Information Guide

2023

City of
Newcastle

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Part A - Introduction

1   Why do we have an Information Guide?

As a local council, City of Newcastle (**CN**) is an 'agency' for the purposes of the _Government Information (Public Access) Act 2009_ (NSW) (**GIPA Act**). Under the GIPA Act, we publish this Information Guide to provide information about our structure and functions:

- the kinds of information we hold and make available to the community;
- how the community can access information held by CN; and
- how the community can participate in the formulation of our policies and exercise of functions.

We are committed to meeting the objectives of the GIPA Act and priorities of our Newcastle 2040:

4 Achieving Together

4.2 Trust and Transparency

4.2.1   Genuine engagement

4.2.2   Shared information and celebration of success
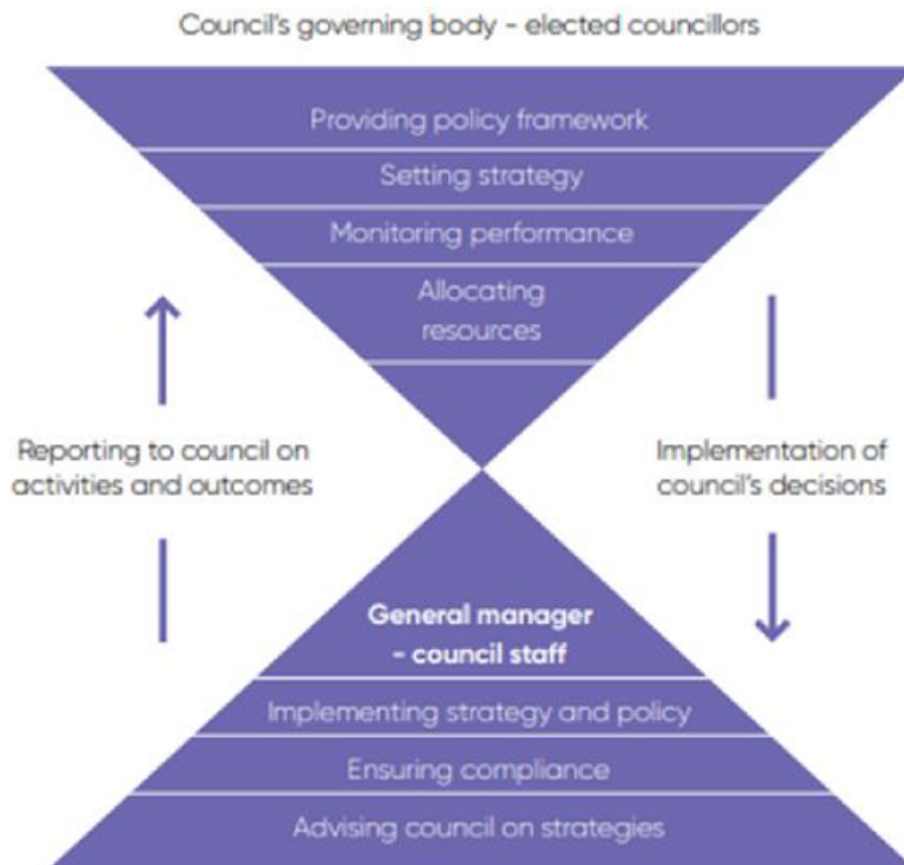
4.2.3   Trusted Customer Experience

Part B - Structure and functions of CN

2   About us

CN acknowledges the traditional country of the Awabakal and Worimi peoples. We recognise and respect their cultural heritage, beliefs and continuing relationship with the land, and that they are the proud survivors of more than two hundred years of dispossession. CN reiterates its commitment to address disadvantages and attain justice for Aboriginal and Torres Strait Islander peoples of this community.

CN is constituted under the *Local Government Act 1993* (NSW) (**LGA**). CN was formed in April 1938 with the merger of Adamstown, Carrington, Hamilton, Lambton, Merewether, Newcastle, New Lambton, Stockton, Wallsend, Waratah and Wickham Councils into the Greater Newcastle Council.

