-50  CCL 24/05/16 - COUNCIL SUBMISSION ON NEWCASTLE LIGHT RAIL REVIEW OF ENVIRONMENTAL FACTORS

MOTION
Moved by Cr Crakanthorp, seconded by Cr Posniak

That Council endorses the Newcastle Light Rail REF submission, Attachment A.

AMENDMENT
Moved by Cr Doyle

1 A fourth option be included in Appendix B that has the light rail travelling along the length of the corridor as specified in Council's resolution of 26 April in the case of the State Government rejecting the mixed running option.

2 Change all text referring to Council's "Secondary Option" to "corridor Hybrid Option" throughout the submission, to ensure consistency with the relevant identifier for this option in the Option Comparison Summary Table in Appendix B of the submission.

3 Clarify the currently confusing (and apparently contradictory) references to "NCC option" and "Council proposal" in the Comment column ("Light Rail System" row) in the Table in Appendix B.

4 Remove all items identified in the submission under the heading "7. Other Measures for Urban Renewal" that have not been formally endorsed by Council and include relevant references for all items consequently retained in this section.

5 Include relevant support documentation with the submission including a copy of the Council's assessment of trip times and the impact of signal priority referred to in the Multi-Criteria Analysis in Table 1 of the submission.

Through the lack of a seconder, Councillor Doyle's amendment lapsed.
AMENDMENT
Moved by Cr Tierney, seconded by Cr Luke

Council form a delegation group made up of three Councillors to accompany the Interim Chief Executive Officer to meet with the Premier and the Parliamentary Secretary of the Hunter within the fortnight and present Council's light rail submission and discuss options that involve mixed running that vary from the Government proposal.

In the Lord Mayor's address she referred to the amendment as a political stunt.

Councillor Luke raised a point of order against the Lord Mayor's comment.

The Lord Mayor did not uphold Councillor Luke's point of order.

Councillor Luke moved dissent against the Lord Mayor's ruling and called for a vote by division.

For the Motion of dissent: Councillors Compton, Luke, Tierney and Waterhouse

Against the Motion of dissent: Lord Mayor, Cr Nelmes and Councillors Clausen, Crakanthorp, Doyle, Posniak, Robinson and Rufo.

Defeated

Councillor Tierney's amendment was put to the meeting and a vote by division was called.

For the amendment: Councillors Compton, Luke, Tierney and Waterhouse

Against the amendment: Lord Mayor Cr Nelmes and Councillors Clausen, Crakanthorp, Doyle, Dunn, Posniak, Robinson and Rufo.

Defeated

The Lord Mayor thanked Council staff for delivering the thorough written submission and requested it be recorded in the minutes.

The motion was put to the meeting and a vote by division was called.

For the Motion: Lord Mayor, Cr Nelmes and Councillors Clausen, Crakanthorp, Posniak, Robinson and Rufo

Against the Motion: Councillors Compton, Doyle, Luke, Tierney and Waterhouse.

Carried
NOTICES OF MOTION

ITEM-5 NOM 24/05/16 - SOCCEROOS WORLD CUP QUALIFIER MATCH FOR NEWCASTLE IN 2017

MOTION
Moved by Cr Crakanthorp, seconded by Cr Posniak

That Newcastle City Council support the call to grant Newcastle the rights to host an upcoming Socceroo's World Cup qualifier match in 2017.

That Council write to both the Premier and Football Federation Australia citing our support for Newcastle in the negotiations for the qualifier match.

Carried Unanimously

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

MOTION
Moved by Cr Clausen, seconded by Cr Crakanthorp

That Council:

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

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

Carried

CONFIDENTIAL REPORTS

PROCEDURAL MOTION
Moved by Cr Posniak, seconded by Cr Doyle

Council move into confidential session to discuss items 17, 18, 19 and 20.

Councillor Luke stated that he did not agree that Council should move into confidential session for Item 17 Supplementary report on Item 33 26 April 2016 Correction to Council minutes 8 December 2015 and gave notice of a foreshadowed motion.
Following discussion, the Interim Chief Executive Officer advised Councillors that he understood it to be good practice and was past practice for legal advice to be kept confidential.

**For the procedural Motion:**

Lord Mayor, Cr Nelmes and Councillors Clausen, Crakanthorp, Dunn, Posniak and Robinson

**Against the procedural Motion:**


The Lord Mayor used her casting vote and declared the procedural motion carried.

**Procedural motion carried**

Council moved into confidential session at 7.23pm.

**ITEM-17 CON 24/05/16 - SUPPLEMENTARY REPORT ON ITEM-33 26 APRIL 2016 - CORRECTION TO COUNCIL MINUTES 8 DECEMBER 2015**

**MOTION**

1 Council correct the minutes of the Ordinary Council Meeting of 8 December 2015 - *Item 138 Supplementary Report - Review of Instrument of Delegations* by removing the words "as advised by the Acting Interim Chief Executive Officer."

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

**Carried**

**ITEM-18 CON 24/05/16 - TABLING OF FIRE AND RESCUE NSW REQUEST FOR INSPECTION AND REPORT FOR THE PREMISES DATED 23 FEBRUARY 2016 IN ACCORDANCE WITH SECTION 119T OF THE ACT**

**MOTION**

1 Council note the FRNSW Request for Inspection and Report for the Premises dated 23 February 2016 in accordance with Section 119T of the Environmental Planning and Assessment Act, 1979 (The Act).

2 Council to determine and ratify the exercise its powers to give order No 6 in the Table to Section 121B of the Act.

**Carried**
ITEM-19 CON 24/05/16 - NEWCASTLE OCEAN BATHS PAVILION REDEVELOPMENT TENDER 2015/411 T

MOTION

1 Council rejects all tenders received for the Redevelopment of Newcastle Ocean Baths Pavilion, Contract No. 2015/411T and enters into negotiations with Stronach Property Pty Limited (Stronach Property) with a view to entering into a contract. The Stronach Property tender was the only conforming tender, but cannot be accepted as submitted as some aspects of its proposal, relating to financial, design, planning and legal conditions do not meet the requirements of Council and Crown Lands. Therefore, further negotiations with Stronach Property are required prior to entering into a contract.

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

Carried

ITEM-20 CON 24/05/16 - MEREWETHER OCEAN BATHS PAVILION REDEVELOPMENT TENDER 2015/412 T

MOTION

1 Council resolves not to accept any tender and not proceed with the contract. Both tenders received were non-conforming as their submissions for redevelopment of the Merewether Pavilion did not comply with the requirements set out in the tender documents.

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

Carried

Unanimous
ITEM-21 CON 24/05/16 - PROVISION OF ELECTRICAL AND COMMUNICATION SERVICES FOR CONTRACT NO. 2016/395T

MOTION

1 Council accept the tender of three companies for the provision of electrical and communication services for contract No. 2016/395T:
   i) Laser Electrical Lake Macquarie Pty Ltd;
   ii) JAG Power & Data Solutions Pty Ltd; and
   iii) LumaLED Pty Ltd.

2 Council accept the tenders of the two companies for the provision of building control installation and maintenance services for Contract No. 2016/395T:
   i) Hunter Electrical Services Pty Ltd; and
   ii) JAG Power & Data Solutions Pty Ltd.

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

   Carried

The meeting concluded at 8.03pm
CITY OF NEWCASTLE

Ordinary Council Meeting 28 June 2016

REPORTS BY COUNCIL OFFICERS

ITEM-51  CCL 28/06/16 - EXECUTIVE MONTHLY PERFORMANCE REPORT - MAY 2016

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

PURPOSE

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

a) Monthly financial position and year to date (YTD) performance against the 2015/16 Operational Plan as at the end of May 2016.

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

RECOMMENDATION

1 The report be received.

KEY ISSUES

2 At the end of May 2016 the consolidated YTD actual operating position is a surplus of $11.8m which represents a positive variance of $4.4m against the budgeted YTD surplus of $7.4m. This budget variance is due to a combination of income and expenditure variances which are detailed in Attachment A. The full year revised budget for 2015/16 is an operating surplus of $5.6m.

3 The May YTD position includes $10.9m of revenue items which are either one-off or cannot be applied to meet operational expenditure ($4.5m 2012 SRV revenue, $2.2m consolidation of Newcastle Airport result, $1.8m stormwater management service charge, $1.4m local road grants which fund capital works and $1m dividend from Lehman Bros). When these items are removed Council’s sustainable underlying operating position at the end of April is a surplus of $0.9m.

4 The net funds generated YTD as at the end of May 2016 is a surplus of $35m (after capital revenues, expenditure and loan principal repayments). This is a positive variance to the YTD revised budget of $12m. This is primarily due to lower project expenditure (both capital and operational expenditures). These surplus funds will be placed in restricted reserves to fund future capital works and associated operational expenditure consistent with their original purpose.
FINANCIAL IMPACT

5 The variance between YTD revised budget and YTD actual results at the end of May 2016 is provided in the Executive Monthly Performance Report (Attachment A). Key elements are:

<table>
<thead>
<tr>
<th>Full Year Revised Budget</th>
<th>YTD Revised Budget</th>
<th>YTD Actual Result</th>
<th>Variance</th>
<th>Variance</th>
<th>Financial Impact</th>
<th>Commitments</th>
</tr>
</thead>
<tbody>
<tr>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>%</td>
<td>+ve / -ve</td>
<td>$'000</td>
</tr>
<tr>
<td>237,293 Total Operating Revenue</td>
<td>216,329</td>
<td>216,774</td>
<td>445</td>
<td>0%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>231,645 Total Operating Expenses</td>
<td>208,956</td>
<td>205,005</td>
<td>(3,951)</td>
<td>-2%</td>
<td>+</td>
<td>4,307</td>
</tr>
<tr>
<td>Total Operating Revenue Less Operating Expenditure</td>
<td>7,373</td>
<td>11,769</td>
<td>4,396</td>
<td>60%</td>
<td>+</td>
<td></td>
</tr>
<tr>
<td>5,648 Total Capital Raising revenue</td>
<td>49,578</td>
<td>48,985</td>
<td>(593)</td>
<td>-1%</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>15,336 Add Back Non Cash Items</td>
<td>14,287</td>
<td>14,287</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Funding available for capital</td>
<td>71,238</td>
<td>75,041</td>
<td>3,803</td>
<td>5%</td>
<td>+</td>
<td>-</td>
</tr>
<tr>
<td>65,164 Total capital spend</td>
<td>56,854</td>
<td>37,660</td>
<td>(19,194)</td>
<td>-34%</td>
<td>+</td>
<td>30,780</td>
</tr>
<tr>
<td>2,600 Loan Principal Repayment</td>
<td>2,383</td>
<td>2,383</td>
<td>0%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7,305 Net Funds Generated / (Used)</td>
<td>12,001</td>
<td>34,998</td>
<td>22,997</td>
<td>192%</td>
<td>+</td>
<td>35,087</td>
</tr>
</tbody>
</table>

Note 1 - Actual and Budget results include an estimate for the Newcastle Airport
Note 2 - Adopted Budget revised at the March Quarterly Budget Review
Factors favourably impacting Financial Position

i  **User charges & fees – increase of $0.4m**
   Development Application income ($0.2m) is ahead of budget expectations.

ii  **Employee costs – decrease of $1.7m**
   Lower staff costs due to unfilled vacant positions. In addition to this there has also been lower than budgeted spend on training costs ($0.2m) and costs associated with Council’s workers compensation commitments ($0.3m). The latter is largely due to a 41% reduction in the number of workplace injuries sustained by Council staff, compared with 2014/15.

iii  **Materials and contracts – decrease of $1.1m**
   Some changes to project scheduling have resulted in lower than forecast spend on the maintenance of buildings ($0.5m), and on a number of operational projects within Cultural Facilities ($0.4m) and Strategic Planning ($0.3m).

iv  **Other operating expenses – decrease of $0.7m**
   While overall waste volumes at Summerhill Waste Management Centre have been in line with forecast, variations in the different waste categories (which attract differential levies) have resulted in a lower than forecast total State Waste Levy ($0.4m).
**Net loss from disposal of assets – decrease of $0.6m**

It is forecast that Council's loss on disposal of assets (ie the write-off of the residual value of renewed assets) will be below the revised budget. This variance is driven by the below budget expenditure on the asset renewal program.

7 **Factors adversely impacting Financial Position**
   
i. **None**

8 At the end of May commitments raised against operating expenses totalled $4.3m. The commitments represent both the work currently being undertaken and awaiting invoice as well as the work planned for the future.

9 The month of May returned an operating surplus of $1.8m which is broadly consistent with the revised budget surplus of $1.7m for the month.
10 Council's total capital spend at the end of May is $37.7m. This result is $19.2m below the YTD revised budget (which is phased in line with the anticipated work schedule). The total operational expenditure incurred in relation to the corporate projects at the end of May is $12.1m, $1.8m above the YTD revised budget so the total spent on the works program is $49.8m YTD.

11 Council is forecasting an increase in project expenditure during the final month of the financial year, however longer than expected planning and design times will result in the capital program being delivered over a longer timeframe than anticipated in the budget. It is expected that in addition to the work in progress forecast in the Quarterly Budget Review Statements another $15m of work from the 2015/16 program will still be in progress at 30 June 2016 with completion scheduled in future years. As the capital work program intensifies Council can expect a flow-on effect into the expenditure line of Materials & Contract for operational project expenses.

12 The 2015/16 financial year has seen Council invest in designing a program of works to be delivered over a multi-year time frame in addition to the works to be delivered within the financial year. This 'pipe-line' of works will increase the efficiency of Council's operations and allow a higher level of project delivery in future years.
13  At the end of May commitments raised against capital work totalled $13m. The commitments represent both the work currently being undertaken and awaiting invoice as well as the work planned for the future. Major commitments include:

i  Building renewal – $8.7m
   Commitments include $5m in relation to works on the southern façade of City Hall, of which $1.0m is expected to be incurred in the 2015/16 financial year.

ii  Environmental asset renewal – $0.5m
   Commitments represent $0.5m of work planned on Council's stormwater management systems.

iii Waste Projects – $16.4m
   Commitments include $15m in relation to the contract to design and construct another waste cell at Summerhill Waste Management Centre.

iv Other works
   Other major works currently underway include Fleet replacement ($1.7m).

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

COMMUNITY STRATEGIC PLAN ALIGNMENT

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

IMPLEMENTATION PLAN/IMPLICATIONS

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

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

ii) Council’s Investment Policy and Strategy, and

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

RISK ASSESSMENT AND MITIGATION

17  No additional risk mitigation has been identified this month.
RELATED PREVIOUS DECISIONS

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

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

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

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

CONSULTATION

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

OPTIONS

Option 1

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

Option 2

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

BACKGROUND

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

25 In response to the internal audit on project management an additional table has been added to the Executive Monthly Performance Report (Attachment A) outlining significant contract variations.

26 In response to a memo from the office of the General Manager an additional table has been added to the Executive Monthly Performance Report (Attachment A) outlining Fees & Charges which have been waived or reduced.
REFERENCES

ATTACHMENTS

Distributed under separate cover

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

PURPOSE

To adopt the revised 2013-17 Delivery Program (Attachment A), 2016/17 Operational Plan (Attachment B) and 2016/17 Fees and Charges (Attachment C) required under the Local Government Act 1993 (Act).

RECOMMENDATION

1 Council adopts the revised 2013-17 Delivery Program in the form as attached at Attachment A, the 2016/17 Operational Plan in the form as attached at Attachment B and the 2016/17 Fees and Charges in the form as attached at Attachment C.

KEY ISSUES

2 Maintaining long term financial sustainability remains a primary focus of the Council. The underlying operating result of the Council has improved significantly over recent years, which has been a critical step in ensuring the long term financial sustainability of the organisation.

3 The revised 2013-17 Delivery Program and the 2016/17 Operational Plan have been based on the current Long Term Financial Plan (LTFP) endorsed by Council at the Ordinary Council Meeting held on 24 February 2015. The Fit for the Future initiatives have been included, together with our previous efficiency initiatives which were identified in the prior years' versions of the 2013-17 Delivery Program. These have generated some very positive improvements in the financial performance of the organisation and underpin the ability of the organisation to achieve long term financial sustainability.

4 The 2016/17 operating budget includes the additional revenue arising from the Special Rate Variation (2015 SRV) of an 8% increase in general rate income for a five year period 2015/16 to 2019/20, approved by the Independent Pricing and Regulatory Tribunal in 2015.

FINANCIAL IMPACT

5 The operating budget has been developed based on the Budget Principles adopted by Council on 18 April 2013, including maintaining the reduction in net operating expense of at least 10% made over the prior two years, focusing on reducing the infrastructure backlog and reducing debt as a funding source.
6 The operating result budgeted for 2016/17 is a surplus of $5.4m which is an improvement on the $2.8m deficit forecast for 2016/17 in the most recently endorsed LTFP and also an improvement on the $9.5m operating deficit in the 2015/16 adopted budget.

<table>
<thead>
<tr>
<th>Ref</th>
<th>Adopted Budget 2015/16 $,000</th>
<th>Final Budget 2016/17 $,000</th>
<th>Variance $,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Income</td>
<td>1.1.1</td>
<td>233,044</td>
<td>246,494</td>
</tr>
<tr>
<td>Total Expenditure</td>
<td>1.1.2</td>
<td>242,585</td>
<td>241,076</td>
</tr>
<tr>
<td><strong>Operating Surplus (Deficit) for the year</strong></td>
<td></td>
<td><strong>(9,541)</strong></td>
<td><strong>5,418</strong></td>
</tr>
</tbody>
</table>

7 The 2016/17 operating budget includes depreciation expenditure $9.5m lower than in the 2015/16 adopted budget due to the 2014/15 asset revaluation which reduced the value of Council's road network.

8 Operational materials and contracts expenditure is budgeted at the level required to provide a sustainable level of asset maintenance in addition to providing the resources to grow Council's capacity to deliver larger asset renewal programs in the future. Underlying material and contracts costs are stable against comparable 2015/16 costs.

