
ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

- ITEM-1** **CCL 25/02/20 - AUDIT AND RISK COMMITTEE ANNUAL REPORT**
Attachment A: Audit and Risk Committee 2018/19 Annual Report
- ITEM-2** **CCL 25/02/20 - ADOPTION OF OUTDOOR TRADING POLICY**
Attachment A: Outdoor Trading Policy with tracked changes
Attachment B: Revised Outdoor Trading Policy without tracked changes
- ITEM-6** **CCL 25/02/20 - LIVE MUSIC STRATEGY UPDATE**
Attachment A: Live Music Strategy 2019 – 2023
Attachment B: Progress report against actions of Live Music Strategy 2019 – 2023
- ITEM-7** **CCL 25/02/20 - SIX-MONTHLY PERFORMANCE REPORT ON THE 2018-2022 DELIVERY PROGRAM (OUR BUDGET 2019/20)**
Attachment A: Six Monthly Performance Report
- ITEM-8** **CCL 25/02/20 - ADOPTION OF THE SECTION 7.11 WESTERN CORRIDOR LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2013**
Attachment A: Section 7.11 Western Corridor Local Infrastructure Contributions Plan 2013 (Updated February 2020)
Attachment B: Summary of Submissions
Attachment C: Submissions Report
- ITEM-11** **CCL 25/02/20 - QUARTERLY BUDGET REVIEW - DECEMBER 2019**
Attachment A: Quarterly Budget Review Statement - December 2019
- ITEM-12** **CCL 25/02/20 - EXECUTIVE MONTHLY PERFORMANCE REPORT**
Attachment A: Executive Monthly Performance Report January 2020

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**ORDINARY COUNCIL MEETING
25 FEBRUARY 2020**

AUDIT AND RISK COMMITTEE 2018/19 ANNUAL REPORT

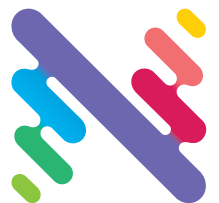
**Item 1 - Attachment A:- Audit and Risk Committee 2018/19
Annual Report**

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Annual Report

Audit and Risk Committee

2018/19



City of
Newcastle

newcastle.nsw.gov.au

Bogey Hole

Acknowledgment

City of Newcastle (CN) acknowledges that we operate on the grounds of 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.

Enquiries

For information contact
Corporate Strategist
Phone 4974 2000

Published by
City of Newcastle
PO Box 489, Newcastle NSW 2300
Phone 4974 2000 Fax 4974 2222
mail@ncc.nsw.gov.au
newcastle.nsw.gov.au

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Foreword



Effective Audit and Risk Committees are critical in local government to help deliver trust and confidence in financial reporting and risk management. As the City of Newcastle Audit and Risk Committee responsibilities are widening beyond financial reporting oversight to include risk, emerging risk, compliance, improvement, fraud, ethics, and culture considerations we are mindful of key factors that drive our effectiveness.

Transparency: In this regard our meetings are minuted, and a memorandum detailing the matters considered is presented to Council after each meeting. In addition, we regularly have in attendance members of the management team to provide input and advice in our discussions. Lastly the Committee is supported by the Chief Executive who attends most meetings as an observer.

Communication: Our agendas and meeting papers are clearly presented by management and provide meaningful insight into Council operations. We interact via telephone and email between meetings to keep matters under review and oversight as necessary. We have unrestricted access to Council's internal and external auditors as necessary, and they have direct access to the Committee if necessary.

Composition: Your committee is made up of a strong mix of skills from independent members and Councillor representatives who all challenge management as necessary and contribute to the discussion of committee business during meetings.

Efficient & Effective ways of working: We have a clear mandate through a Terms of Reference, and we look for efficiencies in the assurance work program at Council, minimising potential duplication of effort between assurance providers. Our meetings are well structured, held at regular intervals, and action items are tracked and reported back at each meeting.

I'm pleased to commend this Annual Report to you as a summary of our activities and approach in the past twelve months.

A handwritten signature in black ink that reads "Steve".

Stephen Coates
Independent Chair
Audit and Risk Committee



Background

Newcastle

This annual report documents the operation and activities of the Audit and Risk Committee for City of Newcastle (CN) from 1 July 2018 to 30 June 2019.

The Audit and Risk Committee (Committee) plays a pivotal role in the governance framework to provide CN with independent assurance and oversight of audit processes, including internal control activities.

The Committee was established on 19 May 2009 by a resolution of Council and is made up of three independent external members and two Councillor members. This membership is in accordance with the Office of Local Government Internal Audit Guidelines (September 2010) and the Audit and Risk Committee Charter (adopted by Council 27 February 2018). All Committee member profiles are included on pages 10-11 of this report.

The Audit and Risk Committee Charter contains the Committee's responsibilities. Broadly, these include oversight of CN's risk management control framework, legislative compliance and internal audit. The Committee also reviews the external audit opinion and recommendations and other aspects of financial governance and reporting.

The Committee has no power or direction over the external audit or the manner in which the external audit is planned or undertaken. The Committee has no executive powers. It cannot make decisions on behalf of CN or direct CN officers in the performance of their duties. Internal audit and the Committee support the Chief Executive Officer to oversee CN's risk management and controls. Both functions are referenced in CN's Enterprise Risk Management Framework.

City of Newcastle

Newcastle is Australia's seventh largest city, managing an asset portfolio of \$1.9 billion, an operational budget of more than \$290 million and capital expenditure of \$91 million.

Our proactive and innovative organisation make a positive difference in our community and to the organisation through various services and initiatives to achieve the community strategic plan. As an organisation, we are focused on achieving our organisational goals while developing and inspiring our employees to reach their full potential and grow both professionally and personally. Our CREW values (Cooperation, Respect, Excellence and Wellbeing) underpin everything we do as well as how we expect all our staff to engage with one another and the community.

CN employs almost 1,300 staff across five directorates and is responsible for providing services and facilities to more than 160,000 people.



1,250 Employees



Newcastle Population: 165,050
Greater Newcastle Population: 575,000
 (planning.nsw.gov.au)

Newcastle



Cooperation

We work together as an organisation, helping and supporting each other



Respect

We respect diverse views and opinions and act with integrity



Excellence

We strive for quality and improvement in everything we do



Wellbeing

We develop a safe and supportive environment

City of Newcastle Audit and Risk Committee

Our organisation



Chief Executive Officer
Jeremy Bath

CN employs almost 1,300 staff and is responsible for providing services and facilities to more than 160,000 people

Governance



Finance

Legal

Regulatory,
Planning and
Assessment

Strategy and Engagement



Information
Technology

Major Events and
Corporate Affairs

Corporate and
Community
Planning

People and Culture



Organisational
Development

HR Operations

WHS and Injury
Management

Training
and Learning

Payroll

Infrastructure and Property



Depot
Operations

Assets
and Projects

Civil
Construction and
Maintenance

Property
and Facilities

City Wide Services



Art Gallery

Museum

Civic Services

Libraries
and Learning

Customer
Experience

Parks and
Recreation

Waste Services

Appointed in 19/20

The Committee is established to provide independent assurance on risk management, control, governance and external accountability. CN's Internal Audit Coordinator reports to the Committee. The Committee's Charter requires the Committee to report at least annually to the elected Council on its affairs and the matters it has considered.

Audit and Risk Committee members



Stephen Coates
Independent Committee Chair

Stephen joined the Committee on 1 July 2017 and is President of the Institute of Internal Auditors Australia. He is an experienced Board and Audit Committee Chair leading the Boards towards strategy, in line with transparent and accountable governance. He has extensive experience leading assurance and risk advisory teams in both the private and public-sector. Stephen consults on managing risk culture and risk frameworks and delivers training events globally on risk and risk related topics.



Stephen Horne
Independent Committee Member

Stephen joined the Committee on 1 January 2018 and is an independent member of nine Audit Risk and Improvement Committees through-out NSW and Victoria. Stephen is a qualified Company Director (GAICD), Company Secretary (FGIA), certified internal auditor (PFIIA, CIA, CGAP), is certified in risk management assurance (CRMA), has a business degree and postgraduate qualifications in management, management communications and fraud control. Stephen has extensive experience in the fields of e-government, corporate governance, risk management, internal audit, fraud control, corruption prevention and performance reporting.



Greg McKenna
Independent Committee Member

Greg joined the Committee on 25 June 2018 and is currently the Chair of the Police Bank group which includes bank of Heritage Isle in Tasmania and the Department of Home Affairs. He also runs Markets, Trading and Economics consultancy and focuses on the machinations of the global economy and markets. Greg is a member of the Australian Institute of Company Directors and writes for Business Insider's Research stream including changes to technology, the workforce and consumers.



Cr John Mackenzie
Committee Member

Cr Mackenzie was elected to Council in September 2017 and joined the Committee in September 2017. He additionally holds the title of Dr Mackenzie and is a policy research consultant with over fifteen years' experience in academic, government and consulting roles. Dr Mackenzie brings expertise in social research, impact assessment, community engagement and evaluation. He has worked around the country on policy initiatives that bring communities together to find solutions to complex, divisive and intractable natural resource management problems, such as water allocation in the Murray Darling Basin and Indigenous water rights in Cape York and the Kimberley.



Cr Matthew Byrne
Committee Member

Cr Byrne was elected to Council in September 2017 and joined the Committee in March 2019. He holds membership on CN's Disability Inclusion Committee and Strategy and Innovation Advisory Committees as well as external committees including the Hunter and Central Coast Joint Regional Councils Transport Group. Cr Byrne is a Registered Nurse and Solicitor and continues to represent the collective interests of residents and the community and uphold decisions as a member of the Council.



Cr Jason Dunn
Former Committee Member

Cr Dunn was elected to Council in September 2012. He joined the Committee in September 2017 and resigned in March 2019. He continues to represent residents and ratepayers, providing leadership and guidance to the community and making considered and informed decisions as a member of the Council.

Audit and Risk Committee attendance

In 2018/19 the Committee met five times to review internal audit reports, the internal audit program, and audited financial statements. Attendance at the 2018/19 meetings:

Name	Role	Eligible	Attended
Stephen Coates	Chair	5	5
Steven Horne	Independent	5	5
Greg McKenna	Independent	5	5
Cr John Mackenzie	Councillor	5	3
Cr Jason Dunn	Councillor	3	1
Cr Matthew Byrne	Councillor	1	1

Audit and Risk Committee report card

Internal audit



CN outsources 60% of the internal audit function, with Centium being the current appointed contractor for this function. Outsourcing facilitates an agile internal audit program and ensures a high level of independence and autonomy from CN's management and enables specialised knowledge and skills to be procured to conduct audits of those high-risk areas which could impact the achievement of CN's objectives.

Resources were allocated to complete nine internal audits in the 2018/2019 internal audit program.

The outsourced internal audits are supported by CN's Internal Audit Coordinator who undertakes the remaining 40% of the internal audit function and provides support to the Committee.

The Committee reviews audit reports and endorses recommendations as appropriate. Audit actions are tracked and the current status of audit action items are reported to the Governance and Risk (Executive) Committee, the Executive Leadership Team and to the Committee on a quarterly basis.

Committee Charter	Compliance
Committee meetings	A quorum was met at every meeting.
Composition	3 Independent members and 2 Councillors.
Broad range of skills and experience	The Committee consists of a diverse range of extensive experience across risk management, internal audit, local government and commercial activities.
Functional separation	The Committee has no executive powers.
Sufficient time allocated to tasks	The Committee agenda facilitated adequate time to discuss all internal audit reviews, external audit reviews, update on the progress of the implementation of audit actions.
Probity	Members declared conflicts of interest if they arose.
Risk management	Risk management key activities are reported at each meeting of the Committee. The Committee maintains interest in the implementation status of CN's Enterprise Risk Management Framework and clarification of risk data to inform business planning and decision making, including the internal audit plan.
Control framework	The Committee effectively reviewed the controls, policies and procedures through audit reports and high-level briefings received.
Compliance	The Committee received and reviewed the annual calendar of Compliance and Reporting Requirements 2018/19.
Fraud, corruption and control	The Committee received and reviewed CN's Fraud and Corruption Control Plan.
Internal audit	Reviewed and approved the internal audit coverage and CN's internal audit plan, ensuring it considered the risk management plan. Consideration was given to the identification of significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices. The Committee monitored the implementation of internal audit recommendations by management.
External audit	The Committee has continued to review CN's financial position and commitment towards achieving financial sustainability. The Committee met on 10 October 2019 to receive briefings on the draft audit and CN's financial statements in respect of the year ended 30 June 2019. A management report of significant financial matters for the year ended 30 June 2019 was reviewed.
External accountability	The Committee acts as a forum for communication between the Council, the CEO, senior management, internal audit, external auditors and the Auditor Office of NSW.
Financial management	The Committee receives and reviews the Quarterly Budget Review report at each meeting.
Self-assessment	The Committee conducted a self-assessment to determine the extent to which it is achieving its overall objective to provide independent assurance and assistance to CN on risk management, control, governance, and legal and regulatory obligations; and assess the performance of CN's internal audit function. The self-assessment for 2018/2019 was completed by the Committee and attendees in October 2019.

Snapshot of internal audit progress

2018-2019
Audit action overview



Complete 40 | 35%
On Schedule 34 | 30%
2nd Agreed Date 23 | 20%
New Recommendations 17 | 15%

Complete: Actions completed.

On Schedule: Actions expected to be completed by their target date.

2nd Agreed Date: Actions extended past their original target date, due to resourcing and/or priorities.

New Recommendations: Recommendations arising 30 June 2019.

2018-2019
Balance audit actions by risk



Medium 44 | 59%
Low 17 | 23%
High 13 | 18%

Summary of Internal Audits	Audit Action Overview			Outstanding Audit Actions by Risk		
	Total Actions	Complete	To Be Completed	High	Medium	Low
Internal Audit						
RMS Drives 2017-2018	1	1				
Fraud, Corruption and Control	15	11	4		2	2
Delegations	9	8	1	1		
National Heavy Vehicle Accreditation Scheme	2	2				
Procurement	22	3	19	7	7	5
Customer Service Review	14	3	11	1	6	4
RMS Drives 2018-2019	1	1				
Community Facilities (Management Agreements)	8	3	5		5	
Summerhill Environmental Compliance	20	3	17		13	4
Total	92	35	57	9	33	15
Prior Year & External Audits						
Audit Office of NSW	14		14	4	8	2
Leave Management	8	5	3		3	
Total	114	40	74	13	44	17

Risk management

The Enterprise Risk Management (ERM) Framework was reviewed and amended to incorporate the requirements of ISO 31000:2018 *Risk Management Guidelines*. The ERM Framework provides a foundation for responding to uncertainty through a structured and consistent approach. This approach facilitates risk-informed decision making aligned with the strategic, operation and project specific objectives of CN. The ERMF integrates the processes for managing risks and controls into CN's overall governance, strategy and planning, performance improvement, reporting processes, policies, values and culture.

The ERM Framework takes into account the internal and external context in which CN operates. The ERM Framework comprises:

Policy (Framework): to formally outline policy principles and commitment.

Risk Management Guideline and supporting tools: designed to be read in conjunction with this Policy and to guide, direct and assist everyone to better understand the principles of risk management and to adopt consistent processes for managing risks.

Risk Register: principle repository for risks across CN. The Risk Register enables areas to analyse risks, monitor controls and prioritise treatment actions. The Risk Register is captured in an online database which also facilitates the assignment of risks, controls and risk treatments to responsible owners and standardised reporting of risks.

Governance and Risk Executive Committee: responsible for oversight of risk management across CN.

The Committee received regular updates and reports from the Risk Management Coordinator and the Governance and Risk Executive Committee on the establishment of the revised ERM Framework and the implementation of the software solution utilised to manage and support a consistent, effective and structured approach to the management of risk at CN.

External audit

The Committee receives an annual report from the external auditor (Audit Office of New South Wales) on the status of CN's financial statements. Representatives from the Audit Office attend Committee meetings as advisors.

In October 2019, the Committee received a report from the Audit Office and the external auditor, RSM, and discussed the audited financial statements for the 2018/2019 financial year. The Committee also received and endorsed actions on control matters identified during the annual financial audit.



Bathers way walk, Bar Beach

Self-assessment



Incoming ship, Newcastle Harbour

In accordance with the Committee's Charter, the Committee completed a self-assessment for 2018/19, which was designed to assess the Audit and Risk Committee's performance for 2018/2019 in the following areas:

Audit and Risk Committee, Skills and Understanding

The Committee understands the CN's business sufficiently to enable the Committee to fulfill its responsibilities under the Charter

The mix of skills on the Committee allows it to effectively perform its responsibilities

The Committee's overall financial literacy is adequate in light of the Committee's responsibilities

The Committee has responded appropriately and taken the required action where significant risks and/or control breakdowns have been brought to its attention

Audit and Risk Committee Members (External and Councillors) and Meetings

Committee members have attended meetings on a regular basis

Meetings have been conducted in accordance with the agenda issued and allow sufficient time to discuss complex and critical issues

Meeting agendas and supporting papers are of sufficient clarity and quality to make informed decisions

Meetings have been conducted to allow Committee members to raise any issue they believe relevant and allow for open, frank and robust discussion of all matters raised

Committee minutes are appropriately maintained and are of good quality

The Committee annual report to CN is of an appropriate quality and has been provided to us on a timely basis

The Committee has received all information, presentations, or explanations it considers necessary to fulfill its responsibilities

The Committee has reviewed and approved the annual business calendar

External Audit - Audit and Risk Committee

The Committee is satisfied that CN's annual financial reports comply with applicable legislation and Australian accounting standards and are supported by appropriate management sign-off on our financial statements

The Committee has reviewed the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments

The Committee has considered contentious financial reporting matters in conjunction with CN's management and external auditors

The Committee reviewed the processes in place to ensure financial information included in the annual report is consistent with the signed financial statements

Internal Audit Assessment

The Committee has reviewed and approved the forward internal audit plan, ensuring it was developed in consultation with ELT and the Committee

The Committee considers the internal audit resources were adequate for the completion of the internal audit program

The Committee has monitored the implementation of internal audit recommendations and obtained all information and or explanations it considers relevant to the progress of implementation of audit recommendations

The Committee considers the audit reports provided as appropriate for the business needs of CN; and

- (i) The reports were structured, concise and constructive
- (ii) The recommendations provided were realistic and resulted in improvements to current procedures
- (iii) The conclusions reached were adequately supported by relevant evidence and reflected a realistic understanding of the area under review

The Committee responsibilities are in the areas of: Risk Management; Fraud Control; Internal Control; Financial Management; Strategic Planning and Performance Reporting.