Over 167,000[1] people live in the Newcastle local government area and it is divided into four electoral wards. To find out which Council ward you are in – visit Newcastle City Council (Australia) Ward Maps - City of Newcastle (nsw.gov.au).

Council's governing body - elected councillors

Providing policy framework

Setting strategy

Monitoring performance

Allocating resources

Reporting to council on activities and outcomes

Implementation of council's decisions

General manager - council staff

Implementing strategy and policy

Ensuring compliance

Advising council on strategies

Two voices

One Vision - The Elected Council and The Administration

A council's structure (as depicted below) requires the elected members and the administrative body to have a strong and interconnected working relationship to successfully deliver the vision of the community. CN is proud of its ongoing achievements and at the heart of this is the effective working relationship led by CN's Lord Mayor, Deputy Lord Mayor and CEO

The elected Council's role includes providing strategic direction and allocating resources for CN to perform its functions. The CEO and staff are responsible for (among other things) the implementation of the elected Council's strategic direction and advising the elected Council on certain matters

Organisation Structure

Organisational Structure

City of Newcastle

Lord Mayor / Council
Nuatali Nelmes
Executive Office Manager: Corrie Holford

Chief Executive Officer
Jeremy Bath
Administration Assistant: Zoe Moore

- Lord Mayor's Office
- CEO's Office

Managing Director Waste Services
Alissa Jones (Interim)

Executive Director Planning & Environment
Michelle Bisson (Interim)
Executive Assistant: Kylie Reay-Reilly (Acting)

Executive Manager Planning, Transport & Regulation
Sherelle Charge (Acting)

Executive Manager Environment & Sustainability
Marnie Kikken

Executive Director City Infrastructure
Joanne Rigby
Executive Assistant: Rachel Howard

Executive Manager Assets & Facilities
Tammara Ward

Executive Manager Civil Construction & Maintenance
Duncan Manderson

Executive Manager Project Management Office
Robert Dudgeon

Executive Director Corporate Services
David Clarke
Executive Assistant: Jessica Budd

Executive Manager Finance, Property & Performance
Scott Moore

Information Technology
Alicia Lopez CIO

Executive Manager Legal & Governance
Emily Kolatchew

Executive Manager Customer Experience
Deborah Moldrich

Executive Manager People & Culture
Simon Mitchell

Executive Director Creative & Community Services
Lynn Duffy (Acting)
Executive Assistant: Helen Payne

Executive Manager Media, Engagement, Economy & Corporate Affairs
Nick Kaiser (Acting)

Director Museum Archive Libraries & Learning
Julie Baird

Executive Manager Community & Recreation
Donna McGovern (Acting)

Executive Manager Civic Services
Delia O'Hara

Director Art Gallery
Lauretta Morton OAM

Airport
- City of Newcastle
- Port Stephens Council
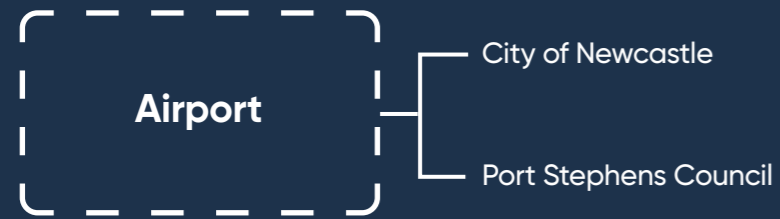
| Sustainable | Liveable | Achieving Together | Creative |

3   Who are our Elected Council?

The elected Council is made up of a popularly elected Lord Mayor and 12 Councillors (three from each of the four wards).