<table>
<thead>
<tr>
<th>Capital Funding</th>
<th>Ref</th>
<th>Adopted Budget 2015/16 $,000</th>
<th>Final Budget 2016/17 $,000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Operating Revenue Less Operating Expenditure</strong></td>
<td></td>
<td><strong>(9,541)</strong></td>
<td><strong>5,418</strong></td>
</tr>
<tr>
<td><strong>Capital Revenue</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grants &amp; Contributions</td>
<td>2.2.1</td>
<td>20,207</td>
<td>11,821</td>
</tr>
<tr>
<td>Proceeds on sale of assets</td>
<td>2.2.2</td>
<td>16,500</td>
<td>2,500</td>
</tr>
<tr>
<td><strong>Adjustments for Non Cash Items</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Add back Depreciation</td>
<td>2.2.3</td>
<td>50,242</td>
<td>40,776</td>
</tr>
<tr>
<td>Add back loss on Disposal</td>
<td>2.2.4</td>
<td>2,228</td>
<td>1,846</td>
</tr>
<tr>
<td>Less land &amp; infrastructure donations</td>
<td>2.2.5</td>
<td>10,081</td>
<td>1,528</td>
</tr>
<tr>
<td><strong>Funding available for capital expenditure</strong></td>
<td></td>
<td>69,555</td>
<td>60,833</td>
</tr>
<tr>
<td>Capital Expenses</td>
<td></td>
<td>68,321</td>
<td>64,352</td>
</tr>
<tr>
<td>Net Loan Principal Repayments</td>
<td></td>
<td>2,972</td>
<td>2,600</td>
</tr>
<tr>
<td><strong>Net Funds Generated / (Used)</strong></td>
<td>2.2.6</td>
<td>(1,737)</td>
<td>(6,119)</td>
</tr>
</tbody>
</table>

9 The $11.8m capital grants and contributions budgeted for 2016/17 is less than the $20.2m budgeted in 2015/16. The variance is related to lower forecast land and infrastructure donations in 2016/17. These donations are classified as capital revenue but provide no cash injection to support expenditure and are thus removed before calculating the funding available for capital.
The 2016/17 capital works program is budgeted at $64.4m which is consistent with the value of the program budgeted in 2015/16.

<table>
<thead>
<tr>
<th>Works Program (Opex and Capex)</th>
<th>Ref</th>
<th>Adopted Budget 2015/16 $,000</th>
<th>Final Budget 2016/17 $,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Represented by</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asset Renewal</td>
<td>2.1.1</td>
<td>42,929</td>
<td>40,205</td>
</tr>
<tr>
<td>Non-Infrastructure Projects</td>
<td>2.1.2</td>
<td>10,016</td>
<td>13,994</td>
</tr>
<tr>
<td>New &amp; Upgrade Assets</td>
<td>2.1.3</td>
<td>18,728</td>
<td>17,916</td>
</tr>
<tr>
<td>Special Rate Variation Projects</td>
<td>2.1.4</td>
<td>11,912</td>
<td>9,893</td>
</tr>
<tr>
<td>Total Works Program</td>
<td></td>
<td>83,585</td>
<td>82,008</td>
</tr>
</tbody>
</table>

The total 2016/17 works program inclusive of operational and capital expenditure has been budgeted at $82m and is a similar level to 2015/16. This budget includes a capital projects totaling $64.4m with an additional $17.6m in relation to associated operational expenditure and operational projects which are unable to be capitalised under the relevant accounting standards.

Consistent with Council's commitment to address the infrastructure backlog the asset renewal program will continue to be a major focus in 2016/17.

COMMUNITY STRATEGIC PLAN ALIGNMENT

The revised 2013-17 Delivery Program and 2016/17 Operational Plan and 2016/17 Fees and Charges have been developed as a requirement of the Act and Local Government (General) Regulation 2005 (Regulation). These documents outline how Council will deliver on the seven strategic directions contained in the Newcastle 2030 Community Strategic Plan.

IMPLEMENTATION PLAN/IMPLICATIONS

The 2013-17 Delivery Program and the 2016/17 Operational Plan are required to be adopted by Council by 30 June 2016 following a 28 day public exhibition period. A delay will result in Council not meeting the requirements set out by the Act and Regulation.
The development of the Four Year Delivery Program is based on a number of assumptions, including assumptions that are outside of Council’s control. This may potentially affect the financial results and the achievement of the objectives of the Four Year Delivery Program. The risks associated with these assumptions include:

a) Grant funding from State and Federal Governments is lower than anticipated.
b) Investment returns are lower than assumed.
c) Contributions, for example s. 94, do not materialise at the level predicted.
d) Further cost shifting from other government agencies without offsetting revenue.
e) Inflation increase against costs higher than anticipated.
f) Legislative changes that may lower income streams or increase expenditure.
g) Natural disasters.

Implementation of the 2013-17 Delivery Program will need to be carefully monitored and further adjustments implemented, as necessary.

In order to ensure the objective of financial sustainability is achieved further investigation of Council’s current delivery methods including benchmarking of service costs and market testing will be ongoing.

At the Ordinary Council Meeting held on 26 April 2016 Council endorsed placing the revised draft 2013-17 Delivery Program, draft 2016/17 Operational Plan and draft 2016/17 Fees and Charges on public exhibition.

At the Ordinary Council Meeting held on 23 June 2015 Council adopted the previous version of the 2013-17 Delivery Program and the 2015/16 Operational Plan.

At the Ordinary Council Meeting held on 17 February 2015 Council endorsed the 2015-25 LTFP.

At the Ordinary Council Meeting held on 18 April 2013 Council adopted Budget Principles for the development of the 2013/14 Operational Plan, Four Year Delivery Program and 10 Year Financial Plan.

At the Ordinary Council Meeting held on 30 April 2013 Council endorsed the draft Newcastle Community Strategic Plan (Revised 2013) to go on public exhibition and at the Ordinary Meeting held on 25 June 2013 Council adopted the Plan.
CONSULTATION

23 Two Councillor Workshops were held on 15 March and 12 April 2016 to provide an opportunity for further discussion on the draft 2016/17 operating budget.

24 The draft 2013-17 Delivery Program, draft 2016/17 Operational Plan and draft 2016/17 Fees and Charges were placed on public exhibition for a period of 28 days from 29 April 2016 to 30 May 2016 as required under Essential Element 3.8 of the Division of Local Government Integrated Planning and Reporting Guidelines for local government in NSW March 2013. Council utilised a number of different media to ensure the community was informed of the public exhibition period including print and online advertising. A video snapshot was created for online and social media distribution and a range of editorial pieces for both internal and external audiences.

25 A Councillor Workshop was undertaken on 21 June 2016 to update Councillors on the submissions received during the public exhibition period referred to in Paragraph 21 above. A total of six submissions were received and a detailed feedback report on those submissions is included at Attachment D. In summary the submissions received were as follows:

<table>
<thead>
<tr>
<th>Cycleways</th>
<th>One submission commending Council's commitment to cycling</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Lambton Library</td>
<td>One submission objection to the proposed $20 booking fee for the exclusive use of the meeting room</td>
</tr>
<tr>
<td>Beresfield Childcare Centre</td>
<td>Four submissions received regarding the proposed $4/day fee increase</td>
</tr>
</tbody>
</table>

OPTIONS

Option 1

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

Option 2

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

BACKGROUND

28 The original 2013-17 Delivery Program has been based on the outcomes of the Integrated Strategic Financial Analysis 10 Year (2012/13 - 2021/22) (ISFA) prepared in November 2012 and expert independent advice. The ISFA found that the current budget position and increasing deficit forecast at that time was not sustainable in the long term.
29 The Delivery Program is required to be prepared every four years following a local government general election. The Delivery Program and Operational Plan are subsequently required to be reviewed and revised annually and adopted by 30 June of the relevant year.

REFERENCES

ATTACHMENTS

<table>
<thead>
<tr>
<th>Attachment</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attachment A:</td>
<td>2013-17 Draft Delivery Program</td>
</tr>
<tr>
<td>Attachment B:</td>
<td>2016/17 Draft Operational Plan</td>
</tr>
<tr>
<td>Attachment C:</td>
<td>2016/17 Draft Fees and Charges Register</td>
</tr>
<tr>
<td>Attachment D:</td>
<td>Report on Submissions</td>
</tr>
</tbody>
</table>
ITEM-53 CCL 28/06/16 - MAKING OF THE RATES AND CHARGES FOR 2016/17

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

PURPOSE

Subject to the adoption of the 2016/17 Operational Plan, the provisions of Sections 532 - 535 of the Local Government Act 1993 (Act) require a Council resolution to make the Rates and Charges for the period 1 July 2016 to 30 June 2017.

RECOMMENDATION

1 Council makes the following rates and charges for the 2016/17 financial year:

<table>
<thead>
<tr>
<th>RATE</th>
<th>MINIMUM RATE</th>
<th>AD Valorem Amount Cents in $</th>
<th>BASE AMOUNT</th>
<th>ESTIMATED RATE YIELD P.A. $’s</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ordinary Rates</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>Nil</td>
<td>0.208437</td>
<td>621.84</td>
<td>50</td>
</tr>
<tr>
<td>Farmland</td>
<td>$829.90</td>
<td>0.350100</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Business</td>
<td>$829.90</td>
<td>1.736442</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td><strong>Business Sub-Categories</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major Commercial Shopping Centre - Kotara</td>
<td>$829.90</td>
<td>2.810197</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Major Commercial Shopping Centre - Jesmond</td>
<td>$829.90</td>
<td>3.776598</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Major Commercial Shopping Centre - Waratah</td>
<td>$829.90</td>
<td>4.191554</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Major Commercial Shopping Centre – Wallsend</td>
<td>$829.90</td>
<td>4.601706</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Major Commercial Shopping Centre – The Junction</td>
<td>$829.90</td>
<td>3.255166</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Major Commercial Shopping Centre – Inner City</td>
<td>$829.90</td>
<td>2.041922</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Suburban Shopping Centres.</td>
<td>$829.90</td>
<td>2.664679</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Suburban Shopping Centres – Inner City</td>
<td>$829.90</td>
<td>2.203108</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Suburban Shopping Centres – Mayfield</td>
<td>$829.90</td>
<td>3.516680</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Kotara – Homemaker’s Centre</td>
<td>$829.90</td>
<td>1.375300</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Kooragang Industrial Coal Zone</td>
<td>$829.90</td>
<td>1.478340</td>
<td>Nil</td>
<td>Nil</td>
</tr>
</tbody>
</table>
## CITY OF NEWCASTLE

Ordinary Council Meeting 28 June 2016

<table>
<thead>
<tr>
<th>Area Description</th>
<th>Rate</th>
<th>Multiplier</th>
<th>Discount</th>
<th>Discount</th>
<th>Rateable Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kooragang North Industrial Coal Zone</td>
<td>$829.90</td>
<td>2.026475</td>
<td>Nil</td>
<td>Nil</td>
<td>1,171,303</td>
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### Special Rates

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**TOTAL**                                                |      |            |          |          | **124,909,717**

2. An Ordinary Rate of zero point two zero eight four three seven cents (0.208437c) in the dollar with a 50% base charge of six hundred and twenty one dollars and eighty four cents ($621.84) named **RESIDENTIAL**, apply to all rateable land in The City of Newcastle Local Government Area (LGA) categorised as Residential.
3 An Ordinary Rate of zero point three five zero one zero zero cents (0.350100c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named **FARMLAND**, apply to all rateable land in The City of Newcastle LGA categorised as Farmland.

4 An Ordinary Rate of one point seven three six four four two cents (1.736442c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named **BUSINESS**, apply to all rateable land in The City of Newcastle LGA categorised as Business except that rateable land determined to be in the Business Sub-Categories - Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City), Suburban Shopping Centres, Suburban Shopping Centres (Inner City), Suburban Shopping Centre - Mayfield, Kotara, Homemaker’s Centre, Kooragang Industrial Coal Zone, Kooragang North Coal Zone, Kooragang Industrial Centre, Kooragang Industrial Centre - Walsh Point, Mayfield North Heavy Industrial Centre, Mayfield North Industrial Centre, Mayfield North Future Industrial Development Centre, Carrington Industrial Coal Zone, Carrington Industrial Centre, Carrington Industrial Port Operations Use, Carrington Industrial Coal and Port Zone, Broadmeadow Industrial Centre and Hexham Industrial Centre.

5 An Ordinary Rate of two point eight one zero one nine seven cents (2.810197c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - KOTARA**, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Kotara providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of thirty (30) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Kotara.

6 An Ordinary Rate of three point seven seven six five nine eight cents (3.776598c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - JESMOND**, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre” being defined as a centre of commercial activity within the suburb of Jesmond providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Jesmond.
7 An Ordinary Rate of four point one nine one five five four cents (4.191554c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - WARATAH, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Waratah providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Waratah.

8 An Ordinary Rate of four point six zero one seven zero six cents (4.601706c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - WALLSEND, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Wallsend providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Wallsend.

9 An Ordinary Rate of three point two five five one six six cents (3.255166c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES – THE JUNCTION, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of The Junction providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres – The Junction.

10 An Ordinary Rate of two point zero four one nine two two cents (2.041922c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES (INNER CITY), apply to all rateable land in The City of Newcastle LGA situated at Newcastle West within the centre of activity defined by Parry, National Park, King and Ravenshaw Streets, being utilised as a Major Commercial Centre (Inner City). "Major Commercial Centre – (Inner City)" being defined as a centre of commercial activity providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres (Inner City).
11 An Ordinary Rate of two point six six four six seven nine cents (2.664679c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – SUBURBAN SHOPPING CENTRES, apply to all rateable land in The City of Newcastle LGA, being utilised as a Suburban Shopping Centre. "Suburban Shopping Centre" being defined as a centre of commercial activity situated on a site of greater than 6000m² which operates as a Supermarket excepting the land categorised as Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres – Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City) or Suburban Shopping Centre - Mayfield. This land is categorised as Sub-category Business - Suburban Shopping Centres.

12 An Ordinary Rate of two point two zero three one zero eight cents (2.203108c) in the dollar with a minimum rate of eight hundred and ninety cents ($829.90) named BUSINESS – SUBURBAN SHOPPING CENTRES – INNER CITY, apply to all rateable land in The City of Newcastle LGA, being utilised as an Inner City Suburban Shopping Centre. "Inner City Suburban Shopping Centre" being defined as a centre of commercial activity within the suburb of Newcastle West or Hamilton situated on a site of greater than four thousand and nine hundred square metres (4,900m²) which operates as a Supermarket excepting the land categorised as Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres – Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City), Suburban Shopping Centre – Mayfield and Suburban Shopping Centres. This land is categorised as Sub-category Business - Suburban Shopping Centres – Inner City.

13 An Ordinary Rate of three point five one six six eight zero cents (3.516680c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – SUBURBAN SHOPPING CENTRE - MAYFIELD apply to all rateable land in The City of Newcastle LGA within the suburb of at Mayfield, being utilised as a Suburban Shopping Centre. "Suburban Shopping Centre" being defined as a centre of commercial activity situated on a site of greater than six thousand and nine hundred square metres (6,000m²) which operates as a Supermarket. This land is categorised as sub-category Business – Suburban Shopping Centre - Mayfield.

14 An Ordinary Rate of one point three seven five three zero zero cents (1.375300c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – KOTARA HOMEMAKER’S CENTRE apply to all rateable land in The City of Newcastle LGA situated at Kotara, used for commercial purposes, within the centre of activity defined by Northcott Drive, Bradford Close, the northern and western boundaries of Lot 501 DP 1174032, the northern and eastern boundaries of Lot 181 DP 850168 and the southern boundary of Lot 220 DP 1014716. This land is categorised as sub-category Business – Kotara Homemaker’s Centre.
15 An Ordinary Rate of one point four seven eight three four zero cents (1.478340c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – KOORAGANG INDUSTRIAL COAL ZONE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by the suburban of Kooragang being Lot 11 DP 841542, Lot 121 DP 874949, Lot 1 DP 1097327, Lot 5 DP 1097327, Lots 2, 5, 7, 9 DP 775774, Lot 1 DP 775775, Lot 1 DP 869622, Lot 18 DP 1119752. This sub-categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Kooragang Industrial Coal Zone.

16 An Ordinary Rate of two point zero two six four seven five cents (2.026475c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – KOORAGANG NORTH INDUSTRIAL COAL ZONE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by the suburban of Kooragang being Lots 2, 3, 6, 16 DP1119752, Lot 61 DP 1184395, Lot 62 DP 1184943, Lot 16 DP 262783, Lots 8 DP 1119752, Lots 29, 30, 31, 32 and 33 DP 1184229, Lots 4, 5, 6, 10, 11, 12 DP 1207051, Lots 3, 7, 8, 9, 13, 14, 15 DP 1207051 and Lot 22 DP 1155723. This sub-categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Kooragang North Industrial Coal Zone.

17 An Ordinary Rate of one point five nine four zero seven two cents (1.594072c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – KOORAGANG INDUSTRIAL CENTRE WALSH POINT apply to all ratable land in The City of Newcastle LGA within the centre of activity defined by the suburban of Kooragang being Lots 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22 DP 234887, Lots 6, 7 DP 262783, Lots 1, 2, 3 DP 557904, Lot 1 DP575674, Lots 2, 6, 7, 8, 9 DP 775772, Lots 11, 12, 13, 14, 17, 18, 19, 20, 22, 23 DP 775773, Lots 2, 4, 5, 7, 8, 9, 10, 14 DP 775775, Lots 29, 31, 32, 33, 35, 37, 38, 39, 40, 41, 42 DP 775776, Lots 44, 45, 46, 47, 48, 49, 50, 51, 53 DP 775777, Lots 60, 61, 62, 63 DP 802700, Lot 3 DP 858206, Lots 2, 4, 5 DP1015754, Lots 201, 202, 203, 204, 205, 206, 208, 210 DP 1017038, Lots 210, 211 DP 1018949, Lots 520, 521 DP 1018950, Lots 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112 DP 1018951, Lots 131, 132 DP 1018952, Lot 362 DP 1104196, Lot 15 DP 1119752, Lot 12, 13 DP 1144748, Lots 1, 2 DP 1184514, Lots 1, 2, 3, 4 DP 1191912, Lots 94, 95 DP 1191913, Lots 41, 42, 43, 44 DP 1193134, Lot 2 DP 1195449, Lots 151, 152, 153 DP 1202468, Lots 91, 92 DP 1202475 and Lot 3 in DP 234288. This sub-categorisation applies to all land categorised as Business in terms of Section 518 of the Act located within this centre of activity which is not sub-categorised as Business – Kooragang Industrial Coal Zone or not sub-categorised as Business – Kooragang North Industrial Coal Zone or not sub-categorized Business – Kooragang Industrial Centre. This land is categorised as sub-category Business – Kooragang Industrial Centre Walsh Point.
18 An Ordinary Rate of one point three three six nine eight zero cents (1.336980c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – KOORAGANG INDUSTRIAL CENTRE apply to all ratable land in The City of Newcastle LGA within the centre of activity defined by the suburb of Kooragang. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act located in Kooragang which is not sub categorised as Business – Kooragang Industrial Coal Zone or not sub categorised as Business – Kooragang North Industrial Coal Zone or not sub categorised as Business – Kooragang Industrial Centre Walsh Point. This land is categorised as sub-category Business – Kooragang Industrial Centre.