The Committee adequately understands and reviews CN's financial reporting requirements

The Committee reviews the effectiveness of the system for monitoring CN's compliance with relevant laws and regulations

The Committee adequately understands and reviews the entity's risk management framework and whether an effective approach is being followed in managing CN's major risks

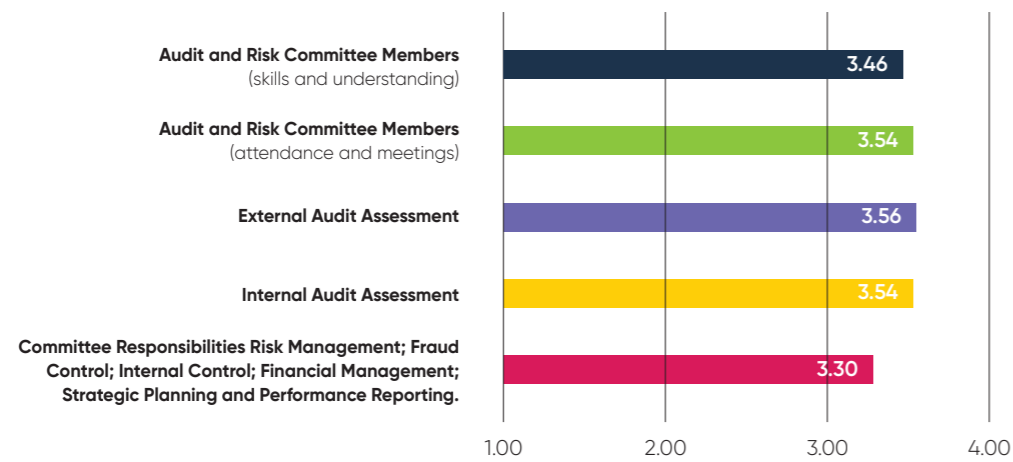
The Committee understands and reviews management's systems and arrangements for maintaining effective internal controls

The Committee effectively addresses its responsibilities in respect of its review and consideration of audit plans, audit reports and identified issues

The Committee understands and reviews the effectiveness of CN's Fraud Control framework including the Fraud and Corruption Control Plan

The Committee understands and reviews the effectiveness of CN's strategic plan and delivery program

Self-assessment Performance Categories



Rating:

- 1.0 Strongly Disagree – Below standard
- 2.0 Disagree – Poor
- 3.0 Agree – Good
- 4.0 Strongly Agree – Exceptional



Performance across all categories is rated above 'Good'.

Overall the Committee has achieved a good performance in achieving its objectives under the Committee Charter.

The self-assessment further identified the following areas to be included in the internal audit program and/or agenda for the Committee meetings over the next two years:

- Identification and discussion of emerging risks
- Identification and discussion of legal risks
- Significant changes in operating models
- Project Management
- ICT and Cyber Security
- Contract Management
- Embedding the Enterprise Risk Management in CN's daily operations
- Proactive role in reviewing the infrastructure backlog methodology

This feedback is being reviewed to be incorporated into future Committee agendas and the forward internal audit program as required.





Forward internal audit plan

CN takes a risk-based approach to formulate a three year, rolling forward internal audit plan. The audit planning process requires management to periodically consider risk levels, strategic objectives, audit history and other factors to determine audit priorities. These criteria are weighted to provide a scoring method so that audit priorities can be ranked. The 2019/2021 forward internal audit plan was approved by the Committee on 16 May 2018.

Due to the subsequent organisational redesign (which commenced 1 July 2018) combined with the change in internal audit services provider, the approved three year plan was reviewed and amended to incorporate the existing three year plan into a high level strategic approach to Internal Audit that incorporates a specific focus on current and emerging risks to CN.

As at the date of this report, CN is in the process of completing assurance mapping across Service Units to identify key high-risk areas over which assurance is required. CN's Risk Management and Internal Audit team are utilising the CAMMS software system to build and document the risk registers and internal control framework which will form the basis of a rolling assurance map for CN. This framework will allow high risk areas to be identified as they emerge.

The 2019-2020 Forward Internal Audit Plan is included at Appendix A.

Appendix A

Forward Internal Audit Plan 2019/2020

#	Topic	Responsibility	Timing	Scope
1	RMS Drives	Internal Audit Co-ordinator	Q1 2019/2020 Complete	Compulsory compliance audit for use of the RMS database.
2	Records and Information Management	Centium	Q1 2019/2020 Complete	Assess the extent to which CN complies with mandatory obligations such as the State Records Act as well as the standards and policies issued by the State Records Authority, such as GA39 (for local government).
3	Boarding House Regulatory Improvement Review	Centium	Q2 2019/2020	Assess the key steps and decision-making points in relation to the regulatory and legal action taken by CN over a 12 month period in relation to boarding houses.
4	Cash Handling	Internal Audit Co-ordinator	Q2/3 2019/2020	Assess adequacy of controls over CN's cash handling practices at identified facilities. Provide CN with reasonable assurance that internal controls operating over key financial processes (including financial reporting) are adequate and are consistent with good practice.
5	Overtime Review	Internal Audit Co-ordinator	Q2/3 2019/2020	Review the adequacy of CN's systems and controls for the management of overtime. Utilising data analytics to conduct a review of CNs' overtime over the past three years.
6	Assurance Mapping (including IT)	Internal Audit Co-ordinator and Risk Management Co-ordinator	Q3&4 2019/2020	Prepare an assurance map for CN's high-level strategic objectives, noting alignment with newly available risk profile and identified controls.
7	National Heavy Vehicle Accreditation Scheme	Internal Audit Co-ordinator	Q3 2019/2020	An annual internal audit and bi-annual external audit are required to maintain heavy vehicle accreditation. The audit is limited to the Maintenance Management System. Compliance Audit.
8	Project Management (including contractor management performance)	Centium	Q3 2019/2020	A detailed review of CN's Project Management methodology and processes, including substantive sample-based testing of projects and related contracts (i.e. contractor performance management).
9	ICT- Cyber Security	Centium	Q3 2019/2020	To assess the adequacy of CN's current cyber security protection and management capabilities.
10	ICT- Strategy & Governance	Centium	Q4 2019/2020	An assessment of CN's IT services and the underlying processes, systems and environment to identify key risks.
11	Rates Review	Internal Audit Co-ordinator	Q3 2019/2020	To seek reasonable assurance that CN's policies and procedures support compliance with relevant legislation, that rates are set in accordance with authorised pricing levels and that the processing and review of rates and billings is adequately controlled to prevent/detect error, misstatement or fraud.

Our vision

In 2030, Newcastle will be a smart, liveable and sustainable global city



newcastle.nsw.gov.au

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ITEM 2 Adoption of Outdoor Trading Policy

Item 2 - Attachment A: Draft Outdoor Trading Policy with track changes

Item 2 - Attachment B: Draft Outdoor Trading Policy without track changes

ORDINARY COUNCIL MEETING
25 February 2020

Ordinary Council Meeting 25/02/2020
Adoption of Draft Outdoor Trading Policy

Item 2 - Attachment A: Draft Outdoor Trading Policy with track changes

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Policy

DRAFT Outdoor Trading Policy

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Part A Preliminary

1 Purpose

- 1.1 Facilitate the creation of a vibrant cosmopolitan trade atmosphere in appropriate areas of the city and surrounding suburbs.
- 1.2 Ensure an equitable and safe throughway is maintained on ~~footpath~~ footways for pedestrians including the vision impaired, users of mobility aids – wheelchairs and scooters.
- 1.3 Facilitate the appropriate use of ~~footpath~~ footways and public areas for the purposes of outdoor trading and dining activities including the use of free standing A-frame signage and flags to promote and activate business.
- 1.4 Facilitate improvement to the street vitality, amenity and economic viability.
- 1.5 Provide opportunities for shop owners, residents and visitors to benefit from pedestrian circulation.
- 1.6 Provide requirements and guidelines to inform the regulation of outdoor trading activities to avoid nuisance, obstruction, endangerment or inconvenience to the public and residential neighbourhoods.

2 Scope

- 2.1 The policy applies to all applications for 'outdoor trading' (ODT) on ~~roads or in public places (land other than a road)~~ footways within the local government area. A 'footway' is that part of a road as is set aside or formed as a path or way for pedestrian traffic (whether or not it may also be used by bicycle traffic). A footway does not include a 'Classified Road'.

ODT comprises premises wanting to operate a footway restaurant or offering goods for sale and requires a permit in accordance with Section 125 of the Roads Act 1993.

This policy does not apply to mobile food vending vehicles and anyone seeking approval to operate a mobile food vending vehicle must apply to CN for a permit in accordance with CN's Mobile Food Vending Vehicles Policy.

This policy does not apply to other activities wanting to be conducted on a roadway or in any other public place e.g. public park, and any person wishing to undertake those activities should contact CN and seek advice about the appropriate permit process.

- 2.2 Applications for Permanent Structures require separate approval in addition to meeting the requirements of this policy (refer to clause ~~4.3~~ 3.3 for more information).
- 2.3 Some provisions from the NSW Government Small Commissioners NSW Outdoor Dining Policy 2019 have been incorporated into this policy and in the event that there is an inconsistency between each policy, CN's Outdoor Trading Policy takes precedence. ~~and NSW Government Small Business Commissioners Outdoor Dining User Guide supports this policy.~~
- 2.4 The information ~~referred to~~ in this policy ~~form~~ outlines the guidelines requirements CN considers when assessing and approving ODT applications and regulating ODT activities.

Part B Application

3 ~~Making an application for outdoor trading~~ Applying for an ODT area

3.1 Application for outdoor trading area – ~~roads~~ footways

- 3.1.1 Applicants seeking ~~approval~~ a permit for an outdoor trading area ~~on a road~~ must complete and submit an *Application for Outdoor Trading Form*. ~~Application forms are available from the CN Customer Enquiry Centre at 282 King Street, Newcastle or CN's website - www.newcastle.nsw.gov.au~~
- 3.1.2 Application forms are available from the CN Customer Enquiry Centre at 12 Stewart Avenue, Newcastle West or CN's website - www.newcastle.nsw.gov.au.
- 3.1.3 Prior to submitting an application to undertake ODT, applicants must self-assess the proposed outdoor trading area against the five requirement areas outlined in Table 1, and ensure clearance distances from existing street infrastructure as identified in Table 2 and clearance distances from essential services as identified in Table 3 are complied with.
- 3.1.4. All applications must include a completed application ODT form, a site plan and a copy of current Public Liability Insurance with a limit of not less than \$20,000,000 identifying 'Newcastle City Council' as an 'Interested Party' which complies with clause 13 below, and all applicants/operators are to indemnify CN as set out in clause 12 below.

~~3.3~~ 3.2 Application for ODT area – Permanent Structures.

- ~~3.3.1~~ 3.2.1 If an ODT area is to involve a Permanent Structure, approval for placement of the structure, in addition to approval under this policy is required. Applicants seeking approval for ODT areas involving a Permanent Structure should contact CN's Infrastructure Services on (02) 4974 2000 to discuss the application.

~~3.4~~ 3.3 Lodging applications

- ~~3.4.1~~ 3.3.1 ODT applications may be lodged at the CN Customer Enquiry Centre in person, by email at outdoortrading@ncc.nsw.gov.au mail@ncc.nsw.gov.au.

- ~~3.5~~ 3.4 Prior to lodging an application for an ODT area, it is recommended that applicants contact CN's Customer Enquiry Centre to ensure they have the required plans, details and insurance certificates ~~for~~ prior to submission to CN and to clarify ~~whether any one-off fee may apply.~~ ~~application fees.~~

- ~~3.6~~ 3.5 An application to renew an existing ~~approval~~ permit should be lodged a minimum of four weeks prior to the expiry of the existing ~~approval~~ permit. ~~to allow invoice processing.~~

4 Fees for application

- 4.1 There are no application or annual fees ~~Non-refuncable fees and charges will be applied to applications for ODT areas. Fees can be transferred to new business owners upon application, ODT area map and proof of \$20,000,000 public liability insurance.~~
- 4.2 There is a 'one off' fee charged for the installation of permanent markers within the footway identifying the boundaries of the approved ODT area. This fee only applies to new applications where an ODT has not been previously operated.
- ~~4.2~~ 4.3 CN's Fees and Charges are reviewed annually. Current adopted and draft fees and charges schedules are accessible at CN's website www.newcastle.nsw.gov.au

Part C Exemptions from ~~approval~~ permit

5 Exemption from ~~approval~~ permit for A-frame signs

- 5.1 ~~Subject to clause 8~~, a ~~approval~~ permit is not required for placement of a single A-Frame sign where it is placed:
- 5.1.1 in accordance with the Locational Guidelines at Annexure A and;
 - 5.1.2 in accordance with the Placement Guidelines at Annexure B and;
 - 5.1.3 is a single sign that specifically conforms to the Articles Placed Within Area Guidelines – A-Frame Signs at Annexure D; and
 - 5.1.4 that single sign is placed separately from any other articles, is placed kerbside and not obstructing the Pedestrian Zone or is placed in an approved outdoor trading area.

6 Exemption from ~~approval~~ permit for flags

- 6.1 ~~Subject to clause 8~~, a ~~approval~~ permit is not required for placement of flags where they are placed:
- 6.1.1 in accordance with the Locational Guidelines at Annexure A and;
 - 6.1.2 in accordance with the Placement Guidelines at Annexure B and;
 - 6.1.3 with no more than three flags that specifically conform to the Articles Placed Within Area Guidelines – Flags including Tear Drop flags at Annexure E and;
 - 6.1.4 separately from any other articles, are placed kerbside and not obstructing a Pedestrian Zone or are placed in an approved ODT area.

Part D ~~Approval Permit~~

7 Factors considered when assessing applications for a ~~approval permit~~

- 7.1 CN will consider the following factors when assessing all applications for ~~approval permits~~ for an ODT area ~~subject to clause 8~~:
- 7.1.1 The *Local Government Act 1993* (NSW), *Roads Act 1993* (NSW); *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (NSW), *Work Health and Safety Act 2011* (NSW), *Disability Discrimination Act 1992* (Cth), *Australia's Strategy for Protecting Crowded Places from Terrorism*.
 - 7.1.2 any current Development Application conditions.; ~~CN's guidelines contained in Annexures A, B, C, D, E and F as appropriate;~~
 - ~~7.1.2~~ 7.1.3 CN's guidelines contained in Annexures A, B, C, D, E and F as appropriate;
 - ~~7.1.3~~ 7.1.4 the provision of a continuous path of travel minimum 1.8m in width for pedestrians within the ~~footpath~~ ~~footway~~ to ensure equitable access, disability inclusiveness ~~as identified in Annexure B – Placement Guidelines~~
 - ~~7.1.4~~ 7.1.5 the proximity of other outdoor trading areas;
 - ~~7.1.5~~ 7.1.6 the frequency of use of the ~~footpath~~ ~~footway~~;
 - ~~7.1.6~~ 7.1.7 the features of the ~~footpath~~ ~~footway~~ including the width and construction; placement of existing Permanent Structures – CN rubbish bins, seats, bus stop shelters, post office box and the like;
 - ~~7.1.7~~ 7.1.8 ~~footpath~~ ~~footway~~ construction and condition;
 - ~~7.1.8~~ 7.1.9 traffic considerations including pedestrian and customer safety issues;
 - ~~7.1.9~~ 7.1.10 traffic considerations including areas adjacent to the road kerb or within existing sign posted zones relating to bus stops, taxi stands, parking for disabled and the like;
 - ~~7.1.10~~ 7.1.11 applications for ODT liquor licensing approval require review by CN's Licensed Premises Reference Group (LPRG). ~~The LPRG is comprised of representatives from CN, NSW Police Force, Liquor & Gaming NSW, NSW Health and assess all ODT applications associated with licensed premises;~~
 - ~~7.1.11~~ 7.1.12 the ability of the premises to comply with this Policy.
- 7.2 ~~Despite clause 8.1,~~ CN will assess applications for alternative ~~placement arrangements e.g. against the building alignment,~~ where the applicant can demonstrate that, on the merits of the individual case, the alternative arrangement will better achieve the purposes of this Policy. Consideration is to be given to the need to balance public safety against business needs and amenity considerations. Refer to the Disability Discrimination Act 1992 (Cth) sections 23, 24 and 29A.
- 7.3 ~~Alternative placement arrangements must be consistent with other business operating ODT in the same area. Staggering of ODT is not permitted.~~

~~7.4 Prior to submitting an application to undertake ODT, applicants must self-assess the proposed outdoor trading area against the five requirement areas outlined in table 1 and ensure clearance distances from existing street infrastructure as identified in table 2 and clearance distances from essential services as identified in table 3 are complied with.~~

~~7.5 Further information on location requirements can be located in the NSW Government Small Business Commissioners NSW Outdoor Dining user Guide which can be located on the NSW Government Small Business Commissioners website or by accessing the following link:-~~

Table 1: Factors to be considered when determining outdoor trading areas

Category		Key Considerations
1	<p>Location / site suitability</p> <p>Facilitate the appropriate use of footpaths and public places for outdoor trading activities</p>	<ul style="list-style-type: none"> - Minimum distances - Neighbours
2	<p>Safety</p> <p>Maintain an equitable and safe thoroughfare around outdoor trading areas for all users.</p>	<ul style="list-style-type: none"> - Public safety, including road safety - Accessibility - Line of sight - Management of animals - Engagement with public
3	<p>Amenity</p> <p>Facilitate improvement to the local character, street vitality and economic viability</p>	<ul style="list-style-type: none"> - Local character - Attractiveness - Local vitality
4	<p>Function</p> <p>Ensure the design, furniture, fixtures and day-to-day requirements of the outdoor trading space reflect the local area.</p>	<ul style="list-style-type: none"> - Design of space - Furniture - Fixtures - Daily operations
5	<p>Legal and compliance</p> <p>Ensure that the management of outdoor trading activities avoids nuisance, endangerment or inconvenience to neighbours and the general public.</p> <p>Address public liability and manage risks, and ensure compliance with state legislation including liquor laws.</p>	<ul style="list-style-type: none"> - Noise - Waste - Operational conditions - Council inspections - Insurance - Compliance with legislation

Table 2: Clearances from existing street infrastructure

Object	Minimum clearance from object
Fire Hydrants	1 metre
Exit doors	
Litter bins	
Public seats	
Pay phones	
Bicycle hoops	
Parking metres	
Tram stop shelters	
Bus stop shelters	
Tree plots	
Bollards	
Poles	
Other similar objects	

Table 3: Clearances from essential services

Object	Minimum clearance from object
Substations	1 metre
Fire exit doors	
Switch boards	
Hose reel cupboards	
Fire equipment stores	
Boosters	
Fire hydrants/fire plugs	
Communication poles	

8 RMS concurrence

- 8.1 An application for an ODT area on a Classified State Road with a speed limit of 60km/hr or adjacent to traffic control signals is prohibited without concurrence from the NSW Roads and Maritime Service (RMS). CN will seek this concurrence from RMS after an application is made by forwarding the application to RMS for consideration and approval.