Lord Mayor - Nuatali Nelmes

[Find out more about the Lord Mayor and contact information](#)

Ward 1

[Find out more about your Ward 1 Councillors](#)

	Councillor Declan Clausen (ALP)
	Councillor Dr John Mackenzie (GRN)

	Councillor John Church (IND)

Ward 2

[Find out more about your Ward 2 Councillors](#)

	Councillor Carol Duncan (ALP)
	Councillor Jenny Barrie (LIB)
	Councillor Charlotte McCabe

Ward 3

Find out more about your Ward 3 Councillors

	Councillor Peta Winney-Baartz (ALP)
	Councillor Katrina Wark (LIB)
	Councillor Margaret Wood (ALP)

Ward 4

[Find out more about your Ward 4 Councillors](#)

	Councillor Deahnna Richardson (ALP)
	Councillor Dr Elizabeth Adamczyk (ALP)
	Councillor Callum Pull (LIB)

4   What is the role of our Councillors?

As a member of the elected Council, Councillors are active and contributing members of the governing body,[2] who;

- make considered and well-informed decisions as members of the Council;

- participate in the development of the integrated planning and reporting framework;

- represent the collective interests of residents, ratepayers and the local community;

- enable communication between the local community and Council;

- uphold and represent accurately the policies and decisions of Council; and

- make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.

Importantly, Councillors are accountable to the local community for the performance of the Council. [3]

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[2] The role of council as the governing body is set out in section 223 of the LGA.
[3] The role of a councillor is set out in section 232 of the LGA.

5   What is the role of our Lord Mayor?

In addition to the role of a Councillor, the Lord Mayor's role is to lead the Council and the local community by;[4]

- ensuring that meetings of Council are conducted efficiently, effectively and in line with the LGA, Code of Conduct and Code of Meeting Practice;

- promoting the effective and consistent implementation of the strategic plans, programs and policies of Council;

- advising, consulting with, and providing strategic direction to the CEO about the implementation of the strategic plans and policies of Council;

- together with the CEO, ensuring adequate opportunities and mechanisms for engagement between Council and the local community;

- carrying out the civic and ceremonial functions of the mayoral office; and

- leading the performance appraisals of the CEO, in consultation with Councillors.

6   What happens at Council meetings?

Council meets to discuss, debate and make decisions on issues of public importance for CN.

Council and Committee meetings are held on the third and fourth Tuesday of each month from 6.00pm in our Council Chambers located at 12 Stewart Avenue Newcastle.

Business papers for Council and Committee of Council meetings are available publicly on CN's website ahead of the meetings.

All Council and Committee of Council meetings are open to the public (except where closed in accordance with the LGA, *Local Government (General) Regulation 2005*, or our Code of Meeting Practice).

Community members can view these Meetings either in person or through the live webcast on CN's website.

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[4] The role of the Lord Mayor is set out in section 226 of the LGA.

7   What is the role of our CEO?

CN's administrative body is headed by the CEO, Jeremy Bath. The CEO is responsible for the efficient and effective operation of our organisation and ensuring that the lawful decisions of the elected Council are implemented in a timely manner.

The CEO's role includes:[5]

- the day to day management of CN in accordance with the plans, programs, strategies and policies of the elected Council;

- advising the Lord Mayor and the elected Council on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of CN and other matters related to Council;

- preparing, in consultation with the Lord Mayor and the elected Council, CN's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report;

- appointing staff in accordance with CN's structure and the resources approved by the elected Council;

- directing and dismissing staff; and

- any other functions that are presented or imposed on the CEO by or under the LGA, or any other act.

8   Organisation Structure

City of Newcastle adopted a new Organisation Structure on 9 August 2022 which became effective on 1 October 2022.

The structure was designed to provide more clarity to employees on day to day tasks and how their roles contribute to the Newcastle 2040 Community Strategic Plan (CSP).

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[5] The role of the CEO is set out in section 335 of the LGA.

9 Functions of Council

The _Local Government Act 1993_ (NSW) (LGA) outlines that councils are responsible for the following functions:

Service Functions

Service functions include providing community health, recreation, education, and information services, environmental protection, waste removal and disposal, land and property, industry and tourism development and assistance.

Service functions impact our community directly and include the provision of libraries, community centres, infrastructure and waste removal.

Regulatory functions

Regulatory functions include approvals, orders and building certificates. Regulatory functions impact our community by putting rules in place that govern development and buildings.

Ancillary functions

Ancillary functions include resumption of land and powers of entry and inspection. These functions only impact on members of our community whose property are affected.

Administrative functions

Administrative functions include the employment of staff, our strategic plan, delivery program and operational plan, financial reporting and annual reports. These functions impact our community through the efficiency of services provided.