19 An Ordinary Rate of zero point eight three seven eight two three cents (0.837823c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – MAYFIELD NORTH HEAVY INDUSTRIAL CENTRE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land contained within, Lot 225 DP 1013964, Lot 224 DP 1013964, Lot 2 DP 1204573 and Lot 2 DP 1184257 and zoned SP1 – Special Activities under the State Environmental Planning Policy (Three Ports) 2009. This land is categorised as sub-category Business - Mayfield North Heavy Industrial Centre.

20 An Ordinary Rate of one point three four six one six five cents (1.346165c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – MAYFIELD NORTH INDUSTRIAL CENTRE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by Lot 10 DP 625019, Lot 1 DP 403544, Lot 1 DP 528411, Lot 2 DP 207307, Lot 3 DP 259009, Lot 1 DP 880225, Lots 1, 2 DP 1177466, Lots 36, 37, 38, 39, 40 DP 1191723 and Lot Pt 1 DP 207307. This land is categorised as sub-category Business - Mayfield North Industrial Centre.

21 An Ordinary Rate of one point six nine nine one four five cents (1.699145c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – MAYFIELD NORTH INDUSTRIAL CENTRE FUTURE DEVELOPMENT apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by Lots 41, 42, 43, 44, 45 in DP 1191982. This land is categorised as sub-category Business - Mayfield North Industrial Centre Future Development.

22 An Ordinary Rate of two point six two nine five eight zero cents (2.629580c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – CARRINGTON INDUSTRIAL COAL AND PORT ZONE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land within Lot 1 DP 1044636 Lots 1, 2 DP 1104199, the land contained within Railway Land Lease reference number 115/75/2261, Lots 3, 4 DP 1104199, Lots 1, 2, 3 DP 1187068, Lot 30 DP 1190075, Lots 8 and 11 DP 1190231, Lots 12, 13, 14, 15, 16 DP 1190232, Lots 110, 111, 113 DP 1191911, Lots 91, 92, 93 DP 1193181, Lots 1, 2, 3 DP 1195231, Lots 219, 220 DP 1195310. This land is categorised as sub-category Business - Carrington Industrial Coal and Port Zone.
23 An Ordinary Rate of two point one one zero two seven nine cents (2.110279c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – CARRINGTON INDUSTRIAL PORT OPERATIONS USE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land within Lot 11 DP 1023961, Lot 27 DP 842685 Lot 101 DP 1014244, Lot 1014 DP 1143277, Lot 33 DP 1078910 and Lot 1 DP 834572. This land is categorised as sub-category Business - Carrington Industrial Port Operations Use.

24 An Ordinary Rate of one point eight eight nine one one three cents (1.889113c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – CARRINGTON INDUSTRIAL CENTRE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land with an area of greater than six hundred square metres (600m²) zoned SP1 – Special Activities under the State Environmental Planning Policy (Three Ports) 2009 and located within the suburb of Carrington and the land known as Lot 1 DP 1097368 excepting that land categorised as Business - Carrington Industrial Coal and Port Zone or the land categorised as Business - Carrington Industrial Port Operations Use. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Carrington Industrial Centre.

25 An Ordinary Rate of three point zero eight four one zero zero cents (3.084100c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – BROADMEADOW INDUSTRIAL apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land within Lot 221 DP 1012345. This land is categorised as sub-category Business - Broadmeadow Industrial.

26 An Ordinary Rate of two point three nine zero two zero six cents (2.390206c) in the dollar with a minimum rate of eight hundred and twenty nine dollars and ninety cents ($829.90) named BUSINESS – HEXHAM INDUSTRIAL CENTRE apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land wholly or partly contained in a “parcel of land” as defined within the Valuation of Land Act NSW 1916, which is zoned IN3 Heavy Industrial under the Newcastle Local Environmental Plan 2012 and located within the suburb of Hexham excepting Lots 2 and 3 DP 874409 and Lot 1 DP 90824. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business - Hexham Industrial Centre.

27 A Special Rate of zero point two eight two four four six cents (0.282446c) in the dollar named HUNTER MALL, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Hunter Mall Town Improvement District” as defined in Attachment A for the purpose of defraying the cost of continuing additional horticultural and cleansing services and street furnishings determined to be of special benefit to the said Hunter Mall Town Improvement District.
28. A Special Rate of zero point one zero six zero zero zero cents (0.106000c) in the dollar named **MAYFIELD BUSINESS DISTRICT**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Mayfield Business District” as defined in Attachment B for the purpose of defraying the additional cost of promotion, beautification and development of the Mayfield Business District determined to be of special benefit to the said Mayfield Business District.

29. A Special Rate of zero point two zero three six seven eight cents (0.203678c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE A**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Hamilton Business District” as defined in Attachment C for the purpose of defraying the additional cost of promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District.

30. A Special Rate of zero point one zero one eight three nine cents (0.101839c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE B**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Hamilton Business District” as defined in Attachment D for the purpose of defraying the additional cost promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District.

31. A Special Rate of zero point zero five zero nine one nine cents (0.050919c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE C**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Hamilton Business District” as defined in Attachment E for the purpose of defraying the additional cost promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District.

32. A Special Rate of zero point three eight two two nine eight cents (0.382298c) in the dollar named **WALLSEND BUSINESS DISTRICT - ZONE A**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Wallsend Business District” as defined in Attachment F for the purpose of defraying the additional cost promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District.

33. A Special Rate of zero point one nine one one four nine cents (0.191149c) in the dollar named **WALLSEND BUSINESS DISTRICT - ZONE B**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Wallsend Business District” as defined in Attachment G for the purpose of defraying the additional cost promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District.
34 A Special Rate of zero point two eight six seven two four cents (0.286724c) in the dollar named WALLSEND BUSINESS DISTRICT - ZONE C, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Wallsend Business District” as defined in Attachment H for the purpose of defraying the additional cost of promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District.

35 A Special Rate of zero point one two three seven one five cents (0.123715c) in the dollar named NEW LAMBTON BUSINESS DISTRICT, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “New Lambton Business District” as defined in Attachment I for the purpose of defraying the additional cost of promotion, beautification and development of the New Lambton Business District determined to be of special benefit to the said New Lambton Business District.

36 A Special Rate of zero point three four three two five six cents (0.343256c) in the dollar named CITY CENTRE - CITY EAST, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - City East” as defined in Attachment J for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City East determined to be of special benefit to the said City Centre Benefit Area - City East.

37 A Special Rate of zero point zero seven five three seven eight cents (0.075378c) in the dollar named CITY CENTRE - DARBY STREET, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - Darby Street” as defined in Attachment K for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Darby Street determined to be of special benefit to the said City Centre Benefit Area - Darby Street.

38 A Special Rate of zero point one four eight eight seven zero cents (0.148870c) in the dollar named CITY CENTRE - CITY WEST (CLOSE ZONE), apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - City West” as defined in Attachment L for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City West (Close Zone) determined to be of special benefit to the said City Centre Benefit Area - City West (Close Zone).

39 A Special Rate of zero point zero seven four four three five cents (0.074435c) in the dollar named CITY CENTRE - CITY WEST (DISTANT ZONE), apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - City West” as defined in Attachment M for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City West (Distant Zone) determined to be of special benefit to the said City Centre Benefit Area - City West (Distant Zone).
40 A Special Rate of zero point three four three two five six cents (0.343256c) in the dollar named CITY CENTRE - TOWER apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - Tower” as defined in Attachment N for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Tower determined to be of special benefit to the said City Centre Benefit Area - Tower.

41 A Special Rate of zero point three four three two five six cents (0.343256c) in the dollar named CITY CENTRE – MALL, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - Mall” as defined in Attachment O for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Mall determined to be of special benefit to the said City Centre Benefit Area - Mall.

42 A Special Rate of zero point one nine two four six one cents (0.192461c) in the dollar named CITY CENTRE - CIVIC (CLOSE ZONE), apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area – Civic (Close Zone)” as defined in Attachment P for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area – Civic (Close Zone) determined to be of special benefit to the said City Centre Benefit Area – Civic (Close Zone).

43 A Special Rate of zero point zero nine six two three one cents (0.096231c) in the dollar named CITY CENTRE - CIVIC (DISTANT ZONE), apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area – Civic (Distant Zone)” as defined in Attachment Q for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area – Civic (Distant Zone) determined to be of special benefit to the said City Centre Benefit Area – Civic (Distant Zone).

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

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

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

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

**KEY ISSUES**

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

**FINANCIAL IMPACT**

50 Making of the Rates and Charges is a statutory requirement to enable rates and charges revenue to be raised and levied as detailed in the 2016/17 Operational Plan. The estimated amount of levy to be raised is as per the totals shown in the table within paragraph 1 of this report.

**COMMUNITY STRATEGIC PLAN ALIGNMENT**

51 The levying of the 2016/17 Ordinary and Special Rates and Charges will enable revenue generation to assist in delivering the seven community strategic directions and associated objectives over the next year.

**IMPLICATIONS**

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

53 Sections 532 and 535 of the Act, require Council to make the Rates and Charges by resolution for the period 1 July 2016 to 30 June 2017. These Rates and Charges must be made by 1 August 2016.
RISK ASSESSMENT AND MITIGATION

54 Failure to make the 2016/17 Rates and Charges by 1 August 2016 will place Council in breach of the Act (Section 533) and delay the due date for payment of the current years Rates and Charges Notices.

RELATED PREVIOUS DECISIONS

55 At the Ordinary Council Meeting held on 26 April 2016, Council resolved to place the draft 2013-2017 Delivery Program, draft 2016/17 Operational Plan and draft 2016/17 Fees and Charges on public exhibition from 29 April 2016 to 30 May 2016.

56 A Councillor Workshop was held on 14 June 2016 to provide Councillors with feedback received during the public exhibition of the revised 2013-2017 draft Delivery Program, the draft 2016/17 Operational Plan and the draft 2016/17 Fees and Charges.

57 The making of the Rates and Charges for the year 2016/17 is subject to the Council’s adoption of the 2016/217 Operational Plan. Should the Operational Plan not be adopted by Council, this report should lay on the table until such time as the 2016/17 Operational Plan is adopted.

CONSULTATION

58 It is a requirement of the Act that Council must not make a rate or charge until it has given public notice of the draft 2016/17 Operational Plan and has considered any submission made concerning that plan.

59 The draft 2016/17 Operational Plan was placed on Public Exhibition from 29 April 2016 to 30 May 2016. This document incorporated details of the proposed rating structure for 2016/17.

60 Information about the draft 2016/17 Operational Plan and the revised 2013-2017 draft Delivery Program was the subject of an advertising campaign including print and online. Additionally a video snapshot was created for online and social distribution and a range of editorial pieces for both internal and external audiences.

61 Fact sheets which included key details of the draft 2016/17 Operational Plan were produced and made available on Council’s website. In additions posters providing information regarding the exhibition of the revised 2013-2017 draft Delivery Program, the draft 2016/17 Operational Plan and the draft 2016/17 Fees and Charges were displayed at Council facilities and libraries.
OPTIONS

Option 1

62 The recommendation as at Paragraph 1 - 48. This is the recommended option.

Option 2

63 Council not adopt the Rates and Charges as detailed in this report. The making of the Rates and Charges for the 2016/17 financial year is subject to the elected Council’s adoption of the 2016/17 Operational Plan. Should the recommended 2016/17 Operational Plan be adopted by Council, this report will formalise the specific Rates in the dollar amounts to apply to Council’s Ordinary and Special rates as referenced within the 2016/17 Operational Plan. Should the 2016/17 Operational Plan not be adopted by Council, this report should lay on the table until such time as the 2016/2017 Operational Plan is adopted. Any delay in making the Rates and Charges may also delay the issuing of rate notices which may have a significant negative cashflow impact on Council. This also places Council in a position where it may breach the Act. This option is not recommended.

BACKGROUND

64 Subject to the adoption of Council’s Revenue Policy for the year within the 2016/17 Operational Plan, Council will satisfy the provisions of Section 532 of the Act by making the Rates and Charges for the period 1 July 2016 to 30 June 2017.

REFERENCES

ATTACHMENTS

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

HUNTER MALL

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

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

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

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

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

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

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

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

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

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

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

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

MAYFIELD BUSINESS DISTRICT

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

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

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

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

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

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

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

Also the land contained within the area bounded by Maitland Road, Barton, Crebert and Kerr Streets with the exception of Lot 190 Deposited Plan (hereafter shown as DP 628828.)

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

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

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

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

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

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

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

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

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

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

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

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

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

Also the land contained within the area bounded by Maitland Road, Denison, Waratah and Fitzroy Streets, with the exception of Lot 2 DP 554938, Lot A DP 386717, Lot 1 DP 515066 and Lot 2 DP 515060.

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

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

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

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

Also the land contained within the area bounded by Maitland Road, Corona and Myola Streets, the western boundary of Lot 1 DP 737848 Villiers Street and Nile Street.

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

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

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

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

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

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

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

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

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

HAMILTON BUSINESS DISTRICT - ZONE A

All those pieces or parcels of land, categorised as Business, situate at Hamilton in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being land contained within Lot 1 DP 197426, Lot 1 DP 762441, Lot 1 DP 742567, Lot 1 DP 194617 and Lot 222 DP 711826.

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

Also the land commencing at the intersection of the southern side of Donald Street and the eastern side of Beaumont Street and bounded thence by Beaumont and Cleary Streets southerly and easterly to the south eastern corner of Lot 1, Deposited Plan 195067 also being the western side of a lane 3.05m wide, by the western side of that lane northerly to the north eastern corner of Lot 1, Deposited Plan 744828, by the northern side of that lane and Lot 5, Deposited Plan 112686 easterly, by the eastern boundaries of Deposited Plans 583863, 74659, 744839, 599390 and 810933 northerly to Donald Street, by the southern side of Donald Street westerly to the point of commencement and also the land commencing at the intersection of the southern side of Cleary Street and the eastern side of Beaumont Street and bounded thence by Beaumont and Lindsay Streets southerly and easterly to the south eastern corner of Lot 10, Deposited Plan 730856, by the eastern boundary of Lot 10, Deposited Plan 730856 northerly, by the northern most boundary of Lot 10, Deposited Plan 730856 and the southern most boundary of a reserve for access westerly to the south eastern corner of Lot 1, Deposited Plan 742106, by the eastern boundary of Deposited Plan 742106, 718498 and 736899 generally northerly to Cleary Street, by the southern side of Cleary Street westerly to the point of commencement.

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

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

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

Also the land commencing at the intersection of the southern side of Donald Street and the western side of Beaumont Street and bounded thence by Beaumont and Cleary Streets, southerly and westerly to the south eastern corner of Lot 1, Deposited Plan 515659, by the eastern and northern boundary of Lot 1, Deposited Plan 515659 northerly and westerly, by the western most boundary of Lot 2, Deposited Plan 515659 and Lot 1, Deposited
Plan 745138 northerly, by part of the northern boundary of Lot 1, Deposited Plan 745138 easterly to the south west corner of Lot 111, Deposited Plan 803640 also being the eastern side of a passage or right of way, by the eastern side of that passage or right of way northerly to the north western corner of Lot 1, Deposited Plan 780964 also being the southern side of Donald Street, by the southern side of Donald Street easterly to the point of commencement.

Also the land commencing at the intersection of the southern side of Cleary Street and the western side of Beaumont Street and bounded thence by Beaumont and Lindsay Streets southerly and westerly to the southern eastern corner of Lot 112, Deposited Plan 813877, by the eastern and northern boundary of Lot 112, Deposited Plan 813877 northerly and westerly, by the westernmost and northernmost boundaries of Lot 121, Deposited Plan 789989 northerly and easterly to the western side of a Reserve for Access 3.05 wide, by part of the western and southern side of that Reserve for Access also being boundaries of Lot 121, Deposited Plan 789989 southerly and easterly to the south east corner of that Reserve for Access, by the eastern side of that Reserve for Access also being western boundaries of Deposited Plans 789989, 544553, Lots 45 and 46, Deposited Plan 192673, Deposited Plan 710794 and 739091 northerly to the southern side of Cleary Street, by the southern side of Cleary Street easterly to the point of commencement.

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

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

HAMILTON BUSINESS DISTRICT - ZONE B

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HAMILTON BUSINESS DISTRICT - ZONE C

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WALLSEND BUSINESS DISTRICT - ZONE A

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

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

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

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

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

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

Also the land contained within Lot 107 DP 813129.

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

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

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

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

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

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

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

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

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

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

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

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

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

WALLSEND SPECIAL RATE - ZONE B

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

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

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

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

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

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

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

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

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

WALLSEND SPECIAL RATE - ZONE C

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

NEW LAMBTON BUSINESS DISTRICT - ZONE A

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

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

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

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

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

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

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

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

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

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

CITY CENTRE - CITY EAST

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Also the land contained within the area bounded by Hunter, Perkins, King and Brown Streets.
Also the land commencing at the intersection of the southern side of King Street with the western side of Brown Street and bounded thence southerly by the western side of Brown Street to the northern side of a private lane known as Congregational Lane, thence westerly by the northern side of Congregational Lane, thence southerly by the eastern boundaries of Strata Plan 14504 and Lot 10/12 Deposited Plan 577948, thence westerly by part of the southern boundary of Lot 10/12 Deposited Plan 577948, thence southerly by the eastern most boundary of Lot 1 Deposited Plan 531497, thence westerly by the southern boundary of Lot 1 Deposited Plan 531497, thence southerly by part of the eastern boundary of Lot 25 Deposited Plan 786533, thence westerly by the southern boundary of Lot 25 Deposited Plan 786533, thence northerly by the western boundary of Lot 25 Deposited Plan 786533 to the southern side of King Street, thence generally easterly by the southern side of King Street to the point of commencement.

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

CITY CENTRE - DARBY STREET

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

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

Also the land commencing at the intersection of the northern side of Bull Street with the eastern side of Darby Street and bounded thence northerly by the eastern side of Darby Street, thence westerly by the southern side of Queen Street to the western boundary of the private lane, thence generally southerly by the western boundary of that private lane and the western boundary of a private lane as shown on Deposited Plan 95076, thence easterly by the northern boundary of Lot 114 Deposited Plan 702624, thence southerly by the western boundary of Railway Street, thence westerly by the southern most boundary of Lot 2 Deposited Plan 346454, thence southerly by the eastern boundaries of Lot 1 Deposited Plan 741902 and Lot 1 Deposited Plan 740217, thence easterly by a northern boundary of Lot 1 Deposited Plan 740217, thence southerly by the western side of Railway Street, thence westerly by the southern boundary of Lot 1 Deposited Plan 740217, thence southerly by the eastern boundaries of Lots 262, 263, 264 and 265 Deposited Plan 615688 and Lot 1 Deposited Plan 60745, thence easterly by the northern boundary of Lot 1 Deposited Plan 732964, thence southerly by the eastern boundary of Lot 1 Deposited Plan 732964, thence easterly by the southern boundary of Lot 1 Deposited Plan 711571, thence southerly by the western side of Railway Street, thence westerly by the southern boundary of Lot 1 Deposited Plan 779210, thence southerly by the western boundary of Deposited Plan 321534, thence easterly by the northern boundary of Lot 2 Deposited Plan 112771, thence southerly by the western side of Railway Street, thence westerly by the northern boundary of Lot 1 Deposited Plan 780544, thence southerly by the eastern boundaries of Lot 1 Deposited Plan 780544, Part Lot 30 Deposited Plan 976941, Lot 1 Deposited Plan 738649 and the western side of a private lane to bull Street, thence westerly by the northern side of Bull Street to the point of commencement.