9 Conditions of a approval permit

- 9.1 It is the responsibility of the outdoor trading ODT operator to meet all of the conditions of a approval permit which may include operating hours. An approval may be revoked by CN at any time for failure to comply with any condition of the approval. ODT operating hours are clearly identified in the ODT permit.
- 9.2 An approval will be granted for period determined by CN and will conclude at the end of that period. A permit may be revoked by CN at any time for failure to comply with any condition of the permit.
- 9.3 Expiration of the approval permit will require lodgement of a new application.
- 9.4 CN may revoke or suspend a approval permit if access is required to the footway.
- 9.5 A approval permit lapses if the outdoor trading operator's business ceases to trade. However, approvals are transferable, provided CN is notified and proof of a current Public Liability Risk Insurance Certificate for the new proprietor is submitted to CN.

- 9.7 Despite any provisions of this Policy, CN may amend or revoke any approval permit to meet legislative requirements or altered circumstances at specific sites at any time. When there are concerns for safety, or where access is required to services or utilities located with.

10 Renewing a permit

- 10.1 Permits will may be renewed after 3 years at the expiration period or a maximum of 3 years.
- 10.2 CN will notify existing operators of the upcoming expiration of an existing ODT permit and invite operators to renew their ODT permit.
- 10.3 Operators will be required to advise CN whether they intend to renew their ODT or allow it to expire. If renewed, the ODT permit is valid for another 3 years.

11 Transferring a permit

- 11.1 ODT permits cannot be transferred when an existing business is sold to a new proprietor or when a new business begins operating at a property where a prior permit existed. A new application must be completed and lodged with CN at the Customer Enquiry Centre or via email mail@ncc.nsw.gov.au.

Part E Insurance

~~10~~ 12 Notification of claims Indemnity

~~10.4~~ 12.1 The applicant / operator of an ODT approval permit indemnifies ~~for outdoor trading approval is to indemnify CN in writing against any action taken against it by persons suffering any loss of injury as result of the existence or operation of the outdoor trading area.~~ , holds harmless and releases Newcastle City Council, its officers, members, directors, employees, consultants, agents, contractors, and other representatives from all claims, actions, damages, losses, costs, expenses, incurred or in connection with the ODT, including, or in connection with:-

- i. Any damage, or loss, injury or death caused or contributed to by the omission, neglect or default by the applicant/operator, their servants, employees or agents;
- ii. Any default by the applicant/operator and;
- iii. The use or occupation of the ODT.

Except to the extent caused or contributed to by the act, omission, neglect or willful default of CN.

~~11~~ 13 Public Liability Notification of Claims

~~11.1~~ Public Liability insurance must be taken out by the applicant / operator of the food business. This policy must have a limit of not less than \$20,000,000 indemnity cover.

~~11.2~~ CN requires 'Newcastle City Council' to be notes on the policy as an "**Interested Party**" for the respective rights and interest.

~~11.3~~ 13.1 The applicant / operator is required to ~~ledge~~ submit a copy of their current Public Liability Certificate of currency to CN, prior to the placement of furniture within the approved outdoor trading area. A Certificate of Currency is required to be furnished with each renewal.

13.2 The operator of an ODT area must immediately notify CN should any claim be made against them.

13.3 Operators must at all times have continuous Public Liability Insurance, with a limit of not less than \$20,000,000 indemnity cover.

Part F Non-compliance

~~12~~ 14 No approval permit

~~12.4~~ 14.1 The use of an ~~outdoor trading~~ ODT area without a valid ~~approval permit~~ or not in accordance with the conditions of a ~~approval permit~~ is an offence and may result in the commencement of ~~issue of an infringement notice or other~~ regulatory action as outlined in CN's Compliance and Enforcement Policy.

~~13-15~~ Breach of ~~approval permit~~

~~13.4~~ 15.1 The use of an ~~outdoor trading~~ ODT area will be reviewed if the use is not in accordance with the ~~approval permit~~ requirements.

~~13.2~~ 15.2 CN will send out a notification of the review process to the ~~outdoor trading~~ ODT operator requesting representations within seven days of receiving the notification.

~~13.3~~ 15.3 Following review of any representations and evidence gathered, CN may terminate the ~~approval permit~~ or otherwise cause the ~~approval permit~~ to lapse with one month's notice in writing.

16 Dispute Resolution

16.1 Any disputes arising from the operation of an ODT can be reported, investigated and managed in compliance with CN's Customer Complaints Handling Policy.

Part G Other

~~14-17~~ Cleanliness and maintenance

- 17.1 The ~~outdoor trading~~ ODT area must be maintained in a clean and tidy condition at all times.
- 17.2 Environmentally sound methods of cleaning and maintaining the ~~outdoor trading~~ ODT area must be used.
- 17.3 An 'assistance animal' is permitted in an ~~outdoor trading~~ ODT area in accordance with the *Disability Discrimination Act 1992* (Cth). Animals are otherwise only permitted in accordance with the *Companion Animals Act 1998* (NSW).
- 17.4 An ~~outdoor trading~~ ODT area must be paved or sealed for its full width. The ~~approval permit~~ holder is to bear the cost of all pavement repairs carried out by ~~the City of Newcastle CN~~ which have been caused by outdoor trading activities.

~~15~~ 18 Smoking in outdoor trading areas used for outdoor dining purposes

- ~~15.4~~ 18.1 Smoking in or adjacent to an ~~outdoor trading~~ ODT area is prohibited when an ~~outdoor trading~~ ODT area is used for the purpose of providing outdoor dining.
- ~~15.2~~ 18.2 ~~Outdoor Dining Operator~~ Where dining operates in an ODT area, the operator must display No Smoking signage within the ODT area and abide by ~~the~~ *Smoke-free Environment Act 2000* (NSW).

~~16~~ 19 Dogs in Outdoor Dining Areas

- ~~16.4~~ 19.1 A dog, except a restricted or declared dangerous or menacing dog, is allowed in the ~~outdoor trading~~ ODT area of a cafe or restaurant with the cafe or restaurant owner's consent ~~and in accordance with the Companion Animals Act 1998 (NSW) s14A~~. Certain restrictions apply:
 - ~~16.4.1~~ 19.1.1 the ~~outdoor trading~~ ODT area must not be enclosed and must be accessible without the requirement to pass through an enclosed area;
 - ~~16.4.2~~ 19.1.2 the dog must be on a leash at all times;
 - ~~16.4.3~~ 19.1.3 the dog may be provided with drink, but not food;
 - ~~16.4.4~~ 19.1.4 the dog must be on the ground at all times.

~~16.2~~ ~~Refer Companion Animals Act 1998 (NSW) S14A.~~

~~17~~ 20 Crime Prevention

- ~~17.4~~ 20.1 Operators of the business with an approved ~~outdoor trading~~ ODT area are encouraged to provide a notice advising patrons to secure their bags or valuables while using an ~~outdoor trading~~ ODT area particularly when an ~~outdoor trading~~ ODT area is used for the purpose of providing outdoor dining.

Part H Definitions

~~18~~ 21 Definitions

- ~~18.1~~ 21.1 **A-frame sign** – upright, rigid supporting frame with two flat connected panels at the top in the form of a triangle or an inverted V. Refer Annexure D.
- ~~18.2~~ 21.2 **Barriers (café)** – safety screening - refer Annexure F.
- ~~18.3~~ 21.3 **City of Newcastle (CN)** means Newcastle City Council.
- ~~18.4~~ 21.4 **Flag Structure** – pole, staff or similar article with a piece of cloth or bunting displaying a design, symbolic colours or patterns. Refer Annexure E.
- ~~18.5~~ 21.5 **Permanent Structure** – any article not intended to be moved around frequently and would be difficult to move without mechanical and other assistance.
- ~~18.6~~ 21.6 ~~Outdoor Dining~~ **ODT Operator** – the entity that exercises management and control over an ~~outdoor trading~~ ODT area used for the purpose of outdoor dining.
- ~~18.7~~ 21.7 **Outdoor Trading Area (ODT)** – ~~an outdoor public place including but not limited to roads, footpaths and nature strips~~ a part of the footway , utilised on a temporary basis for commercial activities which may include the display of articles, signs, goods, food or beverages for consumption or display in association with an adjacent approved business.
- ~~18.8~~ 21.8 **Pedestrian Zone** – unobstructed access area of at least 1.8m.

Unless stated otherwise, a reference to a clause is a reference to a clause of the policy.

Annexure A - Locational Guidelines

Locational Guidelines

A.1 Associated premises

A.1.1 An ~~outdoor trading~~ ODT area will only be considered by CN where:

A.1.1.1 it is in association with an adjacent approved business premises

A.1.1.2 the applicant is the owner/proprietor of that business premises.

A.2 Site requirements

A.2.1 An ~~outdoor trading~~ ODT area is only appropriate where:

A.2.1.1 the public space is wide enough to accommodate the ~~outdoor trading~~ ODT area while still maintaining a clear pathway of travel minimum 1.8m in width for all pedestrians including those who use mobility aids and;

A.2.1.2 the ground surface of the ~~outdoor trading~~ ODT area is suitably constructed and sufficiently level to accommodate proposed articles and enable the area to be used safely and without inconvenience to pedestrians or vehicles and;

A.2.1.3 there is no unreasonable hazard to pedestrians, users of trading areas or vehicular traffic.

A.3 Neighbourhood amenity

A.3.1 The location and operation of ~~outdoor trading~~ ODT areas must take into consideration the amenity of neighbours and other users of public areas.

A.3.2 Applications submitted within a residential zone will be publicly notified in accordance with the provisions of Newcastle Development Control Plan 2012 Section 8.00 Public Participation.

Annexure B - Placement Guidelines

Placement Guidelines

- B.1 Placement and defining ~~outdoor trading~~ ODT areas;
 - B.1.1 An ~~outdoor trading~~ ODT area is to be clearly marked and operated within the approved area (as determined by CN) only.
 - B.1.2 The boundary markers of the ~~outdoor trading~~ ODT area shall be installed and maintained by CN after ~~an approval~~ a permit is granted ~~and are subject to a one-off fee as identified in clause 4.2.~~
 - B.1.3 ~~outdoor trading~~ ODT areas will only be approved immediately adjacent to the business to which it relates.
 - B.1.4 ~~outdoor trading~~ ODT areas must be located so that the proprietor is able to supervise activities in the area from within the premises.
 - B.1.5 ~~outdoor trading~~ ODT must consider and comply where possible with 'Australia's Strategy for Protecting Crowded Places from Terrorism'.
- B.2 Access requirements ~~—adjacent to kerb trading areas.~~
- B.3 An ~~outdoor trading~~ ODT area must:
 - B.3.2.1 provide an unobstructed pedestrian path of travel along the footway
 - B.3.2.2 ~~preferably~~ be located adjacent to the road kerb, generally in accordance with Figure 1, to optimise pedestrian access. ~~Where this is not possible, CN will consider the circumstances referred to in clause 7.2 & 7.3~~
 - B.3.2.3 maintain a minimum clear width of 1.8m exclusive of any obstruction or street fixtures (~~eg-e.g.~~ seats, bench, tree, rubbish bin, pole) from the property boundary towards the roadway to provide access for pedestrians using a mobility aid. In special circumstances (~~eg-e.g.~~ high volume pedestrian or traffic areas, such as near busy intersections) greater widths may be required.
 - B.3.2.4 where vehicles are permitted to park against the kerb, be at least 0.6m from the kerb edge to provide a safety buffer from vehicles and to enable passengers to alight from and access parked vehicles
 - B.3.2.5 provide a suitable barrier (temporary, framed fabric style or planter box style or a suitable contrast to the surrounds to be visible at all times) aligned at each end of the ~~outdoor trading~~ ODT area with the outdoor trading boundaries ~~specified in 6.1~~ Refer Annexure F as depicted in Figure 2 and referred to in Annexure F.
 - B.3.2.6 not inhibit access to public utilities such as fire hydrants, access holes, inspection chambers, telephone and electricity underground cables, water service pipes and the like
 - B.3.2.7 where situated at a street intersection corner, be designed to reflect how the appropriate principles in AustRoads Guide to Traffic Engineering Practice – Part 5 and the RMS's Road Design Guide have been applied to the intersection typology and traffic calming infrastructure in order to maximise public safety. Refer to Figure 2. At some locations reduced setbacks may be permitted having regard to the sight lines present at the location.

~~B3.2.8 At some locations reduced setbacks may be permitted having regard to the sight lines present at the location~~

B3.2.9.8 provide adequate clear zone provision to the trading area in accordance with the RMS's *Road Design Guide* where relevant.

B3.2.10.9 not be located adjacent to the road kerb or within existing sign posted zones relating to bus stops, taxi stands, parking for disabled and the like.

B.3.2.11.10 not be located on both sides of the pedestrian access path unless the location has been purpose built to accommodate placement of furniture.

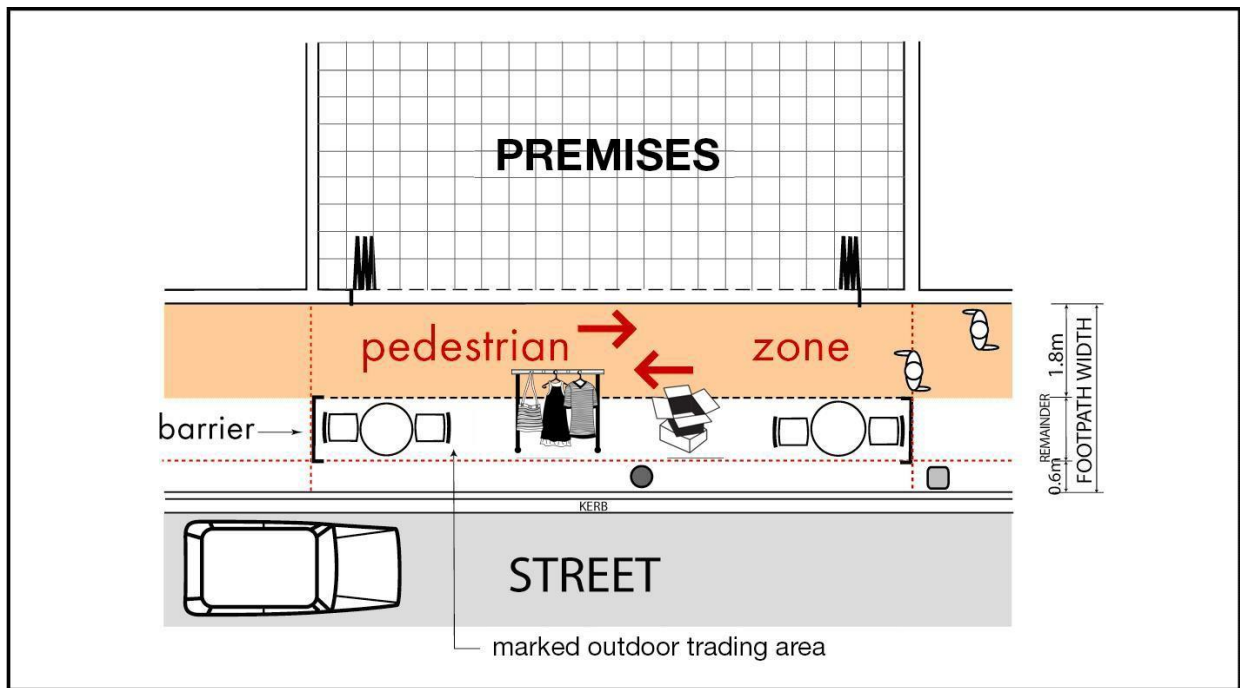


Figure 1: Preferred ODT location Adjacent to kerb

Marked **outdoor trading ODT** area adjacent to the kerb aligned to the respective business.

- i) Minimum pedestrian path of 1.8m.
- ii) Set back 0.6m from kerb.
- iii) All tables, chairs and other outdoor furniture are to be kept in the designated outdoor trading area at all times.