Revenue functions

Revenue functions include rates, charges, fees, borrowings and investments. These functions impact our community as our rates and charges fund community services and facilities.

Enforcement functions

Enforcement functions include the proceedings for breaches of legislation, prosecution of offences and recovery of rates and charges. These functions only impact members of the community who do not comply with legislation.

In addition to the functions listed in the LGA, CN also performs functions outlined in other NSW legislation that impacts the community, such as:

- *Companion Animals Act 1998* (NSW) - companion animal registration and control;

- *Contaminated Land Management Act 1997* (NSW) - managing contaminated lands;

- *Environmental Planning and Assessment Act 1979* (NSW) - environmental planning

- *Government Information (Public Access) Act 2009* (NSW) - access to information held by agencies including Council;

- *Heritage Act 1977* (NSW) - conservation of the heritage within the local government area;

- Public Health Act 2010 (NSW) - protection of health and safety of the public;

- *Swimming Pools Act 1992* (NSW) - ensuring restriction of access to private swimming pools;

- *Food Act 2003* (NSW) - ensuring the handling of food for sale complies with the Food Standards Code;

- *Liquor Act 2007* (NSW) - ensuring compliance with the sale and supply of liquor;

- *Roads Act 1993* (NSW) - control and management of roads.

- *Coastal Management Act 2016* (NSW) - management and protection of the coastal environment.

Part C - How to access our information

10 What kinds of information do we hold?

The GIPA Act defines 'information' as any information contained in a record (hard copy or digital copy) held by a NSW agency such as CN. This includes information created by CN and received by CN. CN collects, stores and uses information in accordance with the GIPA Act.

The GIPA Act sets out a framework under which members of the public and other organisations can access information held by CN. It is our responsibility to meet our obligations under the GIPA Act to support a government that is open, accountable, fair, and effective.

CN also complies with the *Privacy and Personal Information Protection Act 1988* (NSW) and with the *Health Records and Information Privacy Act 2002* (NSW) for the purpose of access, alteration and disclosure of Personal Information. CN manages Personal Information in accordance with the GIPA Act, and as outlined in CN's Privacy Management Plan.

CN holds information on a wide range of functions we undertake (as outlined in section 9 of this guide), including, but not limited to:

- policies and planning matters, including;
    - Plans of management for community land
    - Environmental Planning Instruments
    - Contribution Plans
    - Development Control Plans
- rating and properties including;
    - development applications
    - construction certificates
    - occupation certificates
    - consultant reports
    - records of decisions
- orders, approval and licences;
- complaints and investigations; or
- our interactions with members of the public, businesses, and other agencies.

CN information is available in various formats, including hard and digital copy, as well as microfiche and microfilm.

11 What are the ways you can access CN information?

CN is committed to the principles of the GIPA Act, including open and transparent governance.

Members of the public can access relevant and update information about important functions, projects and actions via our website.

Open access information

Open access information [1] available on our website includes:

- [Policy documents](Including Codes of Conduct) and plans

- Privacy Management Plan

- Disclosure Log of Formal Access Applications

- Papers and minutes from Council meetings

- Annual reports and financial statements

- Information about development applications

- Contracts Register

    Public and other Registers
    A public register is an official list of names, events and transactions. Under law, it is required to be available to the public. Because every public register is different, the type of information included on the register depends on the purpose and situation and may contain personal information.

    Registers held by CN include:

    Local Government Act:
    Register of Delegations, Land Register, Rates Record, Record of Approvals, Political donations disclosures, Register of Pecuniary Interests

    Environmental Planning and Assessment Act & Regulation:
    Register of Consents and Approvals, Register of Modification of Development Consent, Record of Building Certificates

    Protection of the Environment Operations Act:
    Public register of licences

    Impounding Act:
    Record of Impounding

Proactive release[2]

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1 A list of open access information is provided in section 18 of the GIPA Act and Schedule 1 of the GIPA Regulation.