Also the land commencing at the intersection of the southern side of Queen Street with the western side of Darby Street and bounded thence southerly by the western side of Darby Street, thence westerly by the northern side of
Council Street, thence northerly by the western boundaries of Lot 1 Deposited Plan 784154 and Lot 1 Deposited Plan 741680, thence westerly by the southern boundary of Lot 1 Deposited Plan 742501 thence northerly by the western boundaries of Lot 1 Deposited Plan 742501 and Lot 70 Deposited Plan 700980, thence easterly by the southern boundary of Strata Plan 20224, thence northerly by the eastern boundaries of Strata Plan 20224 and Lot 13 Deposited Plan 251602, the western boundaries of Lot 8 Deposited Plan 251602, Lot 1 Deposited Plan 745048 and Lot 204 Deposited Plan 631586, thence easterly by the northern boundary of Lot 203 Deposited Plan 631586, thence northerly by the western boundary of Lot 3 Deposited Plan 741688, thence easterly by the northern boundary Lot 3 Deposited Plan 741688, thence northerly by the eastern most boundary of Deposited Plan 798130 to the southern side of Queen Street, thence easterly by the southern side of Queen Street to the point of commencement.

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

CITY CENTRE - CITYWEST (CLOSE ZONE)

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

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

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

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

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

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

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

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

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

Also the land commencing at the intersection of the eastern side of Union Street with the southern side of King Street and bounded thence easterly to the eastern boundary of No 285 King Street being Part Lot 71 Section C Deposited Plan 978941, thence southerly by the eastern boundary of No 285 King Street,
thence westerly by the northern boundary of Gibson Street, thence southerly by an eastern boundary of Lot 1 Deposited Plan 611971, thence westerly by the southern boundaries of Lot 1 Deposited Plan 611971 and Lot 2 Deposited Plan 224999 to the eastern side of Union Street, thence northerly by the eastern side of Union Street to the point of commencement.

Also the land contained within the area bounded by King, Auckland and Gibson Streets, and the western boundary of Lot 451 DP 748669.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CITY CENTRE - CITY WEST (DISTANT ZONE)

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

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

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

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


SCHEDULE N

CITY CENTRE - TOWER

All those pieces or parcels of land, categorised as Business, situate at Newcastle in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being the land contained within Strata Plan 21168 being known as No 342 Hunter Street.

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

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

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

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

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

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

Also the land commencing at the intersection of the eastern side of Brown Street with the southern side of King Street and bounded thence easterly by the southern side of King Street to Perkins Street, thence southerly by the western side of Perkins Street to the southern boundary of Lot 2 Deposited Plan 64384 to the eastern side of Brown Street, thence northerly by the eastern side of Brown Street to the point of commencement.
SCHEDULE O

CITY CENTRE - MALL

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

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

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

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

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

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

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

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

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

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

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

CITY CENTRE - CIVIC (CLOSE ZONE)

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

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

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

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

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

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

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

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

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

Also the land commencing at the intersection of the eastern side of Union Street with the southern side of King Street and bounded thence easterly to the eastern boundary of No 285 King Street being Part Lot 71 Section C Deposited Plan 978941, thence southerly by the eastern boundary of No 285 King Street,
thence westerly by the northern boundary of Gibson Street, thence southerly by an eastern boundary of Lot 1 Deposited Plan 611971, thence westerly by the southern boundaries of Lot 1 Deposited Plan 611971 and Lot 2 Deposited Plan 224999 to the eastern side of Union Street, thence northerly by the eastern side of Union Street to the point of commencement.

Also the land contained within the area bounded by King, Auckland and Gibson Streets, and the western boundary of Lot 451 DP 748869.
SCHEDULE Q

CITY CENTRE - CIVIC (DISTANT ZONE)

All those pieces and parcels of land, categorised as Business situate at Newcastle in the City of Newcastle, Parish of Newcastle, County of Northumberland, State of New South Wales, being the land contained within the area bounded by Wharf Road, Argyle Street, Centenary Road and Merewether Street.
ITEM-54 CCL 28/06/16 - INTEREST ON OVERDUE RATES AND CHARGES FOR 2016/17
REPORT BY: CORPORATE SERVICES
CONTACT: DIRECTOR CORPORATE SERVICES / MANAGER FINANCE

PURPOSE

To establish the rate of interest to be charged by Council in respect of overdue rates and charges for the 2016/17 rating year.

RECOMMENDATION

1 Council adopts the rate of 8% per annum on interest on overdue rates and charges for the 2016/17 rating year. This is the maximum allowable by the Minister for Local Government.

2 The rate of interest on overdue rates and charges that are deferred against an eligible ratepayer’s estate for the 2016/17 rating year be fixed at 3.45% per annum.

KEY ISSUES

3 Council has the discretion to set the rate of interest in respect of overdue rates and charges each year. However, it must not exceed the limit specified by the Minister for Local Government (Minister). The Minister has advised that the maximum rate of interest payable on overdue rates and charges for the 2016/17 rating year is 8% per annum.

4 In order to maintain a sufficient deterrent to the late payment of rates and charges it is proposed the maximum rate of interest allowable by the Minister apply to overdue rates and charges. This rate is 8% per annum. By comparison, the maximum rate for the 2015/16 year was 8.5% per annum with this rate resolved for use by Council at the Ordinary Council Meeting held on 16 June 2015.

5 Council also continues to provide a discounted interest rate on overdue rates and charges deferred against a ratepayer’s estate. The discounted rate for the 2015/16 rating year was 4.1% pa. For the 2016/17 rating year the discounted rate has been determined at 3.45% pa. Council has previously resolved that the deferral of rates and charges against a ratepayer’s estate should attract a lower rate of interest commensurate with Council’s weighted average rate of return earned on surplus cash invested.

FINANCIAL IMPACT

6 Imposition of interest on overdue rates and charges will ensure cash flow is maintained and will deter the late payment of debts. Estimated annual income from interest charges is $280,000 based on historical levels of arrears.
COMMUNITY PLAN STRATEGIC ALIGNMENT

7 N/A.

IMPLEMENTATION PLANNING / IMPLICATIONS

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

RISK ASSESSMENT AND MITIGATION

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

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

RELATED PREVIOUS DECISIONS

11 The recommendation contained in this report is consistent with existing practice and follows the adoption of interest on overdue rates and charges for 2015/16 at the Ordinary Council Meeting held on 16 June 2015.

CONSULTATION

12 The Minister annually establishes the maximum interest rate on overdue rates and charges in accordance with section 566 of the Act. All ratepayers are advised of the applicable rate of interest on their annual Rates and Charges Instalment Notices. Negotiation of interest free payment periods and waiving of interest charges are options available and were advertised within Council's draft 2016/17 Operational Plan.

OPTIONS

Option 1

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

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

BACKGROUND

Interest Charges

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

- Not be applied where the net rates and charges are paid in full in the current year or suitable arrangements to pay are entered into; and
- Be waived where arrears of net rates and charges are paid in accordance with an arrangement in subsequent years, except as provided for postponement of rates and charges under section 585 of the Act.

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

Writing off Accrued Interest

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

Defer Rates and Charges Against Estate

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

Council previously resolved at the Ordinary Council Meeting held on 16 June 2015 that the deferral of rates and charges against the estate should attract a lower rate of interest somewhat commensurate with Council’s investment rate.

The benchmark used and considered appropriate is Council’s weighted average rate of return earned on surplus cash invested. This is currently 3.45% per annum as at 30 April 2016.

Where the applicant is an eligible pensioner they are required to submit an annual application for the mandatory pensioner rebate, thereby, reducing the amount outstanding by up to $250.00 per year.
ITEM-55 CCL 28/06/16 - MAKING OF THE RATE - HUNTER CATCHMENT CONTRIBUTION AND COMMISSION FOR THE YEAR COMMENCING 1 JULY 2016

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

PURPOSE

To authorise the collection of the Hunter Catchment Contribution at the rate established by Hunter Local Land Services for 2016/17 for those rateable assessments for which it is applicable and to endorse the rate of commission, as established by the Hunter Local Land Service, to be applied by Council for the collection of the Contribution on their behalf.

RECOMMENDATION

1 (a) Council notes that Hunter Local Land Services has established the Hunter Catchment Contribution rate for the 2016/17 rating year at 0.011800 of a cent in the dollar on all relevant properties within the Newcastle Local Government Area (LGA), with a land value in excess of $300.

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

2 Council endorses the rate of commission payable to Council for the collection of the 2016/17 Catchment Contribution at 5% of Hunter Catchment Contributions collected, as determined by Hunter Local Land Services.

KEY ISSUES

3 Council, on behalf of Hunter Local Land Services, is obliged to levy the Hunter Catchment Contribution on all relevant properties within the Newcastle LGA with a land value in excess of $300 as per requirements of The Local Land Services Act 2013 and the Local Land Services Regulation 2014. Hunter Local Land Services has set the rate in the dollar that will apply to those rateable assessments liable to be charged the catchment contribution at 0.011800 for 2016/17.

4 The proposed rate of commission, payable to Council for acting on Hunter Local Land Services’ behalf, in the levying and collection of the 2016/17 Hunter Catchment Contribution is 5% of all monies collected.

5 In order to comply with legislation, Council must continue to levy the Hunter Catchment Contribution on its annual Rates and Charges Notices. The levy, less the commission payable to the Council, is passed on to Hunter Local Land Services.
FINANCIAL IMPACT

6 The estimated total levy to be collected from the catchment contribution is $1.85 million. Based on the recommendations at Paragraphs 1 and 2, the estimated commission earned by Council and withheld from this levy for the 2016/17 financial year is $93,000. The administrative costs incurred by Council in collecting and dispersing the levy are estimated at approximately $4,500 per annum.

COMMUNITY STRATEGIC PLAN ALIGNMENT

7 N/A.

IMPLEMENTATION PLANNING / IMPLICATIONS

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

RISK ASSESSMENT AND MITIGATION

9 Failure to make the 2016/17 Hunter Catchment Contribution by 1 August 2016 will place Council in breach of the Local Government Act 1993 and the Local Land Services Regulation 2014, which may delay the levying of Council’s rates and charges.

RELATED PREVIOUS DECISIONS

10 The Hunter Catchment Contribution has been collected by Council since 1976. This report proposes confirmation of existing practice and follows the adoption of the rate for the previous financial year within Council Report dated 16 June 2015.

OPTIONS

Option 1

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

Option 2

12 Council resolves not to levy the Hunter Catchment Contribution in accordance with the Local Land Services Regulation 2014. Failure to make the 2016/17 Hunter Catchment Contribution by 1 August 2016 will place Council in breach of the Local Government Act 1993. This is not the recommended option.
BACKGROUND

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

14 By written advice dated 8 June 2016, Hunter Local Land Services confirms that the 2016/17 Hunter Catchment Contribution will be 0.011800 of a cent in the dollar. The rate of commission, set by Hunter Local Land Services, payable to Council for the levying and collection of the Hunter Catchment Contribution remains at 5%.

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

REFERENCES

ATTACHMENTS

Nil.
ITEM-56 CCL 28/06/16 - ADOPTION OF ASSET MANAGEMENT POLICY 2016

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

PURPOSE

To adopt the draft Asset Management Policy (Attachment A).

RECOMMENDATION

1 Council adopts the draft Asset Management Policy (2016) in the form as attached at Attachment A as Council's Asset Management Policy.

KEY ISSUES


3 The draft Asset Management Policy was placed on public exhibition during April 2016. No submissions were received.

FINANCIAL IMPACT


COMMUNITY STRATEGIC PLAN ALIGNMENT

5 The Asset Management Policy falls within the Open and Collaborative strategic direction of the Community Strategic Plan (revised 2013) and under the strategic objective of "integrated sustainable and long-term planning for Newcastle and the Region".

IMPLEMENTATION PLAN/IMPLICATIONS

6 The adoption of the Asset Management Policy will replace previous versions. The implementation of this Policy will support the revision of Council's current Asset Management Strategy and better align with planned revisions of Council's existing suite of Asset Management Plans.
7 The Asset Management Policy will commit Council to engaging with the community to guide improvements to service planning and more informed decision making for asset lifecycle management and renewal investment.

RISK ASSESSMENT AND MITIGATION

8 There are no risks associated with the adoption of the revised Asset Management Policy.

RELATED PREVIOUS DECISIONS

9 At the Ordinary Council Meeting held on 22 March 2016, Council resolved to place the draft Asset Management Policy (version 3) on public exhibition.

CONSULTATION

12 The Draft Asset Management Policy was placed on public exhibition for a period of 28 days from 4 April 2016 to 2 May 2016. No submissions or comments were received.

OPTIONS

Option 1

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

Option 2

14 Council not adopt the revised Asset Management Policy (2016). This is not the recommended option.

BACKGROUND

15 Asset Management is the systematic and coordinated activities and practices of Council to ensure optimised and sustainable delivery of objectives through cost effective lifecycle management of assets.

16 Council's asset management suite of documents includes as Asset Management Policy, Asset Management Strategy and nine Asset Management Plans currently across Council's breadth of tangible assets. These documents are incorporated into Council's Resourcing Strategy which is an Integrated Planning and Reporting requirement legislated under the Local Government (Planning and Reporting) Act 2009.

ATTACHMENTS

Attachment A

The City of Newcastle

Policy

Asset Management

PO Box 689 (2/8 King Street)
NEWCASTLE NSW 2300
Ph: 02 4914 0000
Fax: 02 4914 2282
Email: mail@ncc.nsw.gov.au
www.newcastle.nsw.gov.au
Asset Management Policy

<table>
<thead>
<tr>
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<tr>
<td>Policy owner</td>
<td>Director Infrastructure</td>
</tr>
<tr>
<td>Prepared by</td>
<td>Infrastructure Planning</td>
</tr>
<tr>
<td>Approved by</td>
<td>Council</td>
</tr>
<tr>
<td>Date approved</td>
<td>June 2016</td>
</tr>
<tr>
<td>Commencement Date</td>
<td>June 2016</td>
</tr>
<tr>
<td>Version</td>
<td>3</td>
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</tr>
<tr>
<td>Keywords</td>
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<tr>
<td>Revision date</td>
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</table>
| List superseded policy/ies | Version 1 – April 2010 (ECM reference: 2935100)  
                         | Version 2 – August 2012 (ECM reference: 3438058) |
| Relevant strategic direction | Open and Collaborative Leadership      |
| Relevant legislation/codes | Local Government Act 1993  
                         | Local Government (General) Regulation 2005  
                         | Local Government Amendment (Planning and Reporting) Act 2009  
                         | Division of Local Government Planning and Reporting Guidelines for local government in NSW 2013  
                         | Division of Local Government Planning and Reporting Manual for local government in NSW 2013  
                         | ISO 55000                                |
| Related forms      | N/A                                   |
| Authorisations     | Nil                                   |
Purpose

Asset Management is the systematic and coordinated activities and practices of an organisation to optimally and sustainably deliver on its objectives through the cost-effective lifecycle management of assets.

This policy supports Newcastle City Council’s commitment to:

- ensuring assets and infrastructure are safe, reliable, sustainable and remain available for the benefit of our rate payers and the community;
- a core asset management system that aligns asset management to corporate goals and strategic context; and
- accountability, sustainability, risk management, service management and financial efficiency in asset management.

Scope

The policy applies to all Newcastle City Council owned and managed assets.

Principles

Newcastle City Council will sustainably manage its assets to ensure community service expectations are met.

Newcastle City Council recognises that sustainable asset management involves managing the performance, risk and expenditure on infrastructure assets in an optimal and sustainable manner throughout their lifecycle.

Newcastle City Council will apply the following principles to asset management:

- Maintaining an up to date and accurate register and asset management plan for each of its assets;
- Assets proactively managed from a lowest whole-of-life cost perspective in accordance with recognised industry practice whilst meeting agreed levels of service;
- A risk management approach to asset management across the entire life of the asset;
- The use of suitable performance indicators linking the customer service standards to the cost of provision for more informed decision-making;
- Measuring and monitoring the performance of assets to drive continuous improvement;
- Social, economic, cultural and environmental evaluations integrated into asset management processes;
- Innovative and cost effective processes and technologies identified and implemented to enhance operational efficiency, asset performance and reliability;
- Appropriately resourced, documented and maintained Asset Management Strategy (detailing systems and processes); and
- Assets managed in accordance with legislative requirements and standards.

These principles will be embedded into the development and maintenance of consistent asset management practices within Newcastle City Council.

This Policy is supported by an Asset Management Strategy and Asset Management Plans. All Newcastle City Council Managers are responsible for understanding, implementing, maintaining and continuously improving this Policy and the Asset Management Strategy and suite of Asset Management Plans.
ITEM-57 CCL 28/06/16 - YOUNG STREET CARRINGTON STREETSCAPE UPGRADE EXHIBITION

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

PURPOSE

To place two options for the Young Street upgrade on public exhibition for a period of 28 days. Council officers have prepared Streetscape Upgrade Plans for Young Street Carrington (Young Street Upgrade Plans) in consultation with the community.

RECOMMENDATION

1 Council resolves to place the Young Street, Carrington Streetscape Upgrade Plans Option 1 and Option 2 (Attachment A and Attachment B) on public exhibition for a period of 28 days.

2 To endorse the consultation strategy as outlined in this report.

3 That a report be placed back before Council on the preferred plan following public exhibition.

KEY ISSUES

4 Young Street Carrington has a number of issues that require addressing. These include:

i) Damaged infrastructure caused by the existing fig trees;

ii) Localised flooding and stormwater issues;

iii) Footpath maintenance; and

iv) Parking.

5 The objectives of the Young Street Upgrade Plans are as follows:

i) Fix drainage and paving by reconstructing kerb, gutter, road and footpath paving;

ii) Replace existing fig trees with appropriate species, in accordance with Council's Street Tree Selection Manual. This will help prevent localised flooding caused by infrastructure affected by fig tree roots;

iii) Provide additional parking spaces at 90 degrees;

iv) Improve safety;
v) Retain wide footpaths where practical; and

vi) Retain village feel.