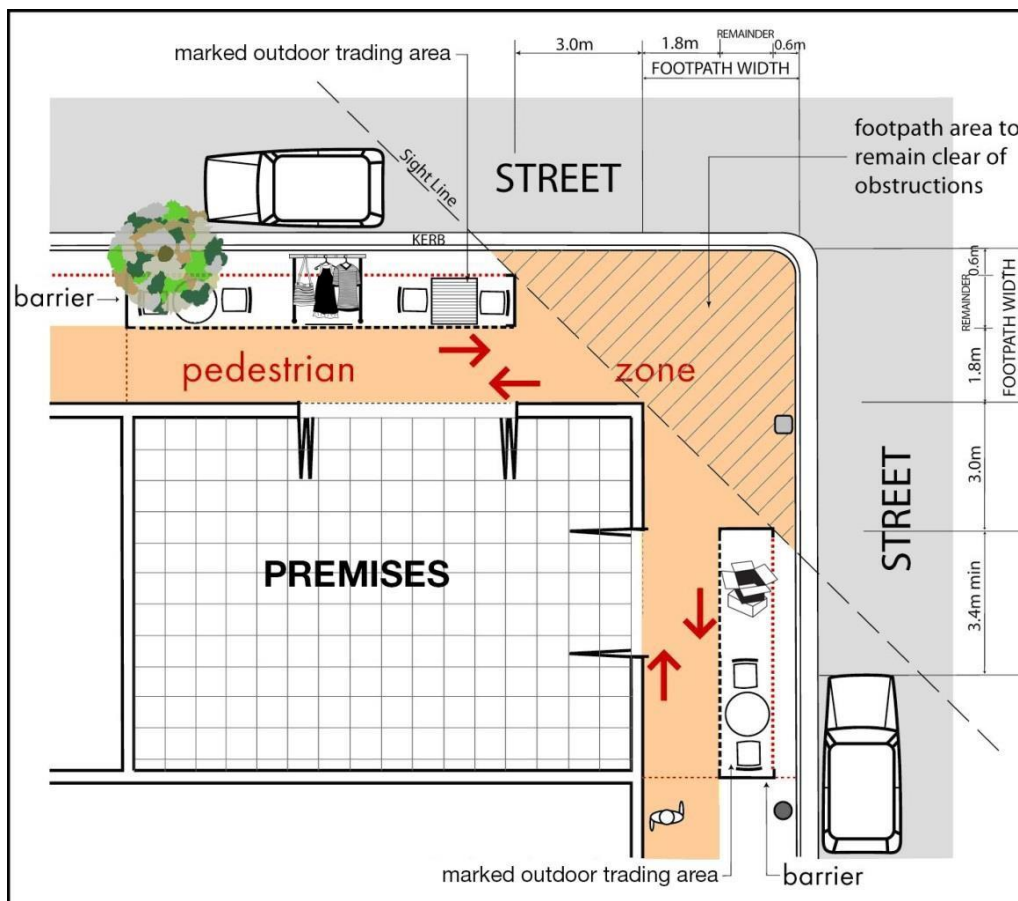


Figure 2: ODT Adjacent to kerb at corner location

Marked **outdoor trading ODT** area adjacent to the kerb at street corner.

- i) Vehicle sight line maintained with nominal 3m setback pending locational circumstances.
- ii) Minimum unobstructed pedestrian path of 1.8m on both street frontages.
- iii) Set back 0.6m from kerb.
- iv) All articles, signs, goods, food or beverages for consumption, display are to be kept in the designated outdoor trading area at all times.

• **Note:** Figure 2 should be read as a guide only. Relevant traffic requirements must be complied with on a site by site basis.

B.3.2.12.11 Toilet facilities must be available for patrons at the premises to which it relates when an **outdoor trading ODT** area is used for the purpose of providing outdoor dining and the combined seating capacity of both internal and **outdoor trading ODT** areas is greater than 20 places.

B.4.3 Consumption of alcohol -

B.4.3.1 Alcohol may be supplied or consumed in an **outdoor trading ODT** area subject to any requirements of the Independent Liquor and Gaming Authority and any approval conditions imposed by CN.

Annexure C – Articles Placed Within Area Guidelines Generally

Articles Placed Within Area Generally

- C.1 Articles placed within ~~outdoor trading~~ ODT areas including articles, furniture, tables, chairs, planter boxes, Barriers and menu boards must, at all times, be properly placed and confined within the ~~outdoor trading~~ ODT area and shall not impact upon the safety of other users.
- C.2 Articles placed within ~~outdoor trading~~ ODT area shall not protrude from the area except for flags, umbrellas and shade structures.
- C.3 Items placed in the ~~outdoor trading~~ ODT area must not cause damage to the existing footway or other public infrastructure. The ~~outdoor trading~~ ODT operator is responsible for any damage caused to third parties.
- C.4 It is the responsibility of the business to ensure that patrons do not move furniture or goods from within the boundaries of the outdoor trading area onto the pedestrian path of travel.
- C.5 No article including furniture is to be permanently fastened to the footway without the separate prior approval of CN.
- C.6 Articles or structures not permanently fastened to the footway must be removed from the ~~outdoor trading~~ ODT area upon completion of trading each day.
- C.7 ~~outdoor trading~~ ODT areas on footways and public spaces to which vehicular traffic has access must be protected by approved Barriers. Refer Annexure F
- C.8 Umbrellas and shade structures
 - C.8.1 Umbrellas and shade structures must be anchored to ensure that they are secured to withstand the effects of wind.
 - C.8.2 Umbrellas and shade structures must be positioned to ensure that they will not cause an injury to patrons or pedestrians.
- C.9 Heating devices
 - C.9.1 Free standing heaters located within ~~outdoor trading~~ ODT areas must comply with *Australian Standard AS ~~1596 (Storage and Handling) 4564:2004 (Radiant Gas Heaters for Outdoor Gas non-residential indoor use)~~* and must be certified by the Australian Gas Association.
 - C.9.2 Heating devices must be contained wholly within the ~~outdoor trading~~ ODT area.
 - C.9.3 Heating devices must be positioned and secured to ensure that they will not cause any injury to patrons or pedestrians. ~~outdoor trading~~ ODT operators are responsible for any damage caused.

Annexure D - Articles Placed Within Area Guidelines – A-Frame Signs

A-Frame Signs

- D.1 A-frame signs must not exceed 1100mm high when open x 600mm wide x 600mm deep. (When open, signs are required not have a base footprint exceeding 600mm x 600mm).
- D.2 A-frame signs must be sturdy and unable to fall or be blown over and must be constructed of suitable durable materials.
- D.3 A-frame signs must not have protruding or moving parts when displayed.
- D.4 A-frame signs must not have flashing lights or any elements that can reflect light or dazzle.
- D.5 A-frame signs must not display offensive content.
- D.6 A-frame sign content must relate to the associated business.
- D.7 **A-frame sign must be positioned outside the associated business.**
- D.7.8 Where the A-Frame sign is located in a Heritage Conservation Area as defined in the Newcastle *Local Environmental Plan 2012* (LEP), the sign must only display business identification information in accordance with the provisions of *State Environmental Planning Policy No 64*.
- D.8.9 A-Frame signs must not cause an obstruction to Pedestrian Zones and are to be placed kerbside or within an **approved** ODT area.

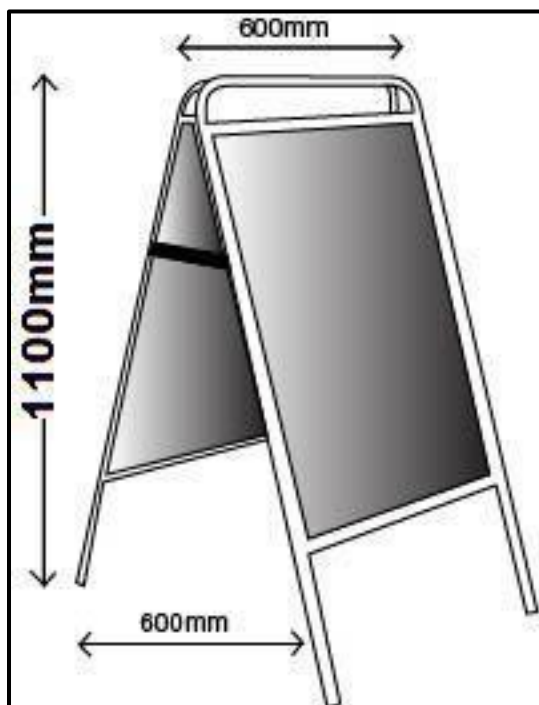
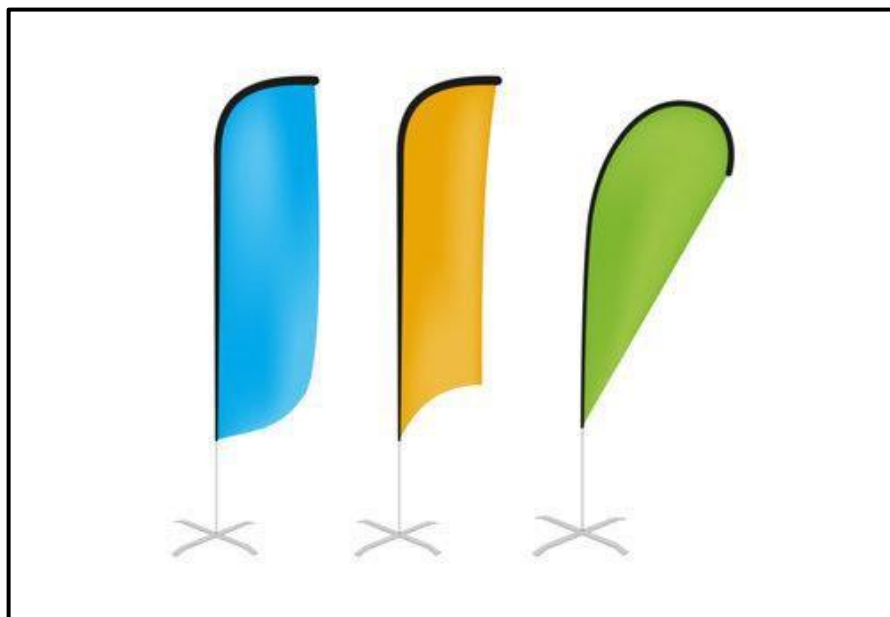


Figure 3: A-frame sign maximum dimensions

Annexure E - Articles Placed Within Area Guidelines – Flags including Tear Drop Flags

Flag structures including tear drop flags

- E.1 Flag structures must not exceed 2.5m high or the height of adjacent awnings or similar structures within a 10m radius, whichever is lower, and must not have a width exceeding 600mm at any point or in any direction.
- E.2 Flag structures must be free standing or in a base or holder that does not exceed 1100mm high x 600mm wide x 600mm deep and must not penetrate or have any associated part that penetrates the ground.
- E.3 Flag structures must be sturdy and unable to fall or be blown over and must be constructed of suitable durable materials.
- E.4 Flag structures and flags must not have any elements that can reflect light or dazzle.
- E.5 Flags must not display offensive content.
- E.6 Flag content must relate to the associated business.
- E.7 **Flags must be positioned outside the associated business.**
- E.7.8 Where the flag is located in a Heritage Conservation Area as defined in the *Newcastle Local Environmental Plan 2012 (LEP)*, the sign must only display business identification information in accordance with the provisions of *State Environmental Planning Policy No 64*.



Annexure F - Barrier Image

Barriers (café) safety screening

- F.1 Barriers must be free standing or in a base or holder that does not exceed 1100mm high x 600mm wide x 600mm deep and must not penetrate or have any associated part that penetrates the ground.
- F.2 Barriers must be sturdy and unable to fall or be blown over and must be constructed of suitable durable materials.
- F.3 Barriers must not have any elements that can reflect light or dazzle.
- F.4 Barriers must not display offensive content.
- F.5 Barrier content must relate to the associated business.
- F.6 Barriers must only be positioned at each end of an approved ODT area.
- F.7 Barriers must be positioned outside the associated business.



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Relevant strategic direction	Vibrant and Activated Public Places
Relevant strategy	N/a

<p>Relevant legislation/codes (reference specific sections)</p>	<p><i>Local Government Act 1993 (NSW)</i> S68 approval of Council Div1 Part E Public Roads S2 Div3 Making and determination of applications for approval - generally Part 2 Orders Div1 Giving of Orders S27 obstruction <i>State Environment Planning Policy (Exempt and Complying Development Codes) 2008 (NSW)</i> Subdivision 20A Footpaths - outdoor dining <i>Liquor Act 2007 (NSW)</i> Part 3 Division 1 S10, S11 Part 3 Division 3A S20C Part 3 Division 4 - S27 can only sell liquor ancillary to a meal Part 4 Licensing procedures and relates matters Division 1 <i>Workplace Health and Safety Act 2011 (NSW)</i> Division 4 Duty of officers, workers and other persons <i>Disability Discrimination Act 1992 (Cth)</i> S11 & 29A - Unjustifiable hardship S23 - Access to premises S24 Goods, services and facilities S122 - Liability of persons involved in unlawful acts <i>Disability Inclusion Act 2014 (NSW)</i>- a local council is an eligible entity and public authority as defined in the Act Part 1 Div3 Disability inclusion action plans - ODT would form part of this. <i>Environmental Planning and Assessment Act 1979 (NSW)</i> <i>Roads Act 1993 (NSW)</i> S125 Approval to use footway for restaurant purposes Div 3 S138 Works and Structures <i>Smoke-free Environment Act 2000 (NSW)</i> Section 4A Part 2 Prohibition on smoking in smoke free areas 6A Smoke free areas - outdoor public places <i>Companion Animals Act 1998 (NSW)</i> S14A - Dogs in Outdoor Dining S59-61 - Assistance Animals Australian Standard AS1428.2 continuous accessible path of travel-1992 (Public seating for ambulant people) Design for access and mobility – Enhanced and additional requests – Buildings and Facilities</p>
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Other related policies/ documents/ strategies	<p>Australian Standard AS 4564:2004 (<i>Radiant Gas Heaters Outdoor Gas and non-residential use</i>).</p> <p>Australian Human Rights Commission Guides</p> <p>Advisory note on streetscape, public outdoor areas, fixtures, fittings and furniture</p> <p>CN Customer Complaints Handling Policy</p> <p>CN Compliance and Enforcement Policy</p> <p>CN Mobile Food Vending Vehicles Policy</p> <p>Newcastle Development Control Plan 2012</p> <p>Newcastle Local Environment Plan 2012</p> <p>Public Participation</p> <p>RMS's Road Design</p> <p>AustRoad Guide to Traffic Engineering Practice Part 5</p> <p>Australia's Strategy for Protecting Crowded Places from Terrorism</p> <p>NSW Government Small Business Commissioners NSW Outdoor Dining Policy 2019</p> <p>NSW Government Small Business Commissioners NSW Outdoor Dining User Guide</p>
Related forms	<p>Outdoor Trading Application Form</p> <p>Application for New Infrastructure on a Public Road (Type 2) - Section 138 - Roads Act 1993</p> <p>NDCP Public Participation-Community Participation Plan</p> <p>CN Development Application</p> <p>https://www.newcastle.nsw.gov.au/Development/Development-Applications</p>
Required on website	Yes

ORDINARY COUNCIL MEETING
25 February 2020

Ordinary Council Meeting 25/02/2020

Adoption of Draft Outdoor Trading Policy

Item 2 - Attachment B: Draft Outdoor Trading Policy without track changes

DISTRIBUTED UNDER SEPARATE COVER

Policy

DRAFT Outdoor Trading Policy

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Part A Preliminary

1 Purpose

- 1.1 Facilitate the creation of a vibrant cosmopolitan trade atmosphere in appropriate areas of the city and surrounding suburbs.
- 1.2 Ensure an equitable and safe throughway is maintained on footways for pedestrians including the vision impaired, users of mobility aids – wheelchairs and scooters.
- 1.3 Facilitate the appropriate use of footways and public areas for the purposes of outdoor trading and dining activities including the use of free standing A-frame signage and flags to promote and activate business.
- 1.4 Facilitate improvement to the street vitality, amenity and economic viability.
- 1.5 Provide opportunities for shop owners, residents and visitors to benefit from pedestrian circulation.
- 1.6 Provide requirements and guidelines to inform the regulation of outdoor trading activities to avoid nuisance, obstruction, endangerment or inconvenience to the public and residential neighbourhoods.

2 Scope

- 2.1 The policy applies to all applications for ‘outdoor trading’ (ODT) on footways within the local government area. A ‘footway’ is that part of a road as is set aside or formed as a path or way for pedestrian traffic (whether or not it may also be used by bicycle traffic). A footway does not include a ‘Classified Road’.

ODT comprises premises wanting to operate a footway restaurant or offering goods for sale and requires a permit in accordance with Section 125 of the Roads Act 1993.

This policy does not apply to mobile food vending vehicles and anyone seeking approval to operate a mobile food vending vehicle must apply to CN for a permit in accordance with CN’s Mobile Food Vending Vehicles Policy.

This policy does not apply to other activities wanting to be conducted on a roadway or in any other public place e.g. public park, and any person wishing to undertake those activities should contact CN and seek advice about the appropriate permit process.

- 2.2 Applications for Permanent Structures require separate approval in addition to meeting the requirements of this policy (refer to clause 3.3 for more information).
- 2.3 Some provisions from the NSW Government Small Commissioners NSW Outdoor Dining Policy 2019 have been incorporated into this policy and in the event that there is an inconsistency between each policy, CN’s Outdoor Trading Policy takes precedence.
- 2.4 The information in this policy ~~form~~ outlines the requirements CN considers when assessing and approving ODT applications and regulating ODT activities.