2 Under Section 7 of the GIPA Act, agencies must review their programs for the release of government information to identify the kinds of information that can be made publicly available. This review must be undertaken at least once every 12 months. Under Section 7 (3) of the Act, the agency must provide details of the review and details of any information made publicly available as a result of the review.

As part of CN's commitment to open and transparency and best practice, we undertook the following initiatives as part of our proactive release program:

- Increased use of social media to share information and interact with our community.
- Various e-newsletters covering a range of areas including:

-The Community Sector News (for subscribers and applicants who have lodged more than one development application in the last 3 years);

- Food safety sent to food businesses;

- 'Natural Connections' (rehabilitating our environments) and information about Newcastle 500 Supercars event

- An increase in information available on CN's website that is relevant to changed timeframes of works contracts and works that have been completed in our city

- COVID-19 information – dedicated section on CN's website to provide timely and accurate updates, Rapid Response Community Grants, Community Recovery Grants, and community distribution partnership of Personal Protective Equipment with Resilience NSW

- My Community Directory, hosted on CN website, a database and search engine of community contacts, services and activities

- Community engagement and published public exhibitions for feedback on CN's dedicated Have Your Say webpage, including:

- CN's strategies and plans, including the Newcastle 2040 CSP, Delivering Newcastle 2040 2022/2023, Fees and Charges 2021/2022, Annual Report 2020/2021, End of Term Report 2017/2021; updated CN's strategies on the website to include Newcastle 2040 informing strategies and supporting strategies

- Parks, recreation and public spaces projects and plans (Lambton off-leash dog areas, National Park Plan of Management, Gregson Park Masterplan, Harbour Foreshore Masterplan

– Preliminary concept, Georgetown Local Centre, Kotara Local Character Study, Local Social Strategy, Newcastle After Dark - Phase 2 Trial)

- Coastal management and planning (Love Our Coast survey regarding coastal visitation and values, Stockton Coastal Management Plan, Newcastle Ocean Baths upgrade)

- CN facilities, services and programs, including surveys to measure customer satisfaction and /or to assist with reporting to the community

- Transport planning including Wallsend proposed parking changes, Cycling and Parking Plans, walking and cycling on Wharf Road (Foreshore Masterplan), consultation related to development of Pedestrian Access and Mobility Plan projects, Local Area Traffic Management projects, cycleways projects (The Junction to Merewether cycleway), and other traffic and parking projects

• Our customer service charter was placed on the CN website; this includes the addition of our customer TRUST principles

• Web content has been uplifted so key call driver pages are easily accessible including Pets and Animals, Parking and Contact Us

• Increase of e-services with forms, enquiries and payment available through our website

• Reports – quarterly and six-monthly performance reports on our achievements; Annual Report 2021/2022 highlights, with a brief video and infographic

• Tourism – release of information about initiatives and actions in the Destination Management Plan, development and distribution of visitor information collateral and sharing of data and research to support the visitor economy, use of social media to engage visitors with local history and science at Newcastle Museum and Fort Scratchley, promotion of Newcastle venues (upcoming events, booking information) and use of the visitor website (www.visitnewcastle.com.au)

• City events – program updates about New Annual Cultural Festival as well as major events hosted in Newcastle, NAIDOC Week, Youth Week, Seniors Week, beach and water safety programs

• Promotion of Open Space projects and plans: Islington Park off-leash area; Harbour Foreshore Masterplan concept; Dixon Park fencing of playground; various playgrounds across the LGA; new and renovated facilities (such as playgrounds, dog parks, sporting facilities), including dedicated letterbox drops to nearby residents and businesses

• Trees – Q&A in relation to street and park tree replacement planting

• Landcare volunteer promotional and community engagement events delivered as part of the environment education program

• Environmental rehabilitation – project planning information and community consultation for stormwater projects delivered over several platforms, such as CN webpage and social media

• Stockton – monthly updates to the website, Stockton Works update, foreshore rehabilitation works and sandscraping activities, onsite signage, suburb-wide letterbox drops and onsite meetings with residents to share information about emergency erosion works and long-term planning through the Coastal Management Plan

• Smart city and innovation initiatives – Newcastle City app, public events (such as the IQ series) and workshops