6 The Young Street Upgrade Plans are divided into two stages for delivery purposes, as follows:

7 Stage 1 (Cowper Street to Victoria Street)

i) New footpaths. In some areas the existing footpath is widened and in some areas the footpath is narrowed to 4.5m;

ii) Additional road width. 1m added to roadway width to allow for extra maneuvering space;

iii) 90 degree angle parking (meets minimum standard in a 40km zone) as per the current situation; and

iv) Replacement of fig trees where there are no overhead wires, plant large trees (brushbox). Where there are overhead wires, plant small trees (tuckeroos).

8 Stage 2 (Victoria Street to Forbes Street)

i) New footpaths. Maintain footpath width, except in one part reduce footpath width to 3.8m;

ii) Introduce 90 degree angle parking (to Australian Standards);

iii) Reduction in width of road carriageway to allow for angle parking; and

iv) Replacement of fig trees where there are no overhead wires plant large trees (brushbox). Where there are overhead wires plant small trees (tuckeroos).

FINANCIAL IMPACT

9 Stage 1 of this project has been included in the Draft 2016/2017 Operational Plan, and will be considered for adoption at the 28 June 2016 Ordinary Council meeting. Stage 2 will be considered post 2016/2017.

10 The cost of the Young Street Upgrade Plans is yet unknown but preliminary costings will be provided to Council following public exhibition of the plan. More detailed costings will be sought as part of the detailed design stage.

11 The project integrates a number of aspects to provide efficient project delivery, with new infrastructure including road, trees and drainage.
COMMUNITY STRATEGIC PLAN ALIGNMENT

12 The project aligns with Council’s Newcastle 2030 strategic objectives and utilises strategic directions provided by Council policy and infrastructure standards. In particular the project aligns with:

i) Connected City – improving walking, cycling and public transport networks and safety to make these viable options for the majority of trips;

ii) Vibrant & Activated Public Places - improving the quality of public and private places and enhancing the opportunity for day and night use; and

iii) Liveable & Distinctive Built Environment - incorporating best practice water management, integrated transport networks, and urban design.

13 The project also aligns with Council’s Strategic Asset Management Plan.

IMPLEMENTATION PLAN/IMPLICATIONS

14 At the Community Workshop held on 20 February 2016, two conceptual options for Young Street were presented. The main difference between the two options relate to the number of trees and parking spaces proposed. The majority of people at the Community Workshop agreed with the Option 2 plan.

15 Both options involve the replacement of existing fig trees. The preferred species, being brushbox and tuckeroos, were discussed at the Community Workshop held on 20 February 2016 and are in accordance with Council's Street Tree Selection Manual.

16 In summary, the difference between the 2 options are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Existing number</th>
<th>Option 1</th>
<th>Option 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trees</td>
<td>24</td>
<td>24 trees</td>
<td>27 trees</td>
</tr>
<tr>
<td>Parking spaces</td>
<td>81</td>
<td>94 spaces</td>
<td>87 spaces</td>
</tr>
<tr>
<td>Summary</td>
<td></td>
<td>Same number of trees as existing and an extra 13 car spaces</td>
<td>3 more trees than existing and an extra 6 car spaces</td>
</tr>
</tbody>
</table>

17 The existing unique street furniture is to be retained and reinstalled.

18 In relation to Newcastle Cycle Strategy 2012, Young Street Carrington is identified as a possible on-road route. The Young Street Upgrade Plans reduce the existing road width to allow for angle parking within Stage 2. The Newcastle City Cycling Working Party will be consulted during the exhibition of this plan.

19 The Young Street Upgrade Plans will guide future public domain works in this area.
RISK ASSESSMENT AND MITIGATION

20 The proposal is to place the two options for Young Street upgrade on public exhibition and seek community feedback. There are no foreseeable risks associated with this exhibition.

RELATED PREVIOUS DECISIONS

21 A 40km/hr zone currently exists in Young Street, between Cowper and Victoria Streets, with two pedestrian crossings recently being formalised.

22 Council's Traffic Committee on 16 May 2016 received a report on the exhibition of changes to parking in Young Street Carrington from Forbes Street through to Elizabeth Street (west of Stages 1 and 2). The recommendation of the Traffic Committee was:

"the matter be relisted to NCTC for consideration following a final Council decision on Stage 1 of the Young Street Carrington project".

23 There is opportunity to integrate this Traffic Plan into the final Young Street Upgrade Plans. This will be considered following its public exhibition.

CONSULTATION

24 There have been two Community Workshops undertaken for this project to assist in the preparation of the concept plan.

25 Workshop 1 was held on 23 May 2015 with 40 participants. The workshop was facilitated by Council's Community Engagement Team. The session involved a tour of Young Street and workshop activities to identify values, issues and parking layout preferences. The top three issues identified at this workshop were footpath maintenance, drainage, and parking. Details of this workshop can be found in Attachment C.

26 Workshop 2 was held on Saturday, 20 February 2016 with 29 participants. The information session was facilitated by Council's Community Engagement Team. There were five additional community members that contributed feedback that could not attend on the day. At this Community Workshop, two options for Young Street were shown and attendees were asked to indicate their preferred option. Option 2 was the preferred option by the majority of participants. Preferred tree species were also discussed at this workshop. Details of this workshop can be found in Attachment D.

27 It is now proposed to place the two options for Young Street Upgrade on public exhibition for a period of 28 days. Exhibition will be held at Newcastle Regional Library, Newcastle City Council, online www.newcastle.nsw.gov.au and via Newcastle Facebook page and Newcastle Voice. Flyers will be placed in some of the businesses along Young Street Carrington.

28 As there have already been two community meetings held relating to this project there are no additional community meetings proposed.
29 There are no requirements to forward this plan to the Newcastle City Traffic Committee

OPTIONS

Option 1
30 The recommendation as at Paragraphs 1, 2 and 3. This is the recommended option.

Option 2
31 Do not place plans on public exhibition. Whilst there is no statutory obligation to exhibit the plans, the community will not have a final opportunity to make comment. This is not the recommended option.

BACKGROUND

32 This project began in 2009 with the preparation of a Carrington Neighbourhood Plan. Council received 29 recommendations from the Carrington Neighbourhood Plan, with some relevant to Young Street Carrington. Due to the lack of resources within Council, the recommendations were unable to be followed through at that time.

33 In 2015 Council recommenced investigation work following various community requests.

REFERENCES

ATTACHMENTS

Attachment A: Young Street Carrington Streetscape Upgrade Plan (Option 1)
Attachment B: Young Street Carrington Streetscape Upgrade Plan (Option 2)
Attachment C: Newcastle Voice Workshop results May 2015
Attachment D: Newcastle Voice Information Session February 2016

Distributed under separate cover
ITEM-58 CCL 28/06/16 - RAINBOW CROSSING

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

PURPOSE

The purpose of this report is to seek Council approval for the preferred site to establish a permanent rainbow crossing.

RECOMMENDATION

1 Council approves Islington Park as the preferred location to install a rainbow crossing.

KEY ISSUES

2 Council officers have investigated the feasibility of establishing a rainbow crossing within suburbs known to have historical association with the local lesbian, gay, bisexual, transgender, intersex or queer (LGBTIQ) community, specifically Islington and Hamilton. Places considered include; Gregson Park, Hamilton; James Street Plaza, Hamilton and Islington Park, Islington. Due to a series of issues associated with the alternative possible locations, the preferred location to install a rainbow crossing is in Islington Park.

3 Islington Park is considered a suitable location within the Islington / Hamilton precinct for the creation of a permanent rainbow crossing. In the 2015/16 budget, funds were allocated in the Major Asset Preservation Program to remove redundant pathways due to fig tree root structures impacting on existing pathways. The project will realign the shared pathways and construct a three metre wide shared concrete path connecting the Throsby Creek shared pathway with Hubbard Street Traffic signals at Maitland Road. It is proposed the rainbow crossing be installed along the new realigned pathway near Throsby Creek.

FINANCIAL IMPACT

4 The installation of a permanent rainbow crossing at Islington Park will be delivered as part of the current renewal projects therefore minimal cost to the ratepayer being painting only, both initial and renewal.

COMMUNITY STRATEGIC PLAN ALIGNMENT

5 The establishment of a permanent rainbow pedestrian crossing falls primarily within the Community Strategy Plan objectives of:

i) Vibrant and Activated Public Places; and

ii) Caring and Inclusive Community.
IMPLEMENTATION PLAN/IMPLICATIONS

6 The Islington Park shared pathway installation will be managed by Council staff and painting of the rainbow crossing completed by Council's Building Services team.

RISK ASSESSMENT AND MITIGATION

7 To ensure the safety of park users, and compliance with relevant Australian Standards, the chosen feature will need to be constructed in a form that does not create any risks for the public.

RELATED PREVIOUS DECISIONS

8 Council resolved by NOM at the Ordinary Council Meeting held on 28 July 2015 - Equality for Novocastrians:

i) Affirms its commitment to valuing and respecting diversity in our community including in the provision of services and as an employer of equal opportunity;

ii) Seeks to further its support by adopting the Safe Space Charter and increasing the number of Council venues (such as the libraries, museum, art gallery and pools) registered with ACON NSW’s Safe Space Program;

iii) Supports the establishment of a permanent rainbow crossing as a placemaking project on a local road or alternate suitable public place within the Newcastle LGA to symbolise the City’s commitment to equality;

iv) A report be received by Council at or before the October meeting of Council which identifies a number of location options and estimates the costs and other constraints of establishing a permanent rainbow pedestrian crossing on a local road or in alternative public space. This report is to consider the potential of establishing a permanent crossing in locations of current and historical significance to the local lesbian, gay, bisexual, transgender and intersex or queer (LGBTIQ) community including Beaumont Street, Hamilton;

v) Adopts a position supporting marriage equality; that is that civil marriage should be available, without discrimination, to all adult couples, regardless of sex, sexual orientation or gender identity;

vi) Publically shares this statement including by publicising on Council’s website and social media, and by writing to the Prime Minister, Federal Opposition Leader and Federal Members for Newcastle, Charlton, Shortland, Paterson and Hunter advising them of Council’s support and encouraging support of marriage equality bills before the commonwealth parliament;
CITY OF NEWCASTLE

Ordinary Council Meeting 28 June 2016

vii) Become the first Council in Australia to take part in the Pride in Diversity Workplace Program, which is designed specifically to assist Australian employers with the inclusion of LGBTIQ employees; and

viii) Work towards achieving the national accredited Rainbow Tick for Council Services which formally demonstrates LGBTIQ inclusive practice and service delivery.

9 Council resolved at the Ordinary Council Meeting held on 27 October 2015 - Options for a Rainbow Crossing in a Public Space:

i) The Officer's report be received;

ii) Council reiterates its commitment to equality, and to the provision of a Rainbow Crossing as a symbol of this commitment;

iii) Council considers opportunities for delivery of a rainbow crossing as part of current renewal projects that would allow for it to be delivered at minimal additional expense to ratepayers; and

iv) Officers' discuss and report back to Council on the implementation of the proposal distributed to Councillors from Hunter Workers.

CONSULTATION

10 Council staff have consulted with the Islington Village Community Group in April 2016 and met on 26 May 2016. All members of the Committee supported the proposal to provide a rainbow crossing at Islington Park.

OPTIONS

Option 1

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

Option 2

12 Council not proceed with the installation of a rainbow crossing at Islington Park. This is not the recommended option.

BACKGROUND

13 Previously, Council resolved to support the establishment of a permanent rainbow crossing as a place making proposal on a local road or alternative suitable public space and sought a report on options and costs.

14 On 27 October 2015 Council resolved to consider opportunities to deliver a rainbow crossing funded by Council's current renewal projects at a minimal expense to ratepayers.
REFERENCES

ATTACHMENTS

Nil.
ITEM-59  CCL 28/06/16 - AMENDMENT TO DEVELOPMENT CONTROLS FOR THE NON-LEASED PARTS OF THE PORT OF NEWCASTLE - NEWCASTLE DEVELOPMENT CONTROL PLAN 2012

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

PURPOSE

This report outlines proposed amendments to the Newcastle Development Control Plan (DCP) 2012 to incorporate guidelines for the development of land that is zoned SP1 Special Activities under State Environmental Planning Policy (Three Ports) 2013 (Three Ports SEPP) but is located outside of the Port of Newcastle Lease Area (Lease Area). This report seeks a resolution of Council to place the draft amended DCP on public exhibition for 28 days.

RECOMMENDATION

1 Council resolves to:

   i) Place the draft amendments to Newcastle Development Control Plan 2012 as provided in Attachment A on public exhibition for 28 days; and

   ii) Write to the Department of Planning and Environment to seek the return of the Intertrade site at Mayfield (shown as a 'deferred matter' under the Three Ports SEPP) to the Newcastle Local Environmental Plan 2012 to allow appropriate zones and development controls to be developed in consultation with the community.

KEY ISSUES

2 Under the Three Ports SEPP, the land that is within the Lease Area is land that is managed by the operator of the Port of Newcastle. The Minister is the consent authority for development that requires consent within the Lease Area. Council remains the consent authority for development (that is not State significant development) on land outside the Lease Area, ie. development on privately owned land.

3 Council’s local planning controls do not apply to the area where the Three Ports SEPP applies, however, the Secretary of the Department of Planning and Environment (DPE) has granted delegation to Council to prepare a development control plan (DCP) for land within the Three Ports SEPP that is outside the Lease Area.
4 The Three Ports SEPP identifies an area of land at Mayfield (known as the 'Intertrade site') as a 'deferred matter'. This site is currently managed by the Hunter Development Corporation. Being identified as a 'deferred matter' on the zoning map means that the planning controls which applied to the Intertrade site before the introduction of the Three Ports SEPP remain in force. The delegation granted to Council to prepare a DCP for the land that is outside of the Port Lease Area does not extend to the Intertrade site.

5 In 2014, Council wrote to the DPE requesting that the Intertrade site be removed from the Three Ports SEPP, if it was no longer required for port related purposes, and returned to the Newcastle Local Environmental Plan 2012. However, the site remains as a 'deferred matter' in the Three Ports SEPP and the DPE have advised that their current work program does not include resolution of this matter. It is recommended that Council again write to the DPE to seek the return of the site to the Newcastle LEP. This would allow appropriate zones and development controls to be developed in consultation with the community.

6 Since the commencement of the Three Ports SEPP, the provisions within the current DCP have been used informally by proponents to guide development within the boundaries of the Three Ports SEPP (both inside and outside of the Lease Area) as there are no other development controls.

7 Development around the Port of Newcastle is industrial in nature. As such, the existing DCP controls for industrial development provide suitable guidance for development of sites outside of the Lease Area. It is proposed to amend the DCP, firstly by making administrative changes to the introduction, and to the introduction of each relevant section. This will allow the DCP to legally be applied to development that is on land zoned SP1 under the Three Ports SEPP and which is outside of the Lease Area (refer to red text in the draft DCP at Attachment A).

8 There are also a small number of matters that are relevant to land around the Port of Newcastle. These are: access via roads managed by the operator of the Port of Newcastle; stormwater disposal via systems managed by the operator of the Port of Newcastle; maintenance of sight-lines to navigational aids; and the potential impacts of tall structures and cranes on the airspace of Williamtown RAAF base.

9 To address these issues a new part is proposed to be added to the end of section 3.13 Industrial Development. The new part will include controls in relation to vehicle access and stormwater disposal. It will also include advisory notes in relation to maintenance of sight-lines to navigational aids; and the potential impacts of tall structures and cranes on the airspace of Williamtown RAAF base. The new section will apply only to development within the boundaries of the Three Ports SEPP but outside of the Lease Area.
10 Section 7.09 of the DCP contains controls for outdoor advertising and signage. Although this section contains controls for special purpose zones, these are grouped with controls for recreation zones and are relatively restrictive when compared to the controls for industrial zones. It is proposed to amend this section so that the controls for signage in industrial zones (instead of special purpose zones) will apply to the sites within the boundaries of the Three Ports SEPP but located outside of the Lease Area.

11 Attachment A contains a copy of the proposed amendments to section 1.0 Introduction, section 3.13 Industrial Development, section 7.09 Outdoor Advertising and Signage and section 9.00 Glossary.

FINANCIAL IMPACT

12 The proposed amendments do not have a direct financial impact on the operations of Council. The provision of development guidelines has an indirect benefit through more efficient processing of development applications.

COMMUNITY STRATEGIC PLAN ALIGNMENT

13 The proposed amendments align with the Liveable and Distinctive Built Environment strategic direction of the Community Strategic Plan.

14 The proposed DCP amendment is consistent with the action contained in Council's Local Planning Strategy to 'Prepare a Development Control Plan for the SEPP (Three Ports) area that falls outside the Lease Area.'

IMPLEMENTATION PLAN/IMPLICATIONS

15 The process for preparing and amending DCPs and the matters that a DCP may deal with are specified in the Environmental Planning and Assessment Act 1979 (the Act) and associated Regulation. The Act and Regulation require a relevant planning authority to prepare a DCP and that the DCP be placed on public exhibition for at least 28 days.

16 In addition, the delegation granted to Council to prepare the DCP requires Council to provide a copy of the draft DCP to DPE at the same time it is placed on public exhibition.

17 Following consideration of submissions, the relevant planning authority may approve the DCP (with or without amendments) or decide not to proceed with the DCP.

18 The outcomes of the public exhibition will be reported to Council for consideration in making a final decision on the DCP.

RISK ASSESSMENT AND MITIGATION

19 There are no risks to Council in the proposed amendments to the DCP. The legal process is being followed. The recommended public exhibition period of 28 days is consistent with the plan making requirements under the Act.
RELATED PREVIOUS DECISIONS

20 At the Ordinary Council Meeting held on 25 November 2014 Council resolved to accept the Minister’s section 94E delegation to prepare a DCP for the land outside the Lease Area of the Port of Newcastle.

CONSULTATION

21 Initial consultation has been undertaken internally with the Development Assessment Team and with external bodies including the Port of Newcastle, Roads and Maritime Services, DPE and Hunter Development Corporation. The wider community will be consulted during the public exhibition period.

OPTIONS

Option 1

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

Option 2

23 Council not proceed with the draft amendments. The draft amendments aim to provide development guidelines for land that is zoned SP1 under the Three Ports SEPP but is located outside of the Lease Area. The DCP does not currently apply to these sites. The draft amendments will facilitate more efficient processing of development applications. Not proceeding will not achieve improved customer service and potentially hinder development which will support employment and the Port of Newcastle. This is not the recommended option.

BACKGROUND

24 The Major Development SEPP was amended in July 2009 to include Port Kembla, Port Botany and the Port of Newcastle as State significant sites and replaced all local planning controls with the provisions of the SEPP.