Part B Application

3 Applying for an ODT area

- 3.1 Application for outdoor trading area – footways
 - 3.1.1 Applicants seeking a permit for an outdoor trading area must complete and submit an *Application for Outdoor Trading Form*.
 - 3.1.2 Application forms are available from the CN Customer Enquiry Centre at 12 Stewart Avenue, Newcastle West or CN's website - www.newcastle.nsw.gov.au.
 - 3.1.3 Prior to submitting an application to undertake ODT, applicants must self-assess the proposed outdoor trading area against the five requirement areas outlined in Table 1, and ensure clearance distances from existing street infrastructure as identified in Table 2 and clearance distances from essential services as identified in Table 3 are complied with.
 - 3.1.4. All applications must include a completed application ODT form, a site plan and a copy of current Public Liability Insurance with a limit of not less than \$20,000,000 identifying 'Newcastle City Council' as an 'Interested Party' which complies with clause 13 below, and all applicants/operators are to indemnify CN as set out in clause 12 below.
- 3.2 Application for ODT area – Permanent Structures.
 - 3.2.1 If an ODT area is to involve a Permanent Structure, approval for placement of the structure, in addition to approval under this policy is required. Applicants seeking approval for ODT areas involving a Permanent Structure should contact CN's Infrastructure Services on (02) 4974 2000 to discuss the application.
- 3.3 Lodging applications
 - 3.3.1 ODT applications may be lodged at the CN Customer Enquiry Centre in person, by email at mail@ncc.nsw.gov.au.
- 3.4 Prior to lodging an application for an ODT area, it is recommended that applicants contact CN's Customer Enquiry Centre to ensure they have the required plans, details and insurance certificates prior to submission to CN and to clarify whether any one-off fee may apply.
- 3.5 An application to renew an existing permit should be lodged a minimum of four weeks prior to the expiry of the existing permit.

4 Fees for application

- 4.1 There are no application or annual fees applied to applications for ODT areas.
- 4.2 There is a 'one off' fee charged for the installation of permanent markers within the footway identifying the boundaries of the approved ODT area. This fee only applies to new applications where an ODT has not been previously operated.
- 4.3 CN's Fees and Charges are reviewed annually. Current adopted and draft fees and charges schedules are accessible at CN's website www.newcastle.nsw.gov.au

Part C Exemptions from permit

5 Exemption from permit for A-frame signs

- 5.1 Subject to clause 8, a permit is not required for placement of a single A-Frame sign where it is placed:
 - 5.1.1 in accordance with the Locational Guidelines at Annexure A and;
 - 5.1.2 in accordance with the Placement Guidelines at Annexure B and;
 - 5.1.3 is a single sign that specifically conforms to the Articles Placed Within Area Guidelines – A-Frame Signs at Annexure D; and
 - 5.1.4 that single sign is placed separately from any other articles, is placed kerbside and not obstructing the Pedestrian Zone or is placed in an approved outdoor trading area.

6 Exemption from permit for flags

- 6.1 Subject to clause 8, a permit is not required for placement of flags where they are placed:
 - 6.1.1 in accordance with the Locational Guidelines at Annexure A and;
 - 6.1.2 in accordance with the Placement Guidelines at Annexure B and;
 - 6.1.3 with no more than three flags that specifically conform to the Articles Placed Within Area Guidelines – Flags including Tear Drop flags at Annexure E and;
 - 6.1.4 separately from any other articles, are placed kerbside and not obstructing a Pedestrian Zone or are placed in an approved ODT area.

Part D Permit

7 Factors considered when assessing applications for a permit

- 7.1 CN will consider the following factors when assessing all applications for permits for an ODT area subject to clause 8:
- 7.1.1 The *Local Government Act 1993* (NSW), *Roads Act 1993* (NSW); *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (NSW), *Work Health and Safety Act 2011* (NSW), *Disability Discrimination Act 1992* (Cth), *Australia's Strategy for Protecting Crowded Places from Terrorism*.
 - 7.1.2 any current Development Application conditions;
 - 7.1.3 CN's guidelines contained in Annexures A, B, C, D, E and F as appropriate;
 - 7.1.4 the provision of a continuous path of travel minimum 1.8m in width for pedestrians within the footway to ensure equitable access, disability inclusiveness as identified in Annexure B – Placement Guidelines
 - 7.1.5 the proximity of other outdoor trading areas;
 - 7.1.6 the frequency of use of the footway;
 - 7.1.7 the features of the footway including the width and construction; placement of existing Permanent Structures – CN rubbish bins, seats, bus stop shelters, post office box and the like;
 - 7.1.8 footway construction and condition;
 - 7.1.9 traffic considerations including pedestrian and customer safety issues;
 - 7.1.10 traffic considerations including areas adjacent to the road kerb or within existing sign posted zones relating to bus stops, taxi stands, parking for disabled and the like;
 - 7.1.11 applications for ODT liquor licensing approval require review by CN's Licensed Premises Reference Group (LPRG). The LPRG is comprised of representatives from CN, NSW Police Force, Liquor & Gaming NSW, NSW Health and assess all ODT applications associated with licensed premises;
 - 7.1.12 the ability of the premises to comply with this Policy.
- 7.2 CN will assess applications for alternative placement e.g. against the building alignment, where the applicant can demonstrate that, on the merits of the individual case, the alternative arrangement will better achieve the purposes of this Policy. Consideration is to be given to the need to balance public safety against business needs and amenity considerations. Refer to the Disability Discrimination Act 1992 (Cth) sections 23, 24 and 29A.
- 7.3 Alternative placement arrangements must be consistent with other business operating ODT in the same area. Staggering of ODT is not permitted.

Table 1: Factors to be considered when determining outdoor trading areas

Category		Key Considerations
1	<p>Location / site suitability</p> <p>Facilitate the appropriate use of footpaths and public places for outdoor trading activities</p>	<ul style="list-style-type: none"> - Minimum distances - Neighbours
2	<p>Safety</p> <p>Maintain an equitable and safe thoroughfare around outdoor trading areas for all users.</p>	<ul style="list-style-type: none"> - Public safety, including road safety - Accessibility - Line of sight - Management of animals - Engagement with public
3	<p>Amenity</p> <p>Facilitate improvement to the local character, street vitality and economic viability</p>	<ul style="list-style-type: none"> - Local character - Attractiveness - Local vitality
4	<p>Function</p> <p>Ensure the design, furniture, fixtures and day-to-day requirements of the outdoor trading space reflect the local area.</p>	<ul style="list-style-type: none"> - Design of space - Furniture - Fixtures - Daily operations
5	<p>Legal and compliance</p> <p>Ensure that the management of outdoor trading activities avoids nuisance, endangerment or inconvenience to neighbours and the general public.</p> <p>Address public liability and manage risks, and ensure compliance with state legislation including liquor laws.</p>	<ul style="list-style-type: none"> - Noise - Waste - Operational conditions - Council inspections - Insurance - Compliance with legislation

Table 2: Clearances from existing street infrastructure

Object	Minimum clearance from object
Fire Hydrants	1 metre
Exit doors	
Litter bins	
Public seats	
Pay phones	
Bicycle hoops	
Parking metres	
Tram stop shelters	
Bus stop shelters	
Tree plots	
Bollards	
Poles	
Other similar objects	

Table 3: Clearances from essential services

Object	Minimum clearance from object
Substations	1 metre
Fire exit doors	
Switch boards	
Hose reel cupboards	
Fire equipment stores	
Boosters	
Fire hydrants/fire plugs	
Communication poles	

8 RMS concurrence

- 8.1 An application for an ODT area on a Classified State Road with a speed limit of 60km/hr or adjacent to traffic control signals is prohibited without concurrence from the NSW Roads and Maritime Service (RMS). CN will seek this concurrence from RMS after an application is made by forwarding the application to RMS for consideration and approval.

9 Conditions of a permit

- 9.1 It is the responsibility of the ODT operator to meet all of the conditions of a permit which may include operating hours. ODT operating hours are clearly identified in the ODT permit.
- 9.2 A permit may be revoked by CN at any time for failure to comply with any condition of the permit.
- 9.3 Expiration of the permit will require lodgement of a new application.
- 9.4 CN may revoke or suspend a permit if access is required to the footway.
- 9.5 A permit lapses if the outdoor trading operator's business ceases to trade.
- 9.7 Despite any provisions of this Policy, CN may amend or revoke any permit to meet legislative requirements or altered circumstances at specific sites at any time. When there are concerns for safety, or where access is required to services or utilities located with.

10 Renewing a permit

- 10.1 Permits may be renewed at the expiration period or a maximum of 3 years.
- 10.2 CN will notify existing operators of the upcoming expiration of an existing ODT permit and invite operators to renew their ODT permit.
- 10.3 Operators will be required to advise CN whether they intend to renew their ODT or allow it to expire. If renewed, the ODT permit is valid for another 3 years.

11 Transferring a permit

- 11.1 ODT permits cannot be transferred when an existing business is sold to a new proprietor or when a new business begins operating at a property where a prior permit existed. A new application must be completed and lodged with CN at the Customer Enquiry Centre or via email mail@ncc.nsw.gov.au.

Part E Insurance

12 Indemnity

12.1 The applicant / operator of an ODT permit indemnifies, holds harmless and releases Newcastle City Council, its officers, members, directors, employees, consultants, agents, contractors, and other representatives from all claims, actions, damages, losses, costs, expenses, incurred or in connection with the ODT, including, or in connection with:-

- i. Any damage, or loss, injury or death caused or contributed to by the omission, neglect or default by the applicant/operator, their servants, employees or agents;
- ii. Any default by the applicant/operator and;
- iii. The use or occupation of the ODT.

Except to the extent caused or contributed to by the act, omission, neglect or willful default of CN.

13 Notification of Claims

13.1 The applicant / operator is required to submit a copy of their current Public Liability Certificate of currency to CN, prior to the placement of furniture within the approved outdoor trading area. A Certificate of Currency is required to be furnished with each renewal.

13.2 The operator of an ODT area must immediately notify CN should any claim be made against them.

13.3 Operators must at all times have continuous Public Liability Insurance, with a limit of not less than \$20,000,000 indemnity cover.

Part F Non-compliance

14 No permit

14.1 The use of an ODT area without a valid permit or not in accordance with the conditions of a permit is an offence and may result in the commencement of regulatory action as outlined in CN's Compliance and Enforcement Policy.

15 Breach of permit

15.1 The use of an ODT area will be reviewed if the use is not in accordance with the permit requirements.

15.2 CN will send out a notification of the review process to the ODT operator requesting representations within seven days of receiving the notification.

15.3 Following review of any representations and evidence gathered, CN may terminate the permit or otherwise cause the permit to lapse with one month's notice in writing.

16 Dispute Resolution

16.1 Any disputes arising from the operation of an ODT can be reported, investigated and managed in compliance with CN's Customer Complaints Handling Policy.

Part G Other

17 Cleanliness and maintenance

- 17.1 The ODT area must be maintained in a clean and tidy condition at all times.
- 17.2 Environmentally sound methods of cleaning and maintaining the ODT area must be used.
- 17.3 An 'assistance animal' is permitted in an ODT area in accordance with the *Disability Discrimination Act 1992* (Cth). Animals are otherwise only permitted in accordance with the *Companion Animals Act 1998* (NSW).
- 17.4 An ODT area must be paved or sealed for its full width. The permit holder is to bear the cost of all pavement repairs carried out by CN which have been caused by outdoor trading activities.

18 Smoking in outdoor trading areas used for outdoor dining purposes

- 18.1 Smoking in or adjacent to an ODT area is prohibited when an ODT area is used for the purpose of providing outdoor dining.
- 18.2 Where dining operates in an ODT area, the operator must display No Smoking signage within the ODT area and abide by the *Smoke-free Environment Act 2000* (NSW).

19 Dogs in Outdoor Dining Areas

- 19.1 A dog, except a restricted or declared dangerous or menacing dog, is allowed in the ODT area of a cafe or restaurant with the cafe or restaurant owner's consent and in accordance with the *Companion Animals Act 1998* (NSW) s14A. Certain restrictions apply:
 - 19.1.1 the ODT area must not be enclosed and must be accessible without the requirement to pass through an enclosed area;
 - 19.1.2 the dog must be on a leash at all times;
 - 19.1.3 the dog may be provided with drink, but not food;
 - 19.1.4 the dog must be on the ground at all times.

20 Crime Prevention

- 20.1 Operators of the business with an approved ODT area are encouraged to provide a notice advising patrons to secure their bags or valuables while using an ODT area particularly when an ODT area is used for the purpose of providing outdoor dining.

Part H Definitions

21 Definitions

- 21.1 **A-frame sign** – upright, rigid supporting frame with two flat connected panels at the top in the form of a triangle or an inverted V. Refer Annexure D.
- 21.2 **Barriers (café)** – safety screening - refer Annexure F.
- 21.3 **City of Newcastle (CN)** means Newcastle City Council.
- 21.4 **Flag Structure** – pole, staff or similar article with a piece of cloth or bunting displaying a design, symbolic colours or patterns. Refer Annexure E.
- 21.5 **Permanent Structure** – any article not intended to be moved around frequently and would be difficult to move without mechanical and other assistance.
- 21.6 **ODT Operator** – the entity that exercises management and control over an ODT area used for the purpose of outdoor dining.
- 21.7 **Outdoor Trading Area (ODT)** –a part of the footway , utilised on a temporary basis for commercial activities which may include the display of articles, signs, goods, food or beverages for consumption or display in association with an adjacent approved business.
- 21.8 **Pedestrian Zone** – unobstructed access area of at least 1.8m.

Unless stated otherwise, a reference to a clause is a reference to a clause of the policy.

Annexure A - Locational Guidelines

Locational Guidelines

A.1 Associated premises

A.1.1 An ODT area will only be considered by CN where:

A.1.1.1 it is in association with an adjacent approved business premises

A.1.1.2 the applicant is the owner/proprietor of that business premises.

A.2 Site requirements

A.2.1 An ODT area is only appropriate where:

A.2.1.1 the public space is wide enough to accommodate the ODT area while still maintaining a clear pathway of travel minimum 1.8m in width for all pedestrians including those who use mobility aids and;

A.2.1.2 the ground surface of the ODT area is suitably constructed and sufficiently level to accommodate proposed articles and enable the area to be used safely and without inconvenience to pedestrians or vehicles and;

A.2.1.3 there is no unreasonable hazard to pedestrians, users of trading areas or vehicular traffic.

A.3 Neighbourhood amenity

A.3.1 The location and operation of ODT areas must take into consideration the amenity of neighbours and other users of public areas.

A.3.2 Applications submitted within a residential zone will be publicly notified in accordance with the provisions of Newcastle Development Control Plan 2012 Section 8.00 Public Participation.

Annexure B - Placement Guidelines

Placement Guidelines

- B.1 Placement and defining ODT areas;
 - B.1.1 An ODT area is to be clearly marked and operated within the approved area (as determined by CN) only.
 - B.1.2 The boundary markers of the ODT area shall be installed and maintained by CN after a permit is granted and are subject to a one-off fee as identified in clause 4.2.
 - B.1.3 ODT areas will only be approved immediately adjacent to the business to which it relates.
 - B.1.4 ODT areas must be located so that the proprietor is able to supervise activities in the area from within the premises.
 - B.1.5 ODT must consider and comply where possible with 'Australia's Strategy for Protecting Crowded Places from Terrorism'.
 - B.2 Access requirements
 - B.3 An ODT area must:
 - B.3.1 provide an unobstructed pedestrian path of travel along the footway
 - B.3.2 preferably be located adjacent to the road kerb, generally in accordance with Figure 1, to optimise pedestrian access. Where this is not possible, CN will consider the circumstances referred to in clause 7.2 & 7.3
 - B.3.3 maintain a minimum clear width of 1.8m exclusive of any obstruction or street fixtures (e.g. seats, bench, tree, rubbish bin, pole) from the property boundary towards the roadway to provide access for pedestrians using a mobility aid. In special circumstances (e.g. high volume pedestrian or traffic areas, such as near busy intersections) greater widths may be required.
 - B.3.4 where vehicles are permitted to park against the kerb, be at least 0.6m from the kerb edge to provide a safety buffer from vehicles and to enable passengers to alight from and access parked vehicles
 - B.3.5 provide a suitable barrier (temporary, framed fabric style or planter box style or a suitable contrast to the surrounds to be visible at all times) aligned at each end of the ODT area with the outdoor trading boundaries as depicted in Figure 2 and referred to in Annexure F.
 - B.3.6 not inhibit access to public utilities such as fire hydrants, access holes, inspection chambers, telephone and electricity underground cables, water service pipes and the like
 - B.3.7 where situated at a street intersection corner, be designed to reflect how the appropriate principles in AustRoads Guide to Traffic Engineering Practice – Part 5 and the RMS's Road Design Guide have been applied to the intersection typology and traffic calming infrastructure in order to maximise public safety. Refer to Figure 2. At some locations reduced setbacks may be permitted having regard to the sight lines present at the location.
-

- B3.8 provide adequate clear zone provision to the trading area in accordance with the RMS's *Road Design Guide* where relevant.
- B3.9 not be located adjacent to the road kerb or within existing sign posted zones relating to bus stops, taxi stands, parking for disabled and the like.
- B.3.10 not be located on both sides of the pedestrian access path unless the location has been purpose built to accommodate placement of furniture.