• Information about funding programs – Economic, Art and Community Grants and Sponsorships

• Regulatory, Planning & Assessment - Development Activity Map recording the location and details of all DAs and Complying Development Certificates determined from an interactive map; online Development Contributions Register relating to approved development; exhibitions on proposed legislative changes and important planning documentation; Public Notices for designated, integrated and nominated integrated development, outdoor trading applications and road naming proposals

• Updates are also provided after each Council meeting via our website and social media channels collating items on the agenda and social media posts during the meeting as decisions are made

• Art Gallery - exhibition and program information and Art Gallery expansion updates released via website and social media, surveys to capture data from our outreach programming, social media channels have continued to grow with Instagram and Facebook

• Civic Services - operation of Civic Theatre website, which provides details of all coming attractions and forthcoming performance events of significance, launch event conducted digitally, technical and booking information published online for information of ticket purchasers and venue

Informal release

Sometimes information is not publicly available (such as on our website) but can be quickly and easily collated where it does not include other's personal or business information and in this case it will generally be released informally upon request. There may be a cost associated with informal release as provided in our fees and charges.

To make an informal request visit our Contact Us page.

Formal release

Release subject to a formal access application - in some circumstances and to protect the privacy, safety and financial and business information of everyone who interacts or does business with CN, a GIPA-Access Application (Formal request)

A formal application will need to be lodged to seek access to information held by CN (usually where the information contains a third-party's information).

An application fee of $30 and a further hourly processing fee may apply to cover administrative costs (please see our fees and charges.- 50% discount on the processing fee may be available).

CN will release information unless there is an overriding public interest against disclosure.

Disclosure Log

Our Disclosure Log [6] gives details about information that has already been released in response to a formal access application that may be of interest to other members of the public, and may save you time in your request.

13 What is open data?

Open data is data that is freely available, easily discoverable and accessible, and published in ways and under licences that allow it to be used by other people.

CN's open data can be found on the CN website across a range of pages, including:

Open Data Support:

- https://opendata-newcastlenswiar.opendatasoft.com/pages/home/
- Development Application tracker,
- Development Activity Map
- Projects and Works.

14 What is the role of the NSW Information Commissioner?

The role of the Information Commissioner is to:[7]

- review decisions made by CN and other NSW government agencies;

- issue guidelines and other publications for the assistance of agencies in connection with their functions under the GIPA Act;

- deal with complaints about information access, undertake investigations, and monitor agency functions; and

- report to the Minister for Local Government about proposals for legislative or administrative change.

For an external review of a decision made by CN in relation to access to information, you can contact the Information Commissioner.

For more information on your review rights under the GIPA Act, go to: https://www.ipc.nsw.gov.au/fact-sheet-your-review-rights-under-gipa-act

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[6] We are required to maintain a Disclosure Log under section 25 of the GIPA Act.
[7] The role of the Information Commissioner is set out in section 17 of the GIPA Act.

Part D – Community engagement with CN

15 Why do we consult?

Consultation is important to CN because listening and responding to the community is fundamental to our functions. Consultation helps us:

- plan services to meet the community's needs and expectations;

- find out what is important to the community;

- monitor and improve the effectiveness of CN's services;

- create a greater feeling of community through building strong relationships with residents; and

- create better governance through transparency.

16 How do we consult?

We will notify the community when we want to talk about projects, strategies or plans. This depends on the subject matter and might include a notice on our website, social media, some local newspapers, or in any way deemed appropriate by Council. This may also include direct notification to parties we think will be most impacted.

Below is a list of other mechanisms we use to consult with our community:

16.1 Newcastle Voice

Newcastle Voice is one way we consult with the community. Newcastle Voice is CN's

community reference panel made up of over 2,500 residents from all ages and walks of life[8] who give feedback to assist us in making informed decisions.

Newcastle Voice is actively involved in providing information and advice through:

- community workshops;
- face to face meetings;
- quick polls;
- surveys; and
- online discussions.