25 In April 2013, Port Kembla and Port Botany were removed from the Major Development SEPP and placed in a separate SEPP to accommodate the leasing of these Ports. On 31 May 2014 the amendment to include the Port of Newcastle in the Port Botany and Port Kembla SEPP became effective and the SEPP was renamed The Three Ports SEPP.

26 On 25 November 2014, Council resolved to accept the Minister’s delegation to prepare a DCP for the land outside the Lease Area of the Port of Newcastle. The preparation of a DCP was subsequently included as an action in the Local Planning Strategy.
REFERENCES

ATTACHMENTS

Attachment A: Draft Amendments to Newcastle DCP 2012

Attachment distributed under separate cover.
PURPOSE

This report outlines proposed amendments and seeks a resolution of Council to approve placing the draft amended Development Control Plan (DCP) on public exhibition for a period of four weeks.

Amendments are proposed to the stormwater section of the Newcastle Development Control Plan (DCP) 2012 primarily to clarify the guidelines applying to development within wetlands catchments identified under State Environmental Planning Policy (SEPP) 14 - Coastal Wetlands.

RECOMMENDATION

1 Council approves placing the draft amendments to Section 7.06 Stormwater and Section 9.00 Glossary of Newcastle Development Control Plan 2012, as provided in Attachments A & B, on public exhibition for a period of four weeks.

KEY ISSUES

2 The existing Section 7.06 Stormwater of the Newcastle DCP 2012 contains provisions relating to stormwater management within wetland catchments identified under State Environmental Planning Policy (SEPP) 14 - Coastal Wetlands. Through the assessment of development applications, such as subdivisions within Fletcher that fall within these water catchments, it has become apparent that it is not clear to applicants and consultants that there are different requirements within these SEPP 14 wetlands catchments. Furthermore, the DCP and associated Stormwater and Water Efficiency for Development Technical Manual do not provide clear direction, specifically what are deemed to comply provisions, for development within the SEPP 14 wetlands catchments.

3 Council officers engaged expert consultants in freshwater wetland management and water sensitive urban design to review the current provisions under the DCP, with particular regard to the development controls for developments draining stormwater to SEPP 14 wetlands, such as Hexham Wetlands. The consultants recommended that the current provisions in the DCP should be clarified for development within these catchments by specifying specific hydrology targets as opposed to the current DCP that refers proponents to the Water Sensitive Urban Design above Wetlands Guideline, developed for the Hunter and Central Coast Regional Environmental Management Strategy.
The guidelines contain sound principles but require a degree of interpretation, which then creates uncertainty. The specific targets under the amended DCP have been formulated taking into account the guidelines.

4 During assessment of development applications, Council officers have also identified other minor operational matters to address, including:

i) clarifying the floor area threshold for when additional discharge controls apply for alterations and additions.

ii) a need to specify minimum standards for stormwater devices and riparian corridors proposed to be retained in private ownership (as opposed to dedicated to Council).

iii) updating definitions, including clarifying small and large scale development.

5 The draft amended Section 7.06 Stormwater seeks to address these issues. In particular, it now identifies catchments either within or outside SEPP 14 wetlands catchments and applies specific guidelines to each of those catchments. The proposed amended Section 7.06 Stormwater is at Attachment A. Updated definitions are included under amended Section 9.00 Glossary, at Attachment B. A detailed schedule of all the proposed amendments is included under Attachment C and generally marked up in red text within the proposed amended DCP sections.

6 Particular attention has been given to developing a ‘deemed to comply’ solution for single dwelling houses. For example, under the current DCP a typical single dwelling house would require roof water to be directed to a 4,000 litre rainwater tank plumbed into toilet cisterns and taps for washing machines, and recommended external tap for watering. The purpose of this is to reuse water from the tank to minimise stormwater leaving the site. These controls would continue to apply to areas outside the SEPP 14 wetland catchments. Under the proposed amendments a typical dwelling within a SEPP 14 wetland catchment would require a tank of around double this size including air space to temporarily detain stormwater and reduce the amount that is released. The larger tanks also have additional reuse capacity, including:

i) outside taps

ii) washing machine taps and laundry basins

iii) hot water service

7 The Stormwater and Water Efficiency for Development Technical Manual provides more detailed and supportive information to the DCP. To supplement the amended DCP guidelines the Technical Manual is also proposed to be amended, with proposed changes and rationale outlined in Attachment C. The proposed amended Technical Manual is at Attachment D. Appendix B of the Technical Manual identifies water catchments that relate to the specific controls. The technical manual will be exhibited with the DCP as supporting documentation. However, as a best practice Council guideline, it does not require endorsement by Council.
FINANCIAL IMPACT

8 The proposed amendments do not have a direct financial impact on the operations of Council. Clarifying the development guidelines has an indirect benefit through more efficient processing of development applications.

COMMUNITY STRATEGIC PLAN ALIGNMENT

9 The proposed amendments align with the strategic directions of the Community Strategic Plan for a 'Protected and Enhanced Environment' in that they seek to protect wetlands of State (SEPP 14) and international significance - Ramsar (international treaty for the conservation and sustainable use of wetlands. It is also known as the Convention on Wetlands). The amendments also support the strategic directions of a 'Liveable and Distinctive Built Environment' as they support best practice in water efficiency for buildings.

IMPLEMENTATION PLAN/IMPLICATIONS

10 Should Council resolve to place the draft amendments to the DCP on public exhibition, the correct legal process will be followed for amending development control plans. The outcomes of the public exhibition will be reported to Council at a subsequent Council meeting.

RISK ASSESSMENT AND MITIGATION

11 There are no risks to Council in the proposed amendments to the DCP. The public exhibition for four weeks is consistent with the plan making requirements under the Environmental Planning and Assessment Act 1979.

RELATED PREVIOUS DECISIONS

12 At the Ordinary Council Meeting held on 28 May 2013, Council adopted changes to Section 7.06 Stormwater of the Newcastle DCP 2012. The changes applied latest best practice for water sensitive urban design by including a broader range of possible stormwater discharge control measures, such as swales, sand filters, bioretention rain gardens and sediment basins. The DCP was also amended to include specific requirements for development located within catchments to SEPP 14 wetlands. Specific design guidelines on water sensitive urban design devices were also included in an amended Stormwater and Water Efficiency for Development Technical Manual.

CONSULTATION

13 An internal working group was formed with development assessment engineers and officers from infrastructure planning to develop the draft revised guidelines. The wider community will be consulted during the public exhibition period. In particular, industry engineering firms that commonly deal with the stormwater section of the DCP will be directly notified of the proposed changes.
14 The proposed amended Technical Manual will form part of the exhibition material as supporting information.

OPTIONS

Option 1

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

Option 2

16 Council not proceed with the draft amendments. This is not the recommended option.

BACKGROUND

17 The existing Section 7.06 Stormwater of the Newcastle DCP 2012 was developed after extensive consultation with internal staff and industry and provides best practice for water sensitive urban design.

18 The existing Section 7.06 Stormwater already contains provisions relating to stormwater management for development located within catchments draining into wetlands identified under SEPP 14 - Coastal Wetlands. The purpose of these provisions is to facilitate protection of the existing water regimes within the receiving SEPP 14 wetlands from increased development. In particular, the quantity of stormwater entering these sensitive catchments needs to be maintained as closely as possible to existing conditions to maintain health of the ecosystem. For example, these provisions apply to the Hexham Wetlands catchment which is experiencing increased development through new subdivisions within Fletcher and further development proposed within Minmi. It has been identified through the assessment of development applications that further clarity is required within the DCP to guide future development within these sensitive catchments.

ATTACHMENTS

Attachment A: Proposed amended Section 7.06 Stormwater
Attachment B: Proposed amended Section 9.00 Glossary
Attachment C: Schedule of proposed amendments Section 7.06 Stormwater

Attachments distributed under separate cover.
ITEM-61  CCL 28/06/16 - HERITAGE CONSERVATION AREA REVIEW PROJECT

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

PURPOSE

This report presents the outcomes of the public exhibition of the draft review of heritage conservation areas and seeks endorsement of the final report and recommendations.

RECOMMENDATION

1 Council endorses the Review of Heritage Conservation Areas Final Report, provided in Attachment A.

KEY ISSUES

2 The Review of Heritage Conservation Areas - draft report, was placed on public exhibition for six weeks between 1 February 2016 and 14 March 2016.

3 The report invited the community and stakeholders to provide feedback on the findings and recommendations. A total of 87 formal submissions were received.

4 The report has been finalised taking into account the comments received during the public exhibition.

5 The report itself does not make any changes to Council’s planning controls. Any amendments to the Newcastle Local Environmental Plan (LEP) 2012 or Development Control Plan (DCP) 2012 will be undertaken as separate projects with further consultation as required by the Environmental Planning and Assessment Act 1979.

6 The final recommendations for managing the Heritage Conservation Areas (HCAs) are summarised as follows (please refer to the final report at Attachment A for the full recommendations):

   i) Cooks Hill - it is recommended that the east boundary is extended to include the lower portion of Kitchener and Anzac Parades, and reduced at Darby Street to exclude the section of Darby Street as identified in the report.

   ii) Hamilton South ‘Garden Suburb’ - it is recommended that the north boundary of the HCA is extended to include the north side of Denison Street and Ada Street. It is recommended that the Glebe Road boundary proposal (to exclude a small section), does not proceed.
iii) The Hill - it is recommended that the boundary adjustment to include High Street, and parts of Anzac and Kitchener Parades, proceed as recommended in the report.

iv) Hamilton Business Area Heritage Conservation Area - it is recommended that the removal of the Hamilton Business Area HCA not proceed. It is not recommended that the sandstone kerb and gutters be heritage listed at this time.

v) Proposed HCAs for Glebe Road Federation cottages and Hamilton Residential - it is recommended that the proposed making of two additional HCAs proceed.

vi) Newcastle DCP amendments - it is recommended that the DCP is amended to include the statements of desired future character and revised statements of heritage significance as contained in the report.

vii) Heritage Technical Manual - it is recommended that the Technical Manual is updated to include the contributory maps. It is also recommended that the Cooks Hill design guideline also apply to the Hill, Newcastle East and the proposed Hamilton Residential HCA.

viii) Potential heritage items - Parkway Avenue as a landscape heritage item and the dwelling houses at 18, 32, 34, Gordon Avenue Hamilton - it is recommended that the proposed heritage listing of these four items proceed. Parkway Avenue is to include the entire length from its commencement at Tudor Street through its terminus at Memorial Drive Bar Beach.

ix) New design guidelines - it is recommended that locality specific design guidelines be prepared for Hamilton South Garden Suburb, and Glebe Road cottage HCA respectively. These are to be included in the Technical Manual.

x) It is recommended that DCP section for HCAs be moved from environmental controls to locality specific controls.

xi) Zoning of all HCAs be examined in the future.

FINANCIAL IMPACT

7 The endorsement of the final report will not have financial impacts on the operations of Council. Future projects will be drawn from the existing operational budget.
COMMUNITY STRATEGIC PLAN ALIGNMENT

8 The project aligns with three of the strategic directions contained in the 2030 Community Strategic Plan including a Liveable and Distinctive Built Environment, Vibrant and Activated Public Spaces, and Open and Collaborative Leadership.

9 Council adopted the City of Newcastle Heritage Strategy at the Ordinary Council Meeting held on 25 March 2014. The review of HCAs implements actions of this Strategy.

IMPLEMENTATION PLAN/IMPLICATIONS

10 This report seeks Council endorsement of the final report which includes detailed recommendations and actions for implementation such as future changes to Schedule 5 - Environmental Heritage of the Newcastle LEP 2012 and changes to the DCP chapters for heritage conservation areas. The report will be used to establish and prioritise a work program to implement the recommendations.

RISK ASSESSMENT AND MITIGATION

11 There are minimal risks to Council in endorsing the final report. Implementation of the recommendations requires changes to the LEP and DCP and will follow the defined process required under State regulations.

RELATED PREVIOUS DECISIONS

12 At the Ordinary Council Meeting held on 25 March 2014 - Council received a report to advise of this review.

13 At the Ordinary Council Meeting held on 24 November 2015 - Council received a report to place the HCAs draft report on public exhibition and to commence an extensive consultation process.

CONSULTATION

14 The consultation process has been extensive including a six-week public exhibition period. Feedback has been collected in two forms including formal written submissions and a community survey conducted by Newcastle Voice.

15 The exhibition material was displayed in hard copy at Council's Customer Administration Centre, and at branch libraries including Newcastle, Hamilton, and Adamstown libraries.

16 Staff hosted three one-hour community information sessions in February 2016. Sessions were held in Merewether, Hamilton, and Newcastle East. The presentation was made available on Council's website enabling people unable to attend the sessions to view the presentation content. A total of 108 people attended the sessions.
17 A media release was produced and released on 4 February 2016. The release included details of the review, exhibition dates, staff contacts, and details of the community information sessions.

18 A total of 4294 property owners in the existing HCAs received a brochure containing information about the exhibition and an invitation to attend the information sessions. The brochure also included the address for formal submissions and instructions on accessing the public exhibition material.

19 A total of 678 property owners in the areas where a change was proposed (e.g., an extension to a HCA, a reduction to a HCA, a proposed heritage area or proposed heritage item), were advised by letter about the project and its implications, and also received the information brochure.

20 Key stakeholder organisations and agencies also received written notice of the draft report and exhibition period.

21 A total of 87 formal submissions were received including submissions from the Heritage Division of the NSW Office of Environment and Heritage, the NSW Roads and Maritime Services, the National Trust Hunter Region Committee, and the Cooks Hill Community Group Inc. Of these submissions, 45 were presented as a form letter expressing opposition to the proposed removal of part of the Hamilton South Garden Suburb. A summary of the formal submissions is provided at Attachment B.

22 A key element of the consultation process was an on-line survey conducted by Newcastle Voice which sought feedback on each of the findings of the draft report. These findings were presented as a series of questions with answers collected as strongly disagree, disagree, neutral, agree or strongly agree. Verbatim comments were also collected. A total of 91 surveys were completed. The results are tabulated and are summarised in 'Appendix A - Newcastle Voice Community Survey' of Attachment A (Review of HCAs Final Report). It should be noted that this survey was additional to the Newcastle Voice surveys conducted at an earlier stage of the review (2014 and 2015). A total of 195 people participated in the survey.

OPTIONS

Option 1

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

Option 2

24 Council not proceed with endorsement of the final report. This is not the recommended option.

BACKGROUND

25 The HCAs review was identified as a high priority action in the Newcastle Heritage Strategy (actions 2.4 and 3.3).
26 The scope of the project was as follows:

i) Revise and document the heritage significance of the HCAs in accordance with the guidelines issued by the NSW Heritage Council.

ii) Identify and define the architectural styles and principle heritage aspects of each HCA.

iii) Undertake fieldwork to identify contributory buildings and map these according to their contributory, neutral or non-contributory status and determine an appropriate set of policies to manage the contribution of buildings within each area.

iv) Review the boundaries and planning framework for each HCA.

v) Undertake community surveys to understand what residents value within each area and what development controls residents see as useful and relevant.

vi) Consult with the architectural and building design industry on design options and incorporate feedback into the DCP and/or Heritage Technical Manual.

ATTACHMENTS

Attachment A: Review of Heritage Conservation Areas Final Report

Attachment B: Summary of Submissions and Council Response

Attachments distributed under separate cover.
ITEM-62 CCL 28/06/16 - BUILDING BETTER CITIES COMMITTEE - PROPOSED EXPENDITURE OF RESIDUAL FUNDS

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

PURPOSE

This report seeks Council’s endorsement for the expenditure of residual Building Better Cities (BBC) funds through an Expression of Interest (EOI) process targeted at Tier One community housing providers registered under the National Regulatory System Community Housing (NRSCH) to deliver affordable housing options within the Newcastle LGA.

RECOMMENDATION

1 Council resolves to undertake a targeted Expressions of Interest process to seek affordable housing proposals from Tier One community housing providers registered under the National Regulatory System Community Housing using residual Building Better Cities funds valued at $3.01M.

KEY ISSUES

2 On 2 June 2016 the BBC Housing Management and Development Committee resolved to recommend the following to Council:

   i) Council officers to prepare an EOI for the provision of affordable housing by registered community housing providers. The EOI assessment criteria will cover both the nature of the building, and the service level / management regime. The criteria are to be consistent with the objectives of the 1996 BBC Demonstration Housing Program Funding Agreement and include financial and non-financial performance measures.

   ii) By focusing the proposed EOI on Tier One community housing providers the risk of receiving off target and / or non-compliant proposals will be greatly reduced. Tier One community housing providers must demonstrate that they meet the principles of good regulation that underpin the NRSCH. The tiered registration system is based on risk management and performance outcomes whereby different levels of regulatory monitoring apply to providers based on the scale and scope of their community housing activities. The National Register is divided into parts specifying three categories referred to as Tier 1, Tier 2 and Tier 3. Tier 1 providers face the highest level of performance requirements and regulatory engagement reflecting the fact that they are involved in activities that mean they manage risk on a higher level based on operating scale and ongoing development activities.
FINANCIAL IMPACT

3 The residual BBC funds can be used for no purpose other than the provision of innovative, affordable and / or adaptable housing under the terms of the Committee’s constitutional objects and the BBC Demonstration Housing Program Funding Agreement with the NSW Minister for Housing. Projects delivered under this program must be located in the Newcastle Local Government Area and the funds for same are held in trust by Newcastle City Council.

4 Council will not be required to contribute any of its own operational or capital funding towards the project. Relevant Council staff will contribute to the development, advertisement, assessment and reporting of the proposed EOI process.

COMMUNITY STRATEGIC PLAN ALIGNMENT

5 The proposal is directly aligned with the Newcastle 2030 Caring and Inclusive Strategic Direction objectives 4.1a, 4.1c, 4.2b through the provision of a mix of affordable housing deliverables. It also meets objectives listed under Liveable and Distinctive Built Environment 5.3a and 5.3b.

IMPLEMENTATION PLAN/IMPLICATIONS

6 The proposal falls within the budget of the BBC Committee and is consistent with the objects in the Committee’s Constitution. An open and transparent EOI process to engage a suitable proponent is required to meet Council’s purchasing and procurement obligations.

7 A working group comprising three (3) members of the BBC Committee, one each from the NSW Housing Industry Association and the NSW Department of Planning and Environment and one (1) community representative with relevant Council staff from Strategic Planning Services and Projects and Contracts would be established to evaluate and report on the bids received.

8 Should a complying EOI submission be received, this would be reported to the BBC Committee by the working group which in turn would make a recommendation to Council.