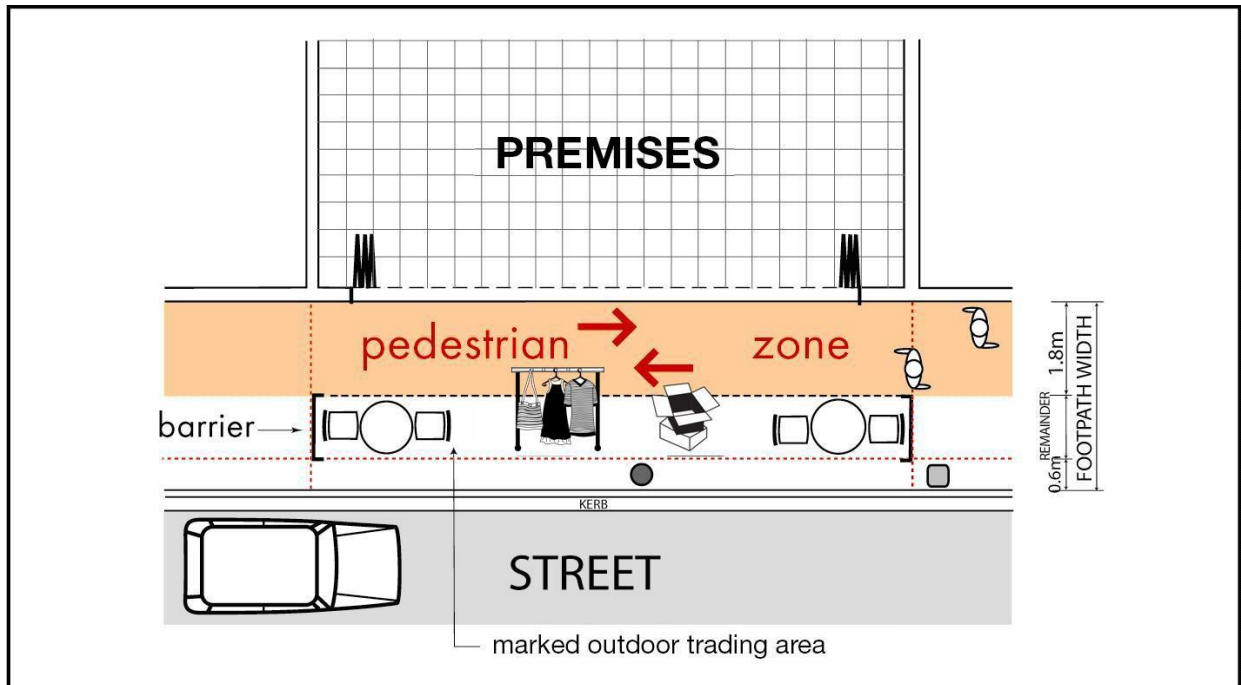


Figure 1: Preferred ODT location Adjacent to kerb

Marked ODT area adjacent to the kerb aligned to the respective business.

- i) Minimum pedestrian path of 1.8m.
- ii) Set back 0.6m from kerb.
- iii) All tables, chairs and other outdoor furniture are to be kept in the designated outdoor trading area at all times.

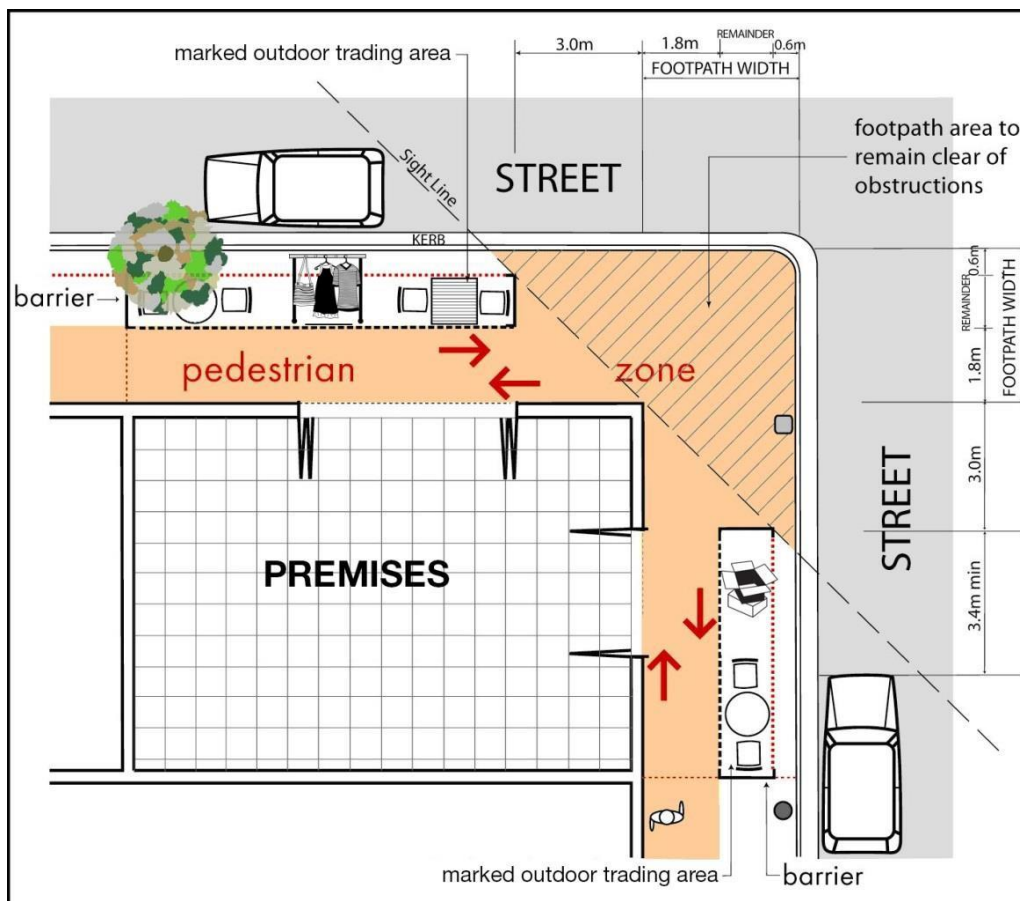


Figure 2: ODT adjacent to kerb at corner location

Marked ODT area adjacent to the kerb at street corner.

- i) Vehicle sight line maintained with nominal 3m setback pending locational circumstances.
- ii) Minimum unobstructed pedestrian path of 1.8m on both street frontages.
- iii) Set back 0.6m from kerb.
- iv) All articles, signs, goods, food or beverages for consumption, display are to be kept in the designated outdoor trading area at all times.

• **Note:** Figure 2 should be read as a guide only. Relevant traffic requirements must be complied with on a site by site basis.

B.3.11 Toilet facilities must be available for patrons at the premises to which it relates when an ODT area is used for the purpose of providing outdoor dining and the combined seating capacity of both internal and ODT areas is greater than 20 places.

B.4 Consumption of alcohol -

B.4.1 Alcohol may be supplied or consumed in an ODT area subject to any requirements of the Independent Liquor and Gaming Authority and any approval conditions imposed by CN.

Annexure C – Articles Placed Within Area Guidelines Generally

Articles Placed Within Area Generally

- C.1 Articles placed within ODT areas including articles, furniture, tables, chairs, planter boxes, Barriers and menu boards must, at all times, be properly placed and confined within the ODT area and shall not impact upon the safety of other users.
- C.2 Articles placed within ODT area shall not protrude from the area except for flags, umbrellas and shade structures.
- C.3 Items placed in the ODT area must not cause damage to the existing footway or other public infrastructure. The ODT operator is responsible for any damage caused to third parties.
- C.4 It is the responsibility of the business to ensure that patrons do not move furniture or goods from within the boundaries of the outdoor trading area onto the pedestrian path of travel.
- C.5 No article including furniture is to be permanently fastened to the footway without the separate prior approval of CN.
- C.6 Articles or structures not permanently fastened to the footway must be removed from the ODT area upon completion of trading each day.
- C.7 ODT areas on footways and public spaces to which vehicular traffic has access must be protected by approved Barriers. Refer Annexure F
- C.8 Umbrellas and shade structures
 - C.8.1 Umbrellas and shade structures must be anchored to ensure that they are secured to withstand the effects of wind.
 - C.8.2 Umbrellas and shade structures must be positioned to ensure that they will not cause an injury to patrons or pedestrians.
- C.9 Heating devices
 - C.9.1 Free standing heaters located within ODT areas must comply with *Australian Standard AS 4564:2004 (Radiant Gas Heaters for Outdoor Gas non-residential indoor use)* and must be certified by the Australian Gas Association.
 - C.9.2 Heating devices must be contained wholly within the ODT area.
 - C.9.3 Heating devices must be positioned and secured to ensure that they will not cause any injury to patrons or pedestrians. ODT operators are responsible for any damage caused.

Annexure D - Articles Placed Within Area Guidelines – A-Frame Signs

A-Frame Signs

- D.1 A-frame signs must not exceed 1100mm high when open x 600mm wide x 600mm deep. (When open, signs are required not have a base footprint exceeding 600mm x 600mm).
- D.2 A-frame signs must be sturdy and unable to fall or be blown over and must be constructed of suitable durable materials.
- D.3 A-frame signs must not have protruding or moving parts when displayed.
- D.4 A-frame signs must not have flashing lights or any elements that can reflect light or dazzle.
- D.5 A-frame signs must not display offensive content.
- D.6 A-frame sign content must relate to the associated business.
- D.7 A-frame sign must be positioned outside the associated business.
- D.8 Where the A-Frame sign is located in a Heritage Conservation Area as defined in the Newcastle *Local Environmental Plan 2012* (LEP), the sign must only display business identification information in accordance with the provisions of *State Environmental Planning Policy No 64*.
- D.9 A-Frame signs must not cause an obstruction to Pedestrian Zones and are to be placed kerbside or within an ODT area.

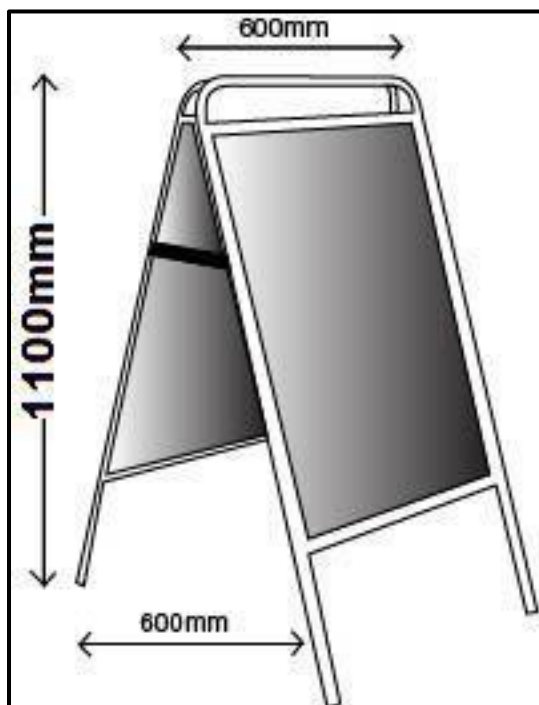
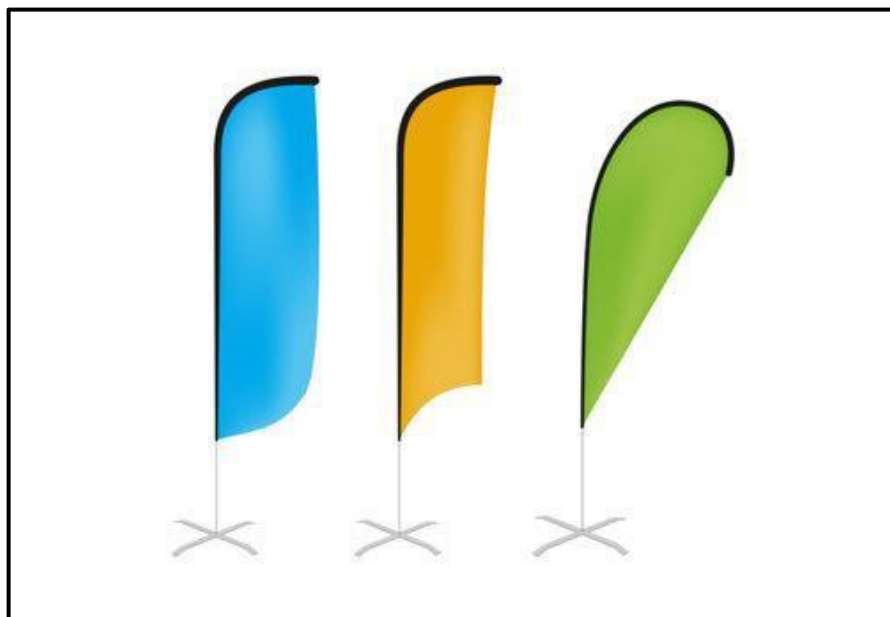


Figure 3: A-frame sign maximum dimensions

Annexure E - Articles Placed Within Area Guidelines – Flags including Tear Drop Flags

Flag structures including tear drop flags

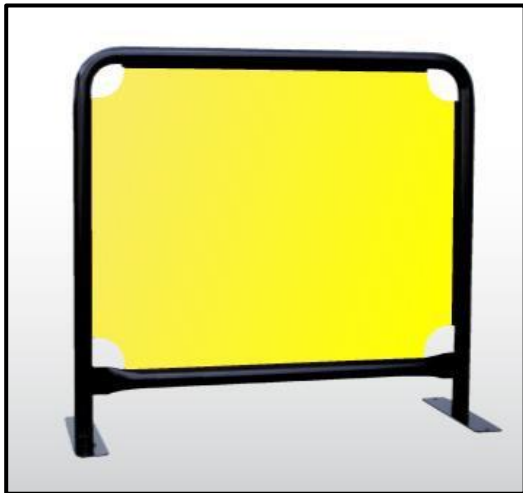
- E.1 Flag structures must not exceed 2.5m high or the height of adjacent awnings or similar structures within a 10m radius, whichever is lower, and must not have a width exceeding 600mm at any point or in any direction.
- E.2 Flag structures must be free standing or in a base or holder that does not exceed 1100mm high x 600mm wide x 600mm deep and must not penetrate or have any associated part that penetrates the ground.
- E.3 Flag structures must be sturdy and unable to fall or be blown over and must be constructed of suitable durable materials.
- E.4 Flag structures and flags must not have any elements that can reflect light or dazzle.
- E.5 Flags must not display offensive content.
- E.6 Flag content must relate to the associated business.
- E.7 Flags must be positioned outside the associated business.
- E.8 Where the flag is located in a Heritage Conservation Area as defined in the *Newcastle Local Environmental Plan 2012 (LEP)*, the sign must only display business identification information in accordance with the provisions of *State Environmental Planning Policy No 64*.



Annexure F - Barrier Image

Barriers (café) safety screening

- F.1 Barriers must be free standing or in a base or holder that does not exceed 1100mm high x 600mm wide x 600mm deep and must not penetrate or have any associated part that penetrates the ground.
- F.2 Barriers must be sturdy and unable to fall or be blown over and must be constructed of suitable durable materials.
- F.3 Barriers must not have any elements that can reflect light or dazzle.
- F.4 Barriers must not display offensive content.
- F.5 Barrier content must relate to the associated business.
- F.6 Barriers must only be positioned at each end of an approved ODT area.
- F.7 Barriers must be positioned outside the associated business.



Document Control

Policy title	Outdoor Trading Policy
Policy owner	Manager, Regulatory, Planning and Assessment
Policy expert/writer	Regulatory Section Manager
Associated Procedure Title (if applicable)	N/A
Procedure owner (if applicable)	N/A
Prepared by	Regulatory, Planning and Assessment Service Unit
Approved by	Council
Date approved	
Policy approval form reference	ECM# 5708092
Commencement Date	
Next revision date (date policy will be revised)	
Termination date	
Version	4
Category	Governance
Keywords	Food, business, display, seating, disability inclusion, access, items for sale, pedestrian, kerbside, sales, footpath, stall, shops, outdoor, trading, dining, liquor license, tear drop, signs, footway, A-frame, alcohol.
Details of previous versions	Version 1 – ECM # 3320575 Version 2 – ECM # 4475248
Legislative amendments	Nil
Relevant strategic direction	Vibrant and Activated Public Places
Relevant strategy	N/a

<p>Relevant legislation/codes (reference specific sections)</p>	<p><i>Local Government Act 1993 (NSW)</i> S68 approval of Council Div1 Part E Public Roads S2 Div3 Making and determination of applications for approval - generally Part 2 Orders Div1 Giving of Orders S27 obstruction <i>State Environment Planning Policy (Exempt and Complying Development Codes) 2008 (NSW)</i> Subdivision 20A Footpaths - outdoor dining <i>Liquor Act 2007 (NSW)</i> Part 3 Division 1 S10, S11 Part 3 Division 3A S20C Part 3 Division 4 - S27 can only sell liquor ancillary to a meal Part 4 Licensing procedures and relates matters Division 1 <i>Workplace Health and Safety Act 2011 (NSW)</i> Division 4 Duty of officers, workers and other persons <i>Disability Discrimination Act 1992 (Cth)</i> S11 & 29A - Unjustifiable hardship S23 - Access to premises S24 Goods, services and facilities S122 - Liability of persons involved in unlawful acts <i>Disability Inclusion Act 2014 (NSW)</i>- a local council is an eligible entity and public authority as defined in the Act Part 1 Div3 Disability inclusion action plans - ODT would form part of this. <i>Environmental Planning and Assessment Act 1979 (NSW)</i> <i>Roads Act 1993 (NSW)</i> S125 Approval to use footway for restaurant purposes Div 3 S138 Works and Structures <i>Smoke-free Environment Act 2000 (NSW)</i> Section 4A Part 2 Prohibition on smoking in smoke free areas 6A Smoke free areas - outdoor public places <i>Companion Animals Act 1998 (NSW)</i> S14A - Dogs in Outdoor Dining S59-61 - Assistance Animals Australian Standard AS1428.2 - 1992 Design for access and mobility – Enhanced and additional requests – Buildings and Facilities</p>
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Other related policies/ documents/ strategies	<p>Australian Standard AS 4564:2004 (<i>Radiant Gas Heaters Outdoor Gas and non-residential use</i>).</p> <p>Australian Human Rights Commission Guides</p> <p>Advisory note on streetscape, public outdoor areas, fixtures, fittings and furniture</p> <p>CN Customer Complaints Handling Policy</p> <p>CN Compliance and Enforcement Policy</p> <p>CN Mobile Food Vending Vehicles Policy</p> <p>Newcastle Development Control Plan 2012</p> <p>Newcastle Local Environment Plan 2012</p> <p>Public Participation</p> <p>RMS's Road Design</p> <p>AustRoad Guide to Traffic Engineering Practice Part 5</p> <p>Australia's Strategy for Protecting Crowded Places from Terrorism</p> <p>NSW Government Small Business Commissioners NSW Outdoor Dining Policy 2019</p> <p>NSW Government Small Business Commissioners NSW Outdoor Dining User Guide</p>
Related forms	<p>Outdoor Trading Application Form</p> <p>Application for New Infrastructure on a Public Road (Type 2) - Section 138 - Roads Act 1993</p> <p>Community Participation Plan</p> <p>CN Development Application https://www.newcastle.nsw.gov.au/Development/Development-Applications</p>
Required on website	Yes

**ORDINARY COUNCIL MEETING
25 FEBRUARY 2020**

**ITEM 6 - CCL 25/02/20
LIVE MUSIC STRATEGY UPDATE**

Item 6 - Attachment A: Live Music Strategy 2019 - 2023

**Item 6 - Attachment B: Progress Report Against Actions of Live Music
Strategy 2023**

DISTRIBUTED UNDER SEPARATE COVER

**ORDINARY COUNCIL MEETING
25 FEBRUARY 2020**

**ITEM 6 - CCL 25/02/20
LIVE MUSIC STRATEGY UPDATE**

Item 6 - Attachment A: Live Music Strategy 2019 - 2023

DISTRIBUTED UNDER SEPARATE COVER

Live Music

Acknowledgment

City of Newcastle 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. Council reiterates its commitment to addressing disadvantages and attaining justice for Aboriginal and Torres Strait Islander peoples of this community.