Members also receive regular newsletters, feedback from consultations and updates about CN. For more information, or to participate, go to:

http://www.newcastle.nsw.gov.au/Community/Get-Involved/Newcastle-Voice

16.2 Community participation in the planning system

Our Community Participation Plan covers how and when we will engage with the community across the planning functions we perform under the *Environmental Planning and Assessment Act 1979* (NSW). This helps us to achieve better placing outcomes for the community.

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[8] This is limited to people 16 years and over living in the Newcastle, Lake Macquarie, Cessnock, Maitland and Port Stephens council areas

Planning functions include plan making (such as the preparation of a planning proposal to amend the Newcastle Local Environmental Plan 2012) and making decisions on proposed development.

The Community Participation Plan aims to make it easier for the community to be involved. It also supports:

- input into the Council's decision making by providing mechanisms for understanding and responding to community opinions and perspectives;
- consistent and clear engagement practices; and
- enhancement of CN's ability to listen, respond and engage with residents and stakeholders, and make evidence-based decisions.

In addition to the Community Participation Plan, community members are able to make submissions on Development Applications that have been placed on notification and are available via the Application Tracker. More information on the submissions process can be found on the CN website.

16.3 Public exhibition and submissions

Getting input from our community is an important way we ensure policies and programs that are of significance to Council reflect local needs. We call for submissions and put items on public exhibition so that interested community members can give feedback that will assist Council in its decision-making.

To keep up to date with item that are on public exhibition, go to: http://www.newcastle.nsw.gov.au/YourSay

16.4 Public Voice and Public Briefings

Members of the public are provided the opportunity to voice their opinions or concerns directly to Councillors during a Public Voice or Public Briefing session at a Council meeting.

The purpose of the Public Voice or Public Briefing sessions are to:

- allow Councillors to hear directly from affected parties regarding proposed developments;

- allow individuals or organisations to present information about issues relevant to our functions, facilities or services; and

- promote openness and transparency in decision making.

The Council does not make decisions at a Public Voice or Public Briefing session. The sessions are an opportunity for discussion only.

16.5 Advisory Committees

Advisory Committees are a way for stakeholders, experts, and the community to provide guidance and make recommendations to the elected Council within a particular area of expertise. For more information on these advisory committees, go to:

http://www.newcastle.nsw.gov.au/Council/About-Council/Committees

17 How else can you stay connected?

17.1 Social Media

Community members can also stay connected and up to date on CN news and media by going to the following websites and social media accounts:

- https://twitter.com/CityNewcastle

- www.facebook.com/CityNewcastle.au/

- www.instagram.com/citynewcastle.au/

- www.youtube.com/user/NCCclips

You can also check out the social media pages for:
- Visit Newcastle
- Civic Theatre
- Newcastle Art Gallery
- Newcastle Museum
- Newcastle Libraries
- Blackbutt Reserve
- Newcastle Youth Council
- Newcastle Venues
- Civic Digest

17.2 Newsletters

City News is the official newsletter for CN and is sent four times a year. It is available from our libraries and the City Administration Centre. CN also distributes the City of Newcastle e-news monthly newsletter, along with a range of other email newsletters, including:
- Civic Theatre e-news

- Visit Newcastle Newsletter

- Newcastle Region Library e-news

- Newcastle Museum Newsletter

- Newcastle Art Gallery Newsletter

- Newcastle Venues Newsletter

- Newcastle Interagency News

- Natural Connection Newsletter

- Smart City Newsletter

- Volunteers Newsletter

For more information on staying connected and for subscription links, go to: https://www.newcastle.nsw.gov.au/council/contact-us/follow-us-and-subscribe

Part E - Feedback and Further Information

If you would like to provide feedback on CN's Information Guide - Contact Us - City of Newcastle (nsw.gov.au).

You can also obtain further information about the GIPA Act by contacting the NSW Information and Privacy Commission (**IPC**):

Go to: www.ipc.nsw.gov.au

E-mail: ipcinfo@ipc.nsw.gov.au

Call: 1800 472 679

You can obtain further information about local government by contacting the Office of Local Government (**OLG**):

Go to: https://www.olg.nsw.gov.au/

Email: olg@olg.nsw.gov.au

Call: 02 442