9 Any completed affordable housing units would be vested to the nominated community housing provider in perpetuity.

RISK ASSESSMENT AND MITIGATION

10 There is a risk that no compliant bid meets the EOI assessment criteria at the close of the exhibition period. This risk will be reduced by structuring the EOI towards Tier One community housing providers.
RELATED PREVIOUS DECISIONS

11 At the Ordinary Council Meeting held on 23 July 2013, Council resolved to:

1 Council endorse the BBC Committee decision to invest residual BBC funds to the value of $2.9M in the design and construction of a mixed housing development, including affordable housing, in Newcastle West.

2 That a further report be prepared for Council's consideration at the conclusion of the 2013 National Rental Housing Affordability Scheme (NRAS) and Expression of Interest (EOI) phases of the proposal that outlines the development and partnership model.

3 Council write to the NSW Minister for Housing seeking endorsement of this proposal.

CONSULTATION

12 Not applicable.

OPTIONS

Option 1

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

Option 2

14 Council not resolve to commence an EOI process. This is not the recommended option.

BACKGROUND

15 The BBC Committee has commissioned previous EOI processes that have resulted in the receipt of submissions that did not meet the objectives of the terms of the 1996 BBC Demonstration Housing Program Funding Agreement. These EOIs were conducted on a national open market basis and did not attract bids from specialist affordable housing providers. Instead bids were received from building and development consortiums with limited demonstrated experience in affordable housing provision. The most recent EOI, conducted for provision of mixed commercial / residential development including affordable housing at the Empire Hotel Site in Newcastle West, attracted a complying bid however the proposal did not proceed due to the perceived risk the site posed to the consortium's return on investment.

16 There remains $3.01M of the allocated funding to be spent and the BBC Committee is seeking to expend these residual funds on a final affordable housing project before being wound up in accordance with the original terms of the grant.
REFERENCES

ATTACHMENTS

Nil
ITEM-63  CCL 28/06/16 - ANNUAL FEES FOR THE LORD MAYOR AND COUNCILLORS 2016/17

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

PURPOSE

To determine the annual fees payable to Councillors and the Lord Mayor for the 2016/17 financial year.

RECOMMENDATION

1 Council approves:

(i) an increase of [    ]% to the annual fees payable to the Lord Mayor in accordance with s. 249(1) of the Local Government Act 1993 (Act);

(ii) an increase of [    ]% to the annual fees payable to Councillors in accordance with s. 248(1) of the Act;

(iii) the payment to the Lord Mayor of the increased annual fee payable to the mayor as provided for in accordance with s. 249(1) of the Act and the payment to the Lord Mayor of the increased annual fee payable to Councillors in accordance with 248(1) of the Act, as provided for in s. 249(2) of the Act; and

(iv) the payment in the increased annual fees to the Lord Mayor and the Councillors be effective from the first full pay period in the 2016/17 financial year.

KEY ISSUES

2 The Local Government Remuneration Tribunal (Tribunal) released its Annual Report and Determination for fees paid to Councillors and Mayors on 29 March 2016 (refer to the copy of the report as attached at Attachment A). The Tribunal's report considers that an increase of 2.5% to the maximum annual fees for Councillors and Mayors is appropriate for the 2016/17 financial year. The current adopted annual fees are less than the maximum annual fees allowed by the Local Government Remuneration Tribunal.

3 The Office of Local Government issued a Circular to Councils on 10 June 2016 notifying councils of the availability of the Tribunal's Report and the fact that the Tribunal had determined a 2.5% increase in councillor fees.
4 Council may increase the annual fees for the Lord Mayor and Councillors up to the maximum limit as determined by the Tribunal of $82,270 for the Lord Mayor and $28,240 for Councillors in respect of the 2016/17 financial year. This would equate to an increase of approximately 10.4% over the current adopted level of fees for the 2015/16 financial year.

5 Council employees will receive a pay increase of 2.8% increase in rates of pay with a minimum payment of $23.20 per week from 1 July 2016 in accordance with the Local Government (State) Award 2014.

FINANCIAL IMPACT

6 The financial impact of options is set out in the table below:

<table>
<thead>
<tr>
<th></th>
<th>Councillor Fee ($)</th>
<th>Lord Mayor Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current rates</td>
<td>$25,574</td>
<td>$75,534</td>
</tr>
<tr>
<td>2.5% increase</td>
<td>$26,213</td>
<td>$76,397</td>
</tr>
<tr>
<td>10.4% increase</td>
<td>$28,240</td>
<td>$82,270</td>
</tr>
</tbody>
</table>

Applying the 2.5% increase to the annual fee payable to Councillors based on the current annual fee of $25,574 results in a revised annual fee of $26,213 from 1 July 2016. Similarly, applying the 2.5% increase to the annual fee payable to the Lord Mayor results in a revised annual fee of $76,397 payable from 1 July 2016. Noting the Lord Mayor receives both fees means that the total annual fees payable to the Lord Mayor amount to $102,610 payable from 1 July 2016.

7 Applying the alternative option of a 10.4% increase to the annual fee payable to Councillors, to bring the annual fee payable to Councillors in alignment with the maximum annual fees payable in accordance with the Local Government Remuneration Tribunal Determination means that the revised annual fee payable to Councillors would be $28,240, effective from 1 July 2016. Applying a 10.4% increase to the annual fee payable to the Lord Mayor results in a revised annual fee of $82,270, effective from 1 July 2016. The total of the combined revised annual fees payable to the Lord Mayor would amount to $110,510.

8 The draft 2016/17 budget includes an increase of 2.5% to the annual fees for the Lord Mayor and Councillors. If Council were to approve an increase of up to 10.4% the 2016/17 budget will need to be increased by up to $32,224 to reflect the additional funding required.

COMMUNITY STRATEGIC PLAN ALIGNMENT

9 Open and Collaborative Leadership: strategic objective 7.4b to ensure that all expenditure relating to the Lord Mayor and Councillors is compliant with Council policy and relevant legislation and regulations to ensure the long term financial sustainability of the organisation.
IMPLEMENTATION PLAN/IMPLICATIONS

10 The 2016/17 budget provides for an increase of 2.5% to the annual fees for the Lord Mayor and Councillors. An increase of up to 2.5% to Councillor fees will not impact other policies or programs. An increase in excess of 2.5% will impact other policies or programs.

RISK ASSESSMENT AND MITIGATION

11 Council must determine the fees payable to the Lord Mayor and Councillors within the range specified by the Local Government Remuneration Tribunal.

RELATED PREVIOUS DECISIONS

12 At the Ordinary Council Meeting held on 25 June 2013 Council adopted a nil increase to annual Councillor fees for the 2013/14 financial year.

13 At the Ordinary Council Meeting held on 24 June 2014 Council adopted a 2.5% increase to annual Councillor fees for the 2014/15 financial year.

14 At the Ordinary Council Meeting held on 26 May 2015 Council adopted a 0% increase to annual Councillor fees for the 2015/16 financial year. The Council resolved that a report be prepared for presentation to Council to reallocate the 3% budgeted for Councillor fees to develop a Wallsend Town Centre Masterplan, including but not limited to:
   - Pedestrian and footpath upgrades;
   - Façade improvement scheme; and
   - Road and bridge works.

CONSULTATION

15 N/A.

OPTIONS

Option 1

16 The recommendation as at Paragraphs 1 (i) - (iv). This is the recommended option.

Option 2

17 Council determines not to approve an increase in annual fees payable to the Lord Mayor and Councillors. This is not the recommended option.

BACKGROUND

18 Council has the power, under sections 248 and 249 of the Act, to fix an annual fee for Councillors and the Lord Mayor in accordance with the appropriate determination of the Local Government Remuneration Tribunal.
19 The history of Lord Mayor/Councillor annual fee increases for the last seven years is set out below:

<table>
<thead>
<tr>
<th>Year</th>
<th>Lord Mayor Fee ($)</th>
<th>Councillor Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015/16</td>
<td>74,534</td>
<td>25,574</td>
</tr>
<tr>
<td>2014/15</td>
<td>74,534</td>
<td>25,574</td>
</tr>
<tr>
<td>2013/14</td>
<td>72,716</td>
<td>24,950</td>
</tr>
<tr>
<td>2012/13</td>
<td>72,716</td>
<td>24,950</td>
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<tr>
<td>2011/12</td>
<td>70,942</td>
<td>24,341</td>
</tr>
<tr>
<td>2010/11</td>
<td>68,083</td>
<td>23,360</td>
</tr>
<tr>
<td>2009/10</td>
<td>66,100</td>
<td>22,680</td>
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</tbody>
</table>

REFERENCES

ATTACHMENTS

Attachment A: Annual Report and Determination of the Local Government Remuneration Tribunal
Local Government Remuneration Tribunal

Annual Report and Determination

Annual report and determination under sections 239 and 241 of the Local Government Act 1993

29 March 2016

NSW Remuneration Tribunals website
Local Government Remuneration Tribunal

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Local Government Remuneration Tribunal

Section 1  Background

1. Pursuant to section 239 of the Local Government Act 1993 (the LG Act) the Tribunal determines the categories of councils and mayoral offices and the allocation of each council and mayoral office into one of those categories.

2. Pursuant to section 241 of the LG Act the Tribunal determines in each category of council, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.

3. In determining the maximum and minimum fees payable to office holders in each of the categories, the Tribunal is required, pursuant to section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the Industrial Relations Act 1996 (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.

4. The current policy on wages pursuant to section 146(1)(a) of the IR Act is articulated in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 (the Regulation). The effect of the Regulation is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.

5. The Tribunal’s Report and Determination of 2015 (the 2015 Determination) provided a general increase of 2.5 per cent which was consistent with the Government’s policy on wages.

Section 2  Local Government Reform

Background

6. The NSW Government has been working with councils since 2011 to help strengthen local communities. The Tribunal’s 2015 Determination outlined the Government’s significant reforms, beginning with the Destination 2036 summit in 2011 up to the
Local Government Remuneration Tribunal

release of the Fit for the Future initiative in 2014. At the date of the making of the 2015
Determination the status of the reforms was noted by the Tribunal as follows:

"Councils have been asked to assess their current position and submit a Fit for the
Future proposal by 30 June 2015. The proposals will be assessed by an independent
expert panel which will make recommendations to the Minister for Local
Government. It is expected that from October 2015 Fit for the Future councils will
commence the implementation of their proposals.

The Tribunal also notes that a new local government act is expected to be introduced
following the local government elections in September 2016."

Progress since the last determination

7. On 28 April 2015 the Minister for Local Government (the Minister) announced that the
Independent Pricing and Regulatory Tribunal (IPART) would undertake the role of the
Expert Panel in assessing councils’ Fit for the Future proposals. The Minister noted that
the Terms of Reference for the Expert Panel were developed in consultation with Local
Government NSW, Local Government Professionals Australia and the United Services
Union.

8. The NSW Government released IPART’s Assessment of Council Fit for the Future
Proposals report on 16 October 2015. The IPART report found that nearly two-thirds of
NSW councils are not fit for the future and found that savings of up to $2 billion could be
achieved through council mergers. Funding will be available for council mergers that are
supported by merging partners and supported by the Government through a Stronger
Communities Fund.

9. On 6 January 2016, the Minister for Local Government announced 35 proposals for
council mergers. If approved, those proposals would reduce the number of councils in
Greater Sydney from 43 to 25 and the number of regional councils from 109 to 87. The
Minister referred those proposals to the Chief Executive of the Office of Local
Government for examination and report under the LG Act. The Chief Executive
delegated this function to a number of people (Delegates). The Delegates are required
to report on the proposals against the factors in section 263(3) of the LG Act, having
Local Government Remuneration Tribunal

regard to written submissions and comments raised in public meetings. The Minister will consider the Delegates’ reports and the comments of the Local Government Boundaries Commission on the Delegates’ reports before determining the outcome of merger proposals. It is expected that the outcomes of the proposal examination and reporting processes will be known by around mid-2016.

10. In respect to the amendments to the LG Act, on 8 January 2016 the NSW Government announced the commencement of the first phase:

"...Consultation on phase 1 amendments to the Local Government Act 1993 has commenced. The proposed amendments will:

• clarify roles and responsibilities of councillors, mayors, administrators and general managers;
• introduce new guiding principles for local government;
• improve governance of councils and professional development for councillors;
• expand on the framework for strategic business planning and reporting;
• prioritise community engagement and financial accountability; and streamline council administrative processes, including in relation to delegations and community grants.

While the fundamentals of the Local Government Act 1993 remain sound, both the Independent Local Government Review Panel and Local Government Acts Taskforce recommended changes to modernise the legislation and to ensure it meets the future needs of councils and communities.

Phase 1 of the reform program focuses mainly on changes to the governance and strategic business planning processes of councils. Phase 2 will focus on the way in which councils raise revenue and exercise their regulatory functions." (Source: Circular to Councils - No 16-01)
Local Government Remuneration Tribunal

Section 3 2016 Review

11. It is not expected that a decision on, or implementation of structural or legislative reforms to local government will be finalised prior to the Tribunal making its determination on or before 30 April 2016.

12. On that basis, and given the limitations placed on the Tribunal in respect of determining increases in fees, mayors were advised on 20 January 2016 that general submissions from individual councils were not required for the 2016 review.

13. The Tribunal did however seek a submission from Local Government NSW (LGNSW) and subsequently met with the President and Chief Executive of LGNSW. The Tribunal wishes to place on record its appreciation to the President and Chief Executive for meeting with the Tribunal.

LGNSW Submission

14. The association’s submission highlighted the areas of reform in local government in NSW and is of the view that the anticipated changes flowing from the reforms warrant, and provide the opportunity to introduce, a new remuneration structure that properly reflects the diverse and evolving roles of mayors and councillors. The association would like to commence a review of the remuneration structure as soon as possible.

15. Given the statutory limitations in place LGNSW has also requested that councillor and mayoral fees be increased by the full 2.5 percent for 2016/17. LGNSW continues to assert that councillor and mayoral fees should increase on the basis of a number of factors, including cost of living pressures, ongoing increase in workload and responsibilities and additional tasks relating to implementing the Government’s reform process.

Tribunal’s Findings

16. The Tribunal notes that the Government’s significant program of local government reform, including proposed changes to the LG Act, is aimed at creating stronger councils and improving performance and governance of local councils. The Tribunal continues to
Local Government Remuneration Tribunal

support initiatives which will bring about improvements in the local government sector, in that those reforms should result in greater structural efficiencies and should contribute to the long term viability of local government in NSW.

Categorisation

17. The Tribunal notes that the process for determining merger proposals and creation of new councils, if any, is expected to be finalised in mid-2016, with consequent implications for categorisation of councils for the purposes of determining fees. If required the Minister may direct the Tribunal to make special determination(s) in accordance with s. 242 of the LG Act.

18. The Tribunal is still of the view that significant changes to the structure of councils should prompt a revision of the criteria for determining categories and fees as noted in the 2015 Determination:

"Any new categorisation model may need to have regard to a broader or different set of criteria than those currently provided for in section 240 of the LG Act.

In reviewing the LG Act the Government may wish to consider the range of factors any future Tribunal should have regard to in determining categories. As one example, the Government has released "A Plan for Growing Sydney" that will guide land use planning decisions in Metropolitan Sydney for the next 20 years. The Greater Sydney Commission will work with local councils to implement growth and infrastructure plans. The expertise and work load expected of councillors and mayors with responsibilities associated with "A Plan for Growing Sydney" may be factors which the Tribunal should have regard to in determining categorisation and remuneration. The Tribunal expects that similar pressures will be placed on rural and regional councils to drive economic and social growth throughout NSW.

The Tribunal also notes that any revision to the fees as a result of any new categorisation model would need to balance the need to attract and retain experienced and capable elected representatives with the ability of councils to afford any potential increases. While money is not the primary motivator for
Local Government Remuneration Tribunal

undertaking public office, fees should adequately recognise the roles and responsibilities of councillors and mayors and assist in attracting suitably qualified and experienced candidates."

2016 increase

39. The Tribunal is required to have regard to the Government’s wages policy when determining the increase to apply to the maximum and minimum fees that apply to the councillors and mayors. The public sector wages policy currently provides for a cap on increases of 2.5 per cent.

20. The Tribunal has reviewed the key economic indicators, including the Consumer Price Index and Wage Price Index, and finds that the full increase of 2.5 per cent available to it is warranted. On that basis, and after taking the views of the Assessors into account, the Tribunal considers that an increase of 2.5 per cent in the maximum and minimum fee for each category of councillor and mayoral office, including county councils, is appropriate and so determines.

21. The Tribunal notes that in the Fit for the Future Progress Report – Stronger Councils, Stronger Communities the Government has identified a number of strategies to strengthen local leadership. These include a review of councillor remuneration during 2016. In undertaking this review the Government may wish to consider the impact of the Government’s wages policy on increases in mayoral and councillor fees and the limitations this may impose on any future remuneration model.