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City of Newcastle
PO Box 489, Newcastle NSW 2300
Phone 4974 2000 Fax 4974 2222
mail@ncc.nsw.gov.au
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Introduction

Newcastle has a proud night time live music culture that has endured since the early 1970s. The music scene back then was a little raw and unstructured, with scant regard for what we know today as safe work practices and responsible venue management, however it's fair to say that the passion demonstrated by musicians and audiences alike was part of a wave of live music optimism that swept Australian cities and towns during that period.

Fast forward forty years and the city has matured from a predominantly in-your-face pub rock culture to now embrace a range of engaging live music settings and experiences in the night time economy. Changes in the music business landscape including online music creation platforms, recording and production technologies, shifting consumer tastes and a focus on venue safety reflects our city's ongoing evolution, community diversity and links to global markets. We know that the Newcastle community places a high value on experiencing and participating in live music regularly and that there is a depth of local talent and entrepreneurship that is as strong as it ever was.

There is also a large body of research that highlights the importance of live music in early childhood learning, youth identity, social inclusion and end of life well being. City of Newcastle (CN) recognises the role that music plays in contributing to these positive community outcomes as well as the contribution it makes to the city's night time economy through employment opportunities and place activation. This strategy seeks to formally embed the principles of creativity and inclusion associated with live music into strategic thinking as the city grows. This will enable us to create a built environment that encourages and celebrates live music as well as to recognise the need to provide residential amenity for those living in higher density urban centres.

In February 2018 City of Newcastle made a commitment to protecting the Newcastle live music industry guided by evidence based research and examples of good practice in this sector. In making this commitment the City recognised the role it can play through advocating for changes to planning legislation, by the creation of the Newcastle Live Music Task Force to lead change and in nurturing all ages music through CN managed venue provision for rehearsal and performance.

City of Newcastle is aware that no single agency or individual can deliver sustainable growth in live music sector. Positive gains will only be made through investment in the development and monitoring of tangible actions, collaborations and partnerships that provide opportunities for a diverse and inclusive music sector. It is clear that change is a constant in our lives and CN will commit to keeping this strategy up to date as new challenges and opportunities arise so that live music remains a key component of Newcastle's night time economy and cultural landscape.

The overall aim of this strategy is to support a vibrant and sustainable live music sector in Newcastle.

Rock concert at Nobbys Beach, January 1977

104 009296 - 104 009300
Newcastle Morning Herald Collection
Newcastle Region Library



Executive Summary

Live music has been making a positive contribution to the Newcastle community and night time economy for more than forty years. As a community we've continued to incubate and support new talent, venues and audiences against a backdrop of social and built environment changes. To reinforce the contribution live music makes to our city, we've undertaken a body of research and community engagement to develop an action plan that will deliver on this.

The City of Newcastle's (CN) vision for our night time economy includes a vibrant live music scene based on safe and flexible public transport, good practice venue design, residential amenity and a clear set of guidelines for the development and management of live music and sound. The community and music sector stakeholders have also told us that they place a high value on the cultural and economic contribution that live music makes to the city's identity and well being and that there is a need to manage residential amenity and encourage music sector growth.

Planning for a built environment that is reliant on mixed use urban village centres means that governments of all levels will need to collaborate to ensure that residential amenity is maintained, entertainment precincts are identified, venues are encouraged to develop and audiences have safe, flexible transport options to move from performances to home. This work needs to be done using a range of clear legislative controls so that noise levels can be quantified, managed and resolved as required. Further, research will need to be undertaken around improved sound attenuation and advice provided to cultural entrepreneurs to assist in the understanding of planning and compliance legislation.

As the city changes, we will see adaptive re-use of existing buildings for the establishment of new live music venues as well as the upgrade of older venues as audience tastes continue to evolve and the night time economy grows. Venues themselves evolve too as they

seek to add value to their place in the market and as city changes around them.

As a community we've continued to incubate new local talent, venues and audiences against a backdrop of social change and urban renewal. To reinforce the contribution live music makes to our city, we've undertaken a body of research and community engagement to develop an action plan that will achieve this commitment.

Following extensive research and engagement with both music industry stakeholders and the wider community, CN has captured data and feedback that can be summarised under 5 (five) key themes where actions can be delivered to improve to the live music sector:

venue management and safety

promotion, development and diversification of music sector

conflict mitigation between live music venues and surrounding communities

definition, awareness of and expectation management of music precincts

transport mode diversity and service flexibility

In response to these themes CN has developed an Action Plan (refer page 27) that will contribute to sustainable growth of live music in Newcastle. These actions are clustered against the themes above and will be monitored and reported annually using the Newcastle Live Music Task Force as a reference panel to ensure that tangible progress is being made and/or to consider new evidence and trends in live music development.



Newcastle 2030
Community
Strategic Plan

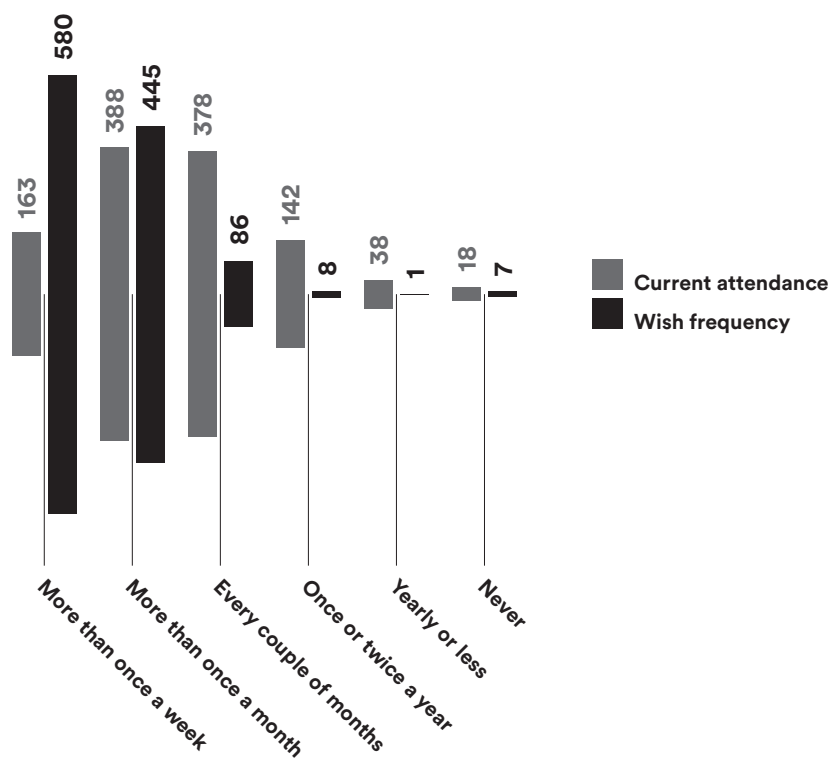
Newcastle
After Dark Strategy
2018–2020

Live Music
Strategy
2019–2023

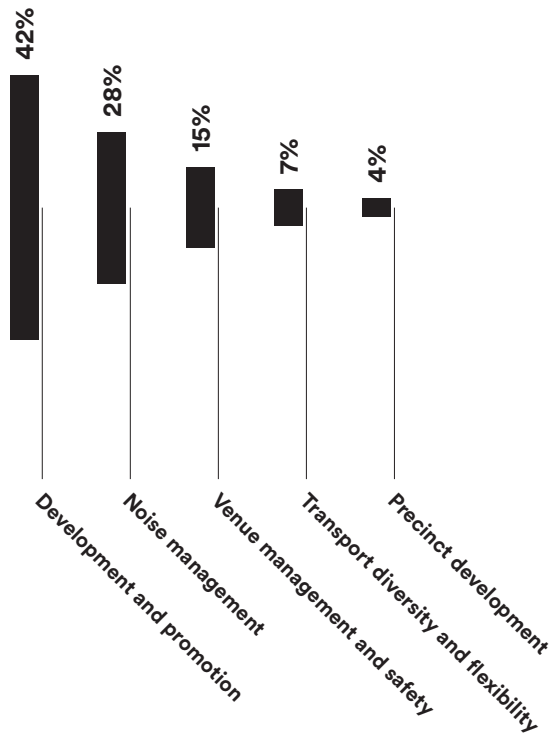
Online mapping and survey results

1130 survey responses received

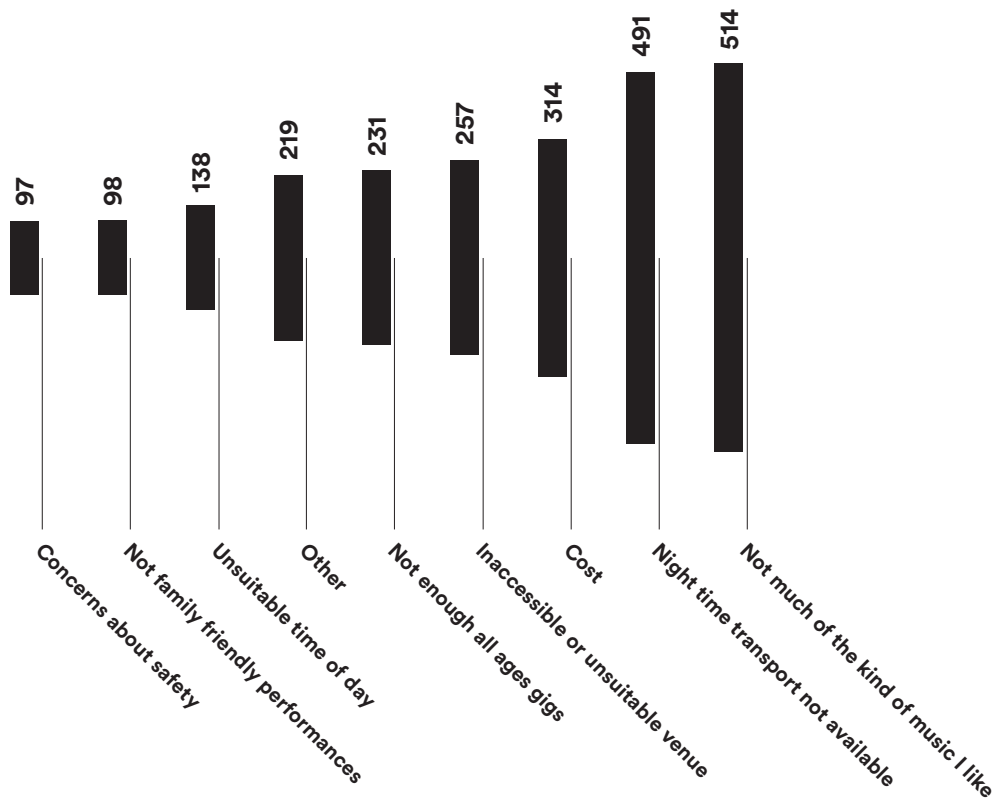
How often you are currently attending live music versus how often you would like to be going?

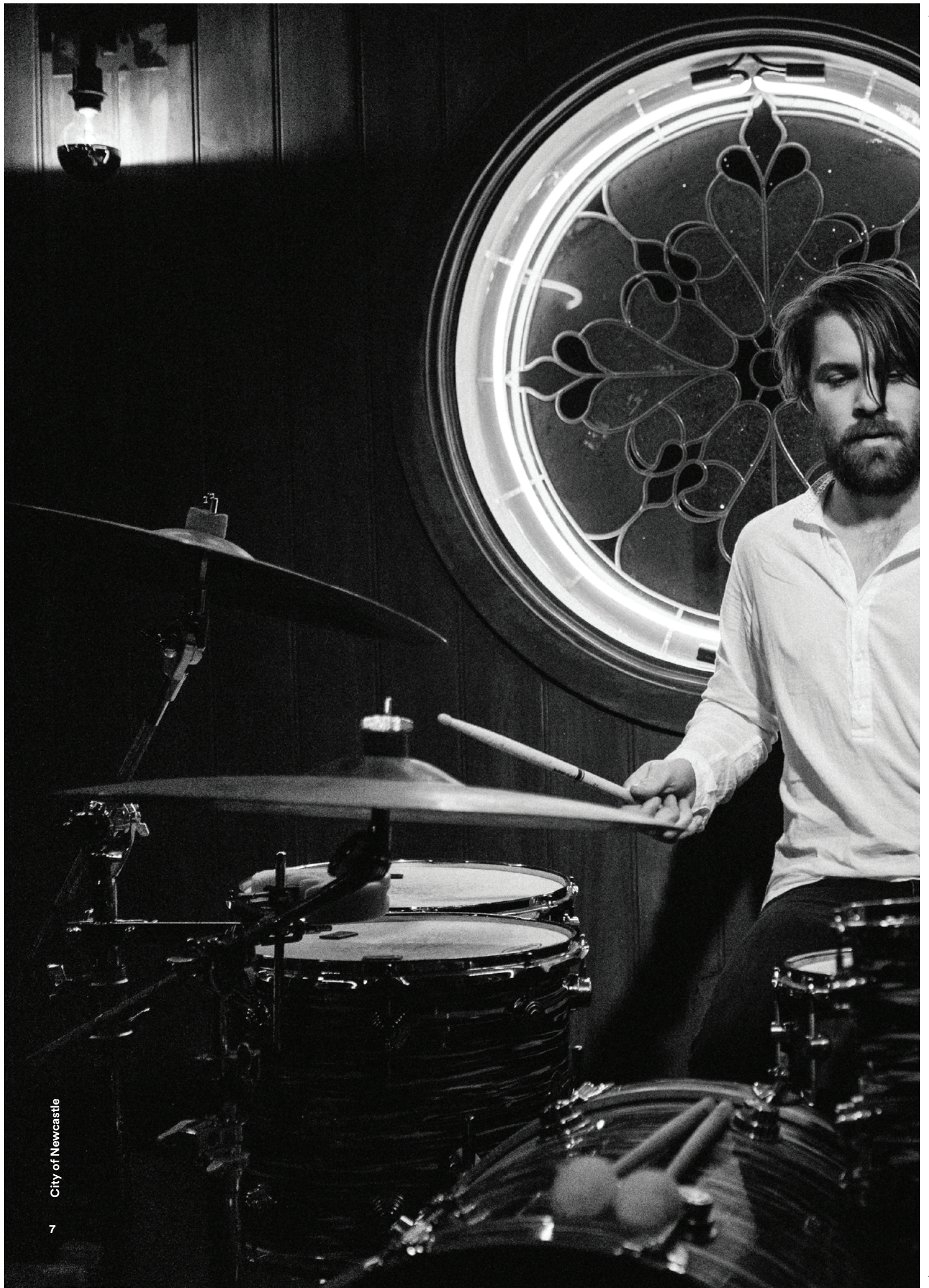


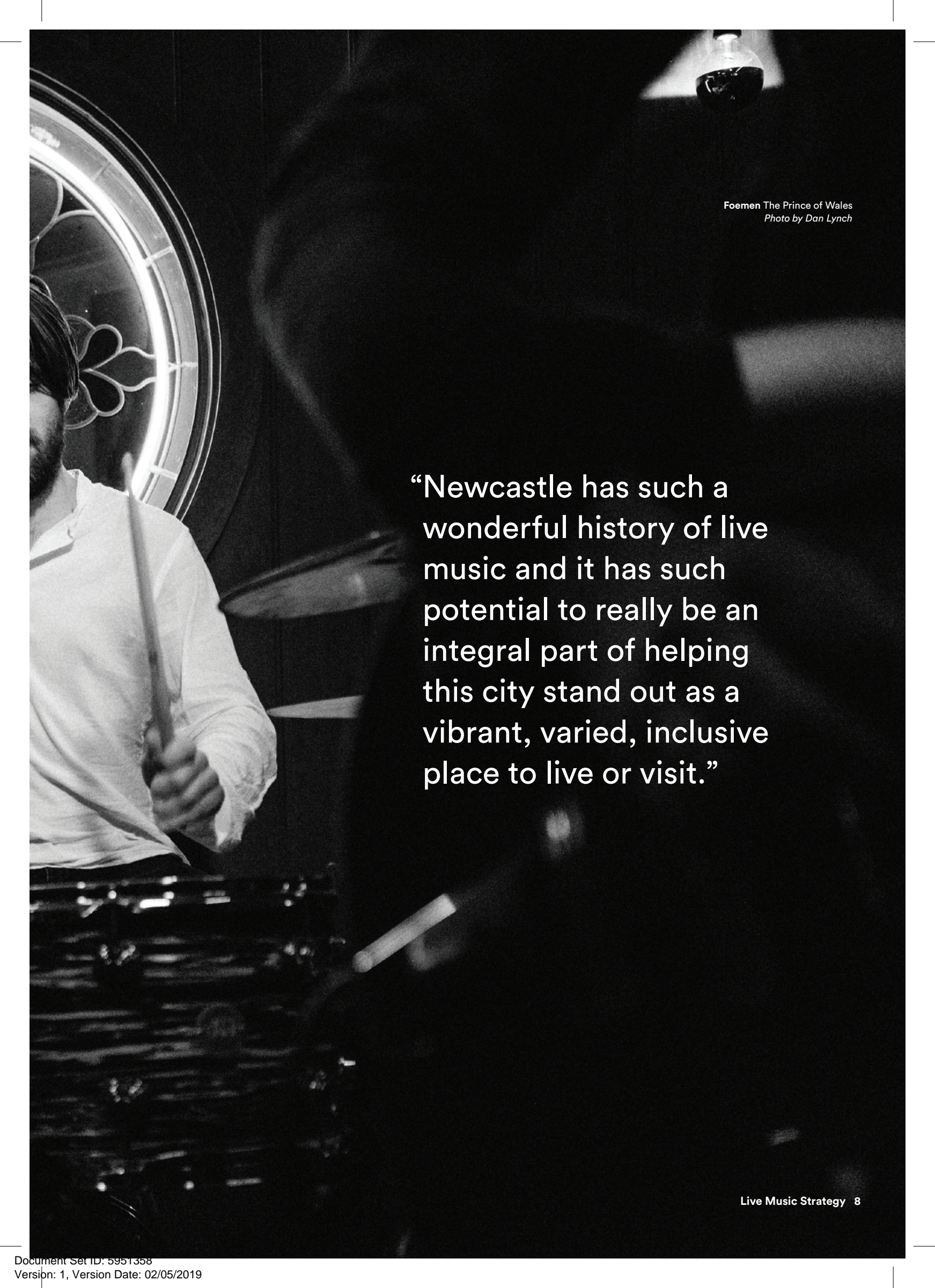
IDENTIFIED THEME



What are the things that prevent you seeing more live music in Newcastle?