The Local Government Remuneration Tribunal

Signed

Dr Robert Lang

Dated: 29 March 2016
Local Government Remuneration Tribunal

Section 4  Determinations

Determination No. 1- Determination Pursuant to Section 239 of Categories of Councils and County Councils Effective From 1 July 2016

<table>
<thead>
<tr>
<th>Category</th>
<th>Council</th>
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</thead>
<tbody>
<tr>
<td>Principal City (1)</td>
<td>Sydney</td>
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<tr>
<td>Major City (3)</td>
<td>Newcastle</td>
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<td></td>
<td>Parramatta</td>
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<td></td>
<td>Wollongong</td>
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<td>Metropolitan Major (2)</td>
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<td></td>
<td>Penrith</td>
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<td>Metropolitan Centre (16)</td>
<td>Bankstown</td>
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<td></td>
<td>Campbelltown</td>
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<td></td>
<td>Fairfield</td>
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<td>Gosford</td>
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<td>The Hills</td>
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<td>Hornsby</td>
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<td>Hurstville</td>
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<td></td>
<td>Lake Macquarie</td>
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<td>Liverpool</td>
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<td>North Sydney</td>
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<td>Randwick</td>
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<td>Ryde</td>
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<td>Sutherland</td>
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<td>Wyong</td>
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<td>Metropolitan (21)</td>
<td>Ashfield</td>
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<td>Auburn</td>
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<td>Botany</td>
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<td>Burwood</td>
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<td>Camden</td>
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<td>Canada Bay</td>
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<td>Canterbury</td>
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<td>Holroyd</td>
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<td>Hunters Hill</td>
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<td>Kogarah</td>
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<td>Ku-ring-gai</td>
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<td>Lane Cove</td>
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<td>Leichhardt</td>
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<td>Minto</td>
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<td>Marrickville</td>
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<td>Mosman</td>
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<td>Pittwater</td>
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<td>Woollahra</td>
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## Local Government Remuneration Tribunal

### Table 1: General Purpose Councils (152)

<table>
<thead>
<tr>
<th>Category</th>
<th>Council</th>
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</thead>
<tbody>
<tr>
<td>Regional Rural</td>
<td></td>
</tr>
<tr>
<td>(32)</td>
<td></td>
</tr>
<tr>
<td>Albury</td>
<td>Greater Taree</td>
</tr>
<tr>
<td>Armidale Damarisq</td>
<td>Griffith</td>
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<tr>
<td>Ballina</td>
<td>Hawkesbury</td>
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<tr>
<td>Bathurst</td>
<td>Kempsey</td>
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<tr>
<td>Bega Valley</td>
<td>Lismore</td>
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<tr>
<td>Blue Mountains</td>
<td>Maitland</td>
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<tr>
<td>Broken Hill</td>
<td>Orange</td>
</tr>
<tr>
<td>Byron</td>
<td>Port Macquarie-Hastings</td>
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<tr>
<td>Cessnock</td>
<td>Port Stephens</td>
</tr>
<tr>
<td>Clarence Valley</td>
<td>Sheilharbour</td>
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<tr>
<td>Coffs Harbour</td>
<td>Shoalhaven</td>
</tr>
<tr>
<td>Dubbo</td>
<td>Tamworth</td>
</tr>
<tr>
<td>Eurobodalia</td>
<td>Tweed</td>
</tr>
<tr>
<td>Great Lakes</td>
<td>Wagga Wagga</td>
</tr>
<tr>
<td>Goulburn Mulwaree</td>
<td>Wingecarribee</td>
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<tr>
<td>Queanbeyan</td>
<td>Wollondilly</td>
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<td>Rural (77)</td>
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<td>Balaranald</td>
<td>Gloucester</td>
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<tr>
<td>Bellingen</td>
<td>Greater Hume</td>
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<tr>
<td>Berrigan</td>
<td>Gundagai</td>
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<td>Bland</td>
<td>Gunnedah</td>
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<td>Blayney</td>
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<td>Bogan</td>
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<td>Inverell</td>
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<td>Lachlan</td>
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<td>Cooma-Monaro</td>
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<td>Corowa</td>
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<td>Murray</td>
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<td>Delilquinn</td>
<td>Murrumbidgee</td>
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<td>Muswellbrook</td>
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<td>Forbes</td>
<td>Nambucca</td>
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<td>Gilgandra</td>
<td>Narrabri</td>
</tr>
<tr>
<td>Glen Innes Severn</td>
<td>Narrandera</td>
</tr>
</tbody>
</table>

9
Local Government Remuneration Tribunal

<table>
<thead>
<tr>
<th>Category</th>
<th>Council</th>
</tr>
</thead>
</table>
| **Water (5)** | Central Tablelands  
| | Goldenfields Water  
| | MidCoast  
| | Riverina Water  
| | Rous |
| **Other (9)** | Castlereagh – Macquarie  
| | Central Murray  
| | Far North Coast  
| | Hawkesbury River  
| | New England Tablelands  
| | Richmond River  
| | Southern Slopes  
| | Upper Hunter  
| | Upper Macquarie |
Local Government Remuneration Tribunal

Determination No. 2: Determination Pursuant to Section 241 of Fees for Councillors and Mayors

Pursuant to s.241 of the Local Government Act 1993, the annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2016 are determined as follows:

Table 3: Fees for General Purpose and County Councils

<table>
<thead>
<tr>
<th>Category</th>
<th>Councillor/Member Annual Fee</th>
<th>Mayor/Chairperson Additional Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Minimum</td>
<td>Maximum</td>
</tr>
<tr>
<td>General Purpose Councils</td>
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</tr>
<tr>
<td>Principal City</td>
<td>25,670</td>
<td>37,640</td>
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<td>Major City</td>
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<td>Metropolitan Major</td>
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<td>Metropolitan Centre</td>
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<td>Metropolitan</td>
<td>8,540</td>
<td>18,840</td>
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<td>Regional Rural</td>
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<tr>
<td>Rural</td>
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<td>11,290</td>
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<tr>
<td>County Councils</td>
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<td></td>
</tr>
<tr>
<td>Water</td>
<td>1,700</td>
<td>9,410</td>
</tr>
<tr>
<td>Other</td>
<td>1,700</td>
<td>5,630</td>
</tr>
</tbody>
</table>

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

The Local Government Remuneration Tribunal

Signed
Dr Robert Lang

Dated: 29 March 2016
NOTICES OF MOTION

ITEM-7 NOM 28/06/16 - NEWCASTLE TO BECOME AN OFFICIAL RV FRIENDLY TOWN OR DESTINATION

COUNCILLORS: M OSBORNE AND T DOYLE

PURPOSE

The following Notice of Motion was received on 16 June 2016 from the abovementioned Councillors:

MOTION

1. That Council work with the Campervan and Motorhome Club of Australia to initiate the assessment process for official RV Friendly Town and/or RV Friendly Destination accreditation.

2. That Council receive a report on:

   a) the extent to which Newcastle currently does and does not comply with the relevant criteria outlined in the Campervan and Motorhome Club of Australia's “RV Friendly Town” and “RV Friendly Destination” assessment forms;

   b) the relevant accreditation process, and any actions that would probably be required to meet the relevant criteria;

   c) any estimated associated costs and probable cost/benefit, and how any costs could be funded; and

   d) any potential relevant issues arising from accreditation, and recommended strategies for managing such issues.

3. That the Campervan and Motorhome Club of Australia be invited to provide a briefing to Council on their program at a Briefings Committee meeting.

BACKGROUND

The “RV Friendly Town” and “RV Friendly Destination” programs and accreditation system is operated by the Campervan and Motorhome Club of Australia, Australia’s largest organisation representing the self-contained recreational vehicle (RV) community. The Campervan and Motorhome Club of Australia website indicates that there are many official “RV friendly towns” in Australia (see https://www.cmca.net.au/services/rv-friendly/rv-friendly-towns).

Newcastle is not (yet) one of these, and would currently be unlikely to meet a number of the relevant criteria for this (see below).
The RV Friendly Town classification is widely recognised by the large and growing RV community in Australia, and is strongly promoted by both the Campervan and Motorhome Club of Australia and officially credentialed towns. Becoming an official RV Friendly Town (or Destination) would position Newcastle to better tap in to the emerging and significant RV tourism market, which offers many potential benefits to the Newcastle community, including the following, itemised on the Campervan and Motorhome Club of Australia RV Friendly Town Assessment Form:

- economic advantages from the money spent in Newcastle by RV travellers when using Newcastle businesses to stock up on supplies; do banking and mailing; or using local dining, entertainment or mechanical services. Figures quoted by the Campervan and Motorhome Club of Australia indicate that members of the RV community in Australia spend an average of $100 per day while travelling,
- increased patronage of Newcastle’s tourist attractions, and
- positive word-of-mouth and social media referrals and recommendations from RV travellers to other travellers about the attractions of visiting Newcastle.

The national office of the Campervan and Motorhome Club of Australia is based in Newcastle (in Wickham), so we are well positioned to initiate discussion and to work with that organisation on this matter.

Meeting the relevant criteria for RV Friendly Town or RV Friendly Destination accreditation may involve some relatively modest funding, which is likely to be significantly less than the overall benefit that accreditation would bring to the city. If this Motion is successful, the report to council will provide an estimate of these potential costs, a basic cost/benefit analysis, and recommendations on how any costs might be funded.

Also, becoming an RV Friendly Town or RV Friendly Destination will involve considering issues such as managing any increase in visits by non-self-contained RV vehicles, and choosing the optimum location for relevant facilities (such as dump points, longer parking bays, etc). The report arising from this Motion should alert councillors to any such issues, and outline relevant strategies for dealing with them. The following information on the requirements for these accreditations is extracted from the Campervan and Motorhome Club of Australia website (at https://www.cmca.net.au/services/rv-friendly). The forms themselves (available from the Campervan and Motorhome Club of Australia office) have more details.

**RV Friendly Town**

An RV Friendly Town is one that has met a set of guidelines to ensure they provide a certain amount of amenities, and a certain level of services for these travellers. When RV tourists enter a town displaying the RV Friendly Town sign, they know they will be welcome, certain services will be provided for them that may not be available in other centres, and they will have access to a safe place to stay overnight, and possibly for a longer period.
Essential

- Provision of appropriate parking within the town centre, with access to a general shopping area for groceries and fresh produce.
- Provision of short term, low cost overnight parking (24/48 hours) for self-contained RVs, as close as possible to the CBD.
- Access to potable water.
- Access to a free dump point at an appropriate location.

Desirable

- Provision of long term parking for self-contained RVs.
- Access to medical facilities or an appropriate emergency service.
- Access to a pharmacy or a procedure to obtain pharmaceutical products.
- Visitor Information Centre with appropriate parking facilities.
- Visitor Information Centre to provide a town map showing essential facilities, such as short and long term parking areas, dump point and potable water.
- RV Friendly Town signs to be erected within the town precinct.

RV Friendly Destination

An RV Friendly Destination is often a small town, club, oval, showground, scenic attraction or business that is not able to meet the full criteria of the Campervan and Motorhome Club of Australia RV Friendly Town™ program. Councils, progress associations and businesses can apply to participate by completing an application form, which is available from Campervan and Motorhome Club of Australia National Headquarters.

Essential

- Provision of short term, low cost overnight parking (24/48 hours) for self-contained RVs.
- The parking area needs to be on a solid, level surface.
- There must be enough room for large vehicles to manoeuvre.

Desirable

- A waste water dump point.
- Potable water.
- Longer term parking.

ATTACHMENTS

Nil

Note: Refer Notices of Motion distributed under separate cover for Officer's Report on this item.
CONFIDENTIAL REPORTS

ITEM-22  CON 28/06/16 - SUPPLEMENTARY REPORT TO ITEM-12 CON 26/4/16 - CONSIDERATION OF SALE OF AA COMPANY HOUSE THROUGH PUBLIC TENDER

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

REASON FOR CONFIDENTIALITY

This report has been classified confidential in accordance with the provisions of the Local Government Act 1993 as follows:

- Section 10A(2)(d) of the Act provides that Council can close a meeting to consider commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

- Section 10B(1)(a) and (b) of the Act provides that the discussion of the item in a closed meeting must only:
  a) include as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security; and
  b) occur if the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

GROUNDHS FOR CLOSING PART OF THE MEETING

In respect to Section 10D(2) the grounds on which part of a meeting is to be closed for the discussion of the particular item must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. Accordingly an appropriate resolution to proceed is required first.

MOTION TO PROCEED

The discussion of the confidential report take place in a closed session, with the press and public excluded, for the following reasons:

A  The matter relates to a recommendation to dispose of land and buildings at 195 Denison Street Hamilton by expression of interest (EOI).

B  It is contrary to the public interest to discuss the matter in an open meeting because the information provided to Council is sensitive commercial information which would provide a commercial advantage to any person making an offer to purchase the property and may lead to a reduction in final sale price.

C  The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.
ITEM-23 CON 28/06/16 - CONFIDENTIAL PROPERTY MATTER - LOT 383 DP 548603

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

REASON FOR CONFIDENTIALITY

This report has been classified confidential in accordance with the provisions of the Local Government Act 1993 (Act) as follows:

Section 10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Section 10B(1)(a) and (b) the discussion of the item in a closed meeting:

a - only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.

and

b - the Council or Committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

GROUNDS FOR CLOSING PART OF THE MEETING

In respect to Section 10D(2) of the Act, the grounds on which part of a meeting is to be closed for the discussion of the particular item must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. Accordingly an appropriate resolution to proceed is required first.
MOTION TO PROCEED

The discussion of the confidential report take place in a closed session, with the press and public excluded, for the following reasons:

A The matter relates to the sale of vacant Council land at 6 University Drive Callaghan.

Section 10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

B The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.

C It is contrary to the public interest to discuss the matter in an open meeting because the report includes information which would provide a commercial advantage to persons interested in purchasing the land should the proposed transaction not proceed. Public disclosure of this information may detrimentally affect the outcome of any future sale of the land.
ITEM-24 CON 28/06/16 - TENDER CONTRACT 2016/348T MUSEUM CATERING AND CAFE SERVICES

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

PURPOSE

To gain approval to enter into negotiations with the preferred tenderer for the rights to operate the Newcastle Museum Café and provide function and event catering at Newcastle Museum and approval for the Interim Chief Executive Officer to enter into a contract upon negotiating an appropriate financial return to Council.

As the value of the tender exceeds $150,000, the Local Government (General) Regulation 2005 (the Regulation) requires Council's acceptance of the tender.

REASON FOR CONFIDENTIALITY

This report has been classified confidential in accordance with the provisions of the Local Government Act 1993 (the Act) as follows:

- Section 10A(2)(d) of the Act provides that Council can close a meeting to consider commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

- Section 10B(1)(a) and (b) of the Act provides that the discussion of the item in a closed meeting must only:

  (a) include as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security; and

  (b) occur if the Council is satisfied that discussion of the matter in an open meeting would, on balance; be contrary to the public interest.

GROUND FOR CLOSING PART OF THE MEETING

In respect to section 10D(2) of the Act, the grounds on which part of a meeting is to be closed for the discussion of the particular item must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. Accordingly, an appropriate resolution to proceed is required first.
MOTION TO PROCEED

The discussion of the confidential report take place in a closed session, with the press and public excluded, for the following reasons:

A The matter relates to tenders for Service Agreement for the Provision of Newcastle Museum Catering and Café Services for Contract No. 2016/348T.

B It is contrary to the public interest to discuss tenders in an open meeting because the information provided to Council by tenderers is provided on the basis that it will be treated by Council as commercial-in-confidence. A practice of disclosing sensitive commercial information to the public, including competitors, could result in the withholding of such information by tenderers. This would lead to a reduction in the supply of information relevant to Council's decision. A disclosure of confidential information by Council could result in Council being the subject of litigation for breach of confidence.

C The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.
ITEM-25  CON 28/06/16 - TENDER FOR THE SUPPLY OF READY MIXED CONCRETE FOR CONTRACT NO 2016/414T

REPORT BY:  INFRASTRUCTURE
CONTACT:  ACTING DIRECTOR INFRASTRUCTURE / MANAGER CIVIL WORKS

REASON FOR CONFIDENTIALITY

This report has been classified confidential in accordance with the provisions of the Local Government Act 1993 (the Act) as follows:

- Section 10A(2)(d) of the Act provides that Council can close a meeting to consider commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

- Section 10B(1)(a) and (b) of the Act provides that the discussion of the item in a closed meeting must only:
  (a) include as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security; and
  (b) occur if the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

GROUND FOR CLOSING PART OF THE MEETING

In respect to section 10D(2) of the Act, the grounds on which part of a meeting is to be closed for the discussion of the particular item must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. Accordingly, an appropriate resolution to proceed is required first.

MOTION TO PROCEED

The discussion of the confidential report take place in a closed session, with the press and public excluded, for the following reasons:

A  The matter relates to tenders for the supply of ready mixed concrete for Contract No 2016/414T.

B  It is contrary to the public interest to discuss tenders in an open meeting because the information provided to Council by tenderers is provided on the basis that it will be treated by Council as commercial-in-confidence. A practice of disclosing sensitive commercial information to the public, including competitors, could result in the withholding of such information by tenderers. This would lead to a reduction in the supply of information relevant to Council’s decision. A disclosure of confidential information by Council could result in Council being the subject of litigation for breach of confidence.

C  The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.
ITEM-26 CON 28/06/16 - TREE MAINTENANCE SERVICES CONTRACT NO 2016/449T

REPORT BY: INFRASTRUCTURE
CONTACT: ACTING DIRECTOR INFRASTRUCTURE / MANAGER CIVIL WORKS

PURPOSE

To accept tenders for tree maintenance works on public lands, roads and footways.

As the value of the works exceeds $150,000, the Local Government (General) Regulation 2005 (the Regulation) requires Council's acceptance of the tender.

REASON FOR CONFIDENTIALITY

This report has been classified confidential in accordance with the provisions of the Local Government Act 1993 (the Act) as follows:

- Section 10A(2)(d) of the Act provides that Council can close a meeting to consider commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

- Section 10B(1)(a) and (b) of the Act provides that the discussion of the item in a closed meeting must only:
  (a) include as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security; and
  (b) occur if the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

GROUND FOR CLOSING PART OF THE MEETING

In respect to section 10D(2) of the Act, the grounds on which part of a meeting is to be closed for the discussion of the particular item must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. Accordingly, an appropriate resolution to proceed is required first.
MOTION TO PROCEED

The discussion of the confidential report take place in a closed session, with the press and public excluded, for the following reasons:

A The matter relates to tenders for tree maintenance services for Contract No 2016/449T.

B It is contrary to the public interest to discuss tenders in an open meeting because the information provided to Council by tenderers is provided on the basis that it will be treated by Council as commercial-in-confidence. A practice of disclosing sensitive commercial information to the public, including competitors, could result in the withholding of such information by tenderers. This would lead to a reduction in the supply of information relevant to Council's decision. A disclosure of confidential information by Council could result in Council being the subject of litigation for breach of confidence.

C The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.
ITEM-27 CON 28/06/16 - IN-VEHICLE TRACKING AND ROUTING SOFTWARE CONTRACT NO. 2016/309T

REPORT BY: CORPORATE SERVICES
CONTACT: DIRECTOR CORPORATE SERVICES / MANAGER INFORMATION TECHNOLOGY

PURPOSE

To appoint a new service provider to supply, install, commission and support an In-Vehicle Tracking and Routing solution.

As the value of the works exceeds $150,000, the Local Government (General) Regulation 2005 (the Regulation) requires Council's acceptance of the tender.

REASON FOR CONFIDENTIALITY

This report has been classified confidential in accordance with the provisions of the Local Government Act 1993 (Act) as follows:

- Section 10A(2)(d) of the Act provides that Council can close a meeting to consider commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

- Section 10B(1)(a) and (b) of the Act provides that the discussion of the item in a closed meeting must only:
  (a) include as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security; and
  (b) occur if the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

GROUND FOR CLOSING PART OF THE MEETING

In respect to section 10D(2) of the Act, the grounds on which part of a meeting is to be closed for the discussion of the particular item must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. Accordingly, an appropriate resolution to proceed is required first.
MOTION TO PROCEED

The discussion of the confidential report take place in a closed session, with the press and public excluded, for the following reasons:

A The matter relates to tenders for In-Vehicle Tracking and Routing Solution for Contract No.: 2016/390T.

B It is contrary to the public interest to discuss tenders in an open meeting because the information provided to Council by tenderers is provided on the basis that it will be treated by Council as commercial-in-confidence. A practice of disclosing sensitive commercial information to the public, including competitors, could result in the withholding of such information by tenderers. This would lead to a reduction in the supply of information relevant to Council's decision. A disclosure of confidential information by Council could result in Council being the subject of litigation for breach of confidence.

C The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.