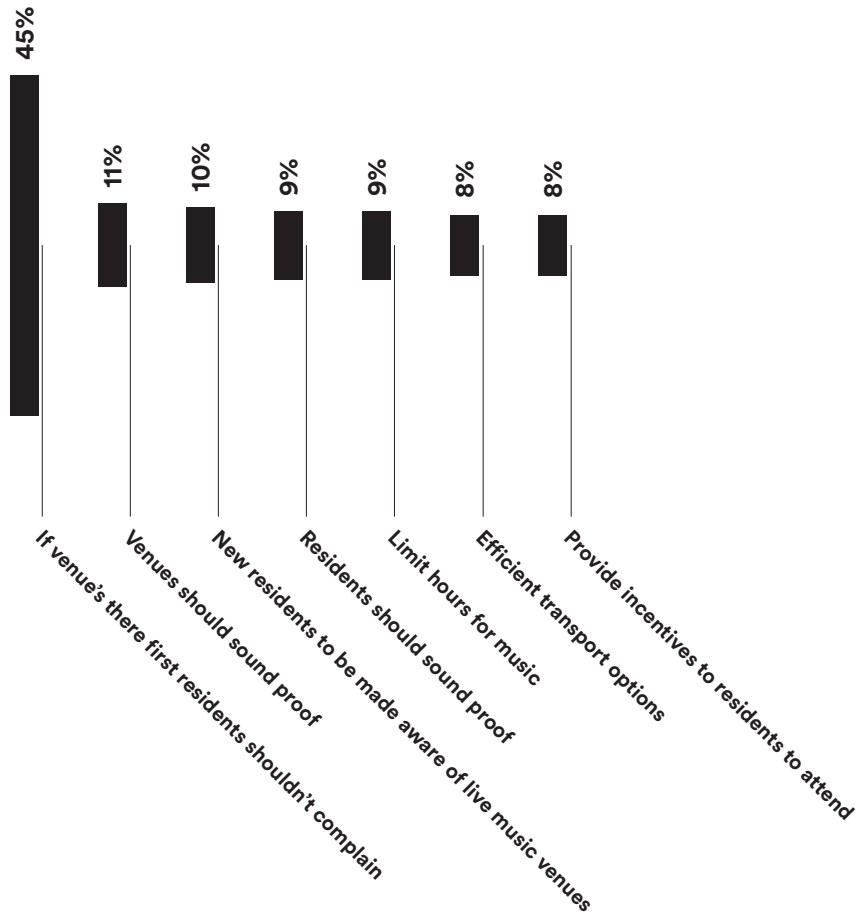




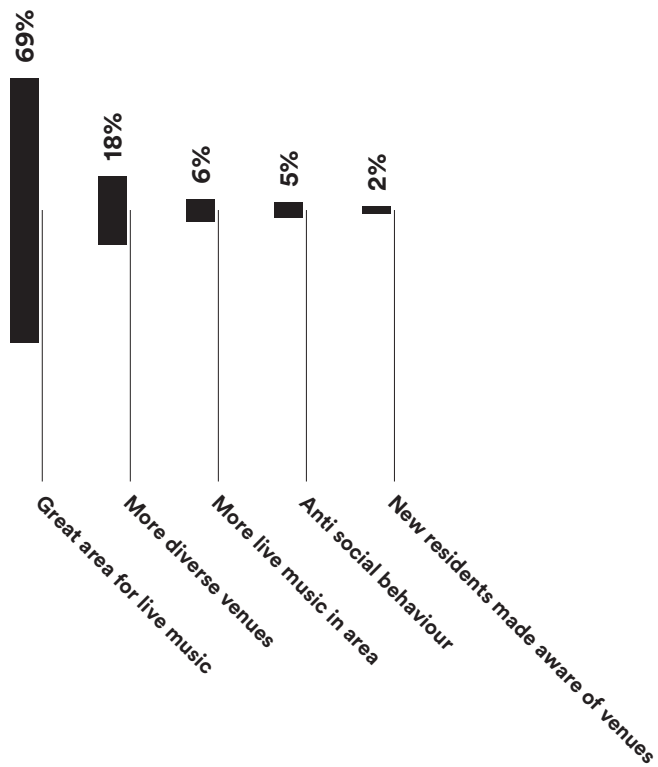
Foemen The Prince of Wales
Photo by Dan Lynch

“Newcastle has such a wonderful history of live music and it has such potential to really be an integral part of helping this city stand out as a vibrant, varied, inclusive place to live or visit.”

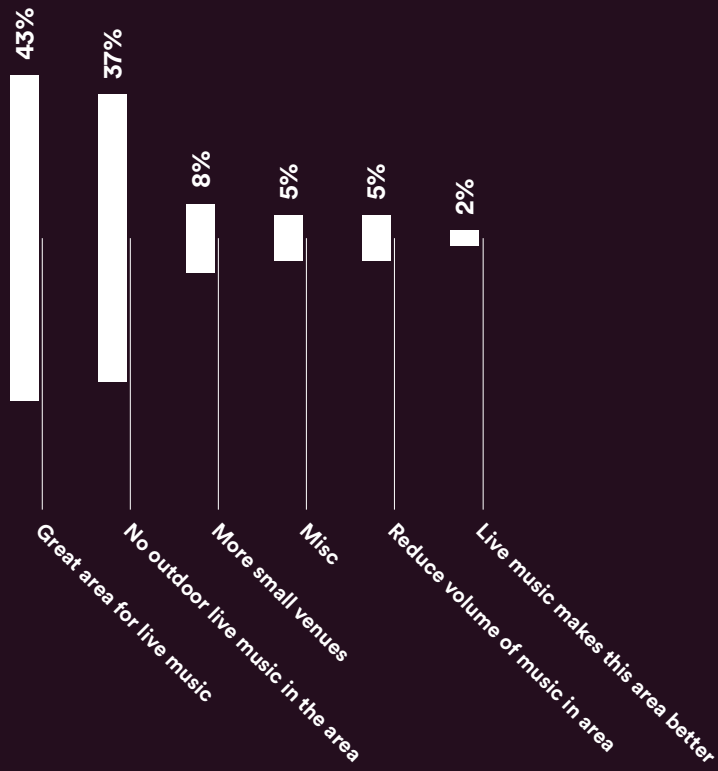
What could be done to improve the quality of life for residents living near live music venues or performances areas?



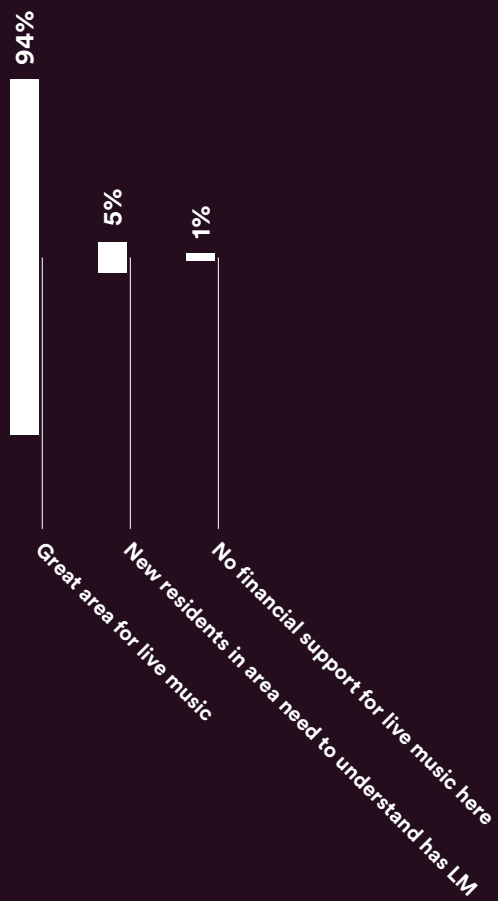
HAMILTON / MAYFIELD / BROADMEADOW



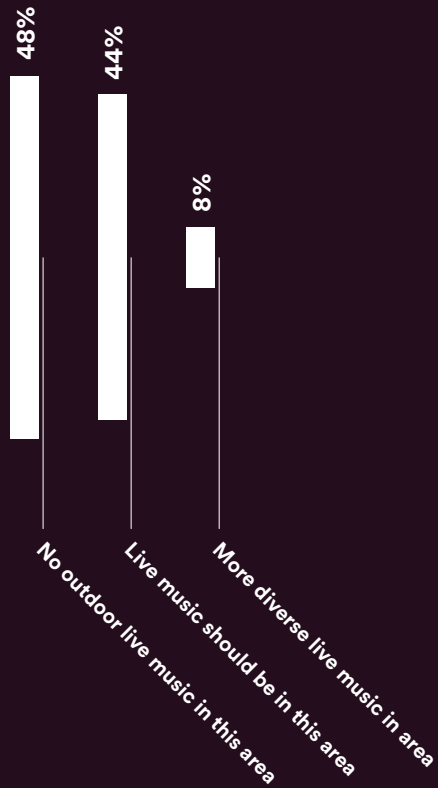
EAST END



WEST END



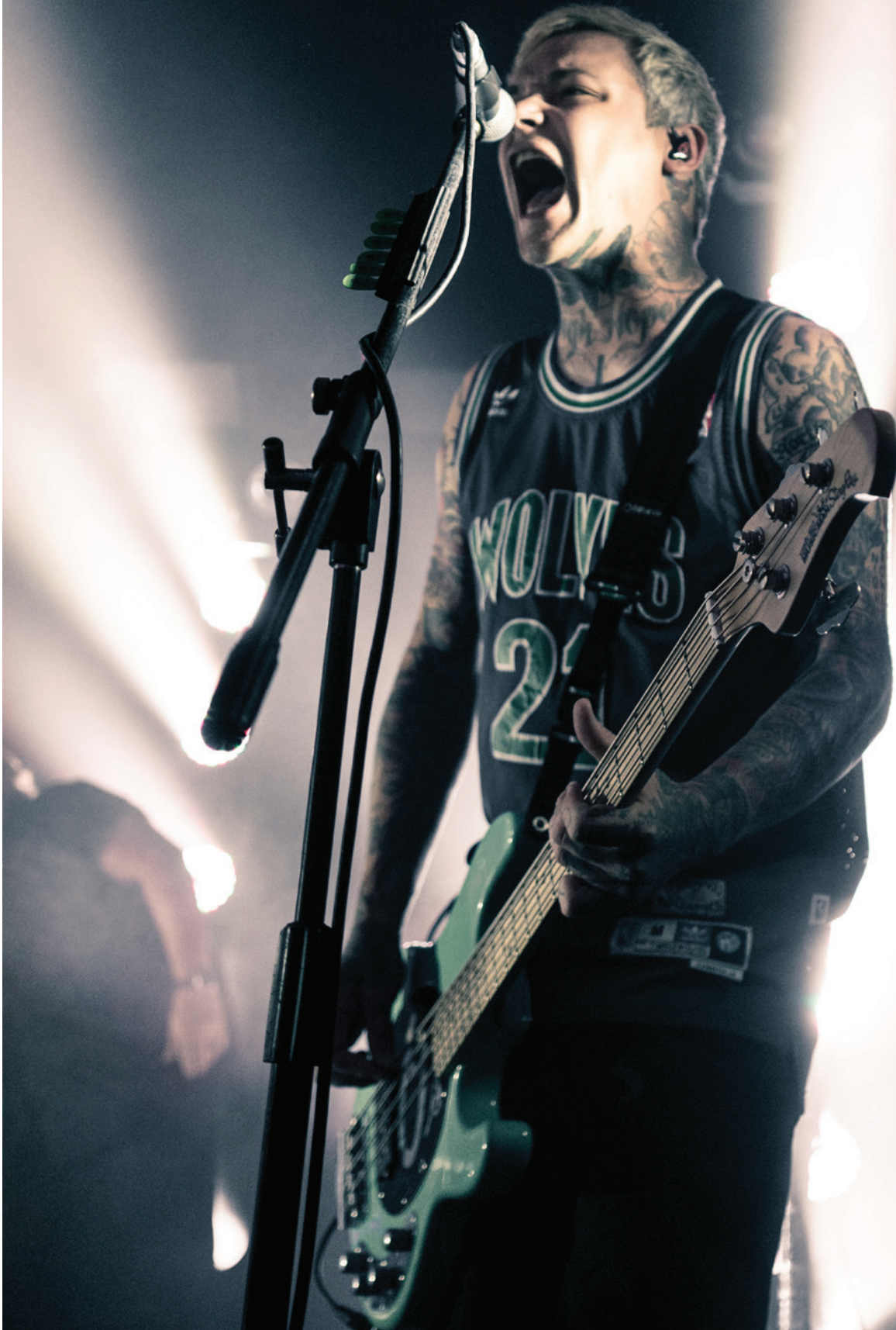
HONEYSUCKLE



Undertaken across August 2018,
the Newcastle Live Music Census
identified the following:

Gigs		Venues	
TOTAL	471	Hotels	41
		Clubs	16
		Bars	11
		Restaurant	3
		Churches	2
		Theatre	1
		Brewery	1
		Café	1
		Conservatorium	1
		Nightclub	1
		Theatre Restaurant	1
		University	1
		TOTAL	80
Acts		Top 10 Venues - Gigs	
TOTAL	699	Lizotte's	19
		Battlesticks Bar	19
		5 Sawyers	17
		West's New Lambton	17
		Hamilton Station Hotel	16
		Customs House	16
		Lass O'Gowrie Hotel	14
		Stag & Hunter	14
		Wickham Park Hotel	13
		Honeysuckle Hotel	12
		Merewether Surfhouse	12
Venues by Suburb		Top 10 Venues - Acts presented	
Newcastle	25	Hamilton Station Hotel	54
Hamilton	7	Cambridge Hotel	41
Merewether	6	Lass O'Gowrie Hotel	36
Wickham	4	Lizotte's	34
Carrington	3	Wickham Park Hotel	27
Cooks Hill	3	Small Ballroom Newcastle Hotel	26
Lambton	3	Queens Wharf Hotel	22
Mayfield	3	Finnegans	21
New Lambton	3	5 Sawyers	19
Wallsend	3	Battlesticks Bar	19
Adamstown	3		
Newcastle West	2		
Stockton	2		
The Junction	2		
Beresfield	1		
Broadmeadow	1		
Callaghan	1		
Elernmore Vale	1		
Hexham	1		
Islington	1		
Jesmond	1		
Kotara	1		
Maryland	1		
Shortland	1		
Waratah	1		
TOTAL	80		

The Amity Affliction The Bar on The Hill
Photo by Dan Lynch







“Music in all its varieties
reflects a diverse, thriving
and inclusive society.”

The Preatures
Photo by Dan Lynch

“Keep music live, local performers in business and loving what they do!”

Julie Wilson Lizottes, 2018



Evidence and Key Messages

Aims

The aims of the Newcastle Live Music Strategy are:

Sustain and grow the live music element of Newcastle's night time economy as described in CN's Newcastle After Dark Strategy 2018-2022

Manage the impacts of live music on residents and the community without compromising the viability of the city's live music precincts and venues

Facilitate opportunities for the all age music sector to nurture emerging local talent and provide career pathways in the live music sector

Provide safe live music participation opportunities for young audiences in Newcastle

Activate the city centre and growth corridors through the delivery of live performance in a range of indoor and outdoor venues and settings

The underlying principles to these aims are:

Live music promotes social cohesion and community well being

The night time economy is a significant component of the city's overall economy and cultural identity

Residents are entitled to privacy and to not experience undue intrusion from live music venues and events

These principles have been identified through examination of relevant social and economic research, Australian Bureau of Statistics demographic and economic data and engagement with the Newcastle community through online survey and face to face workshops and interviews.

Scope

The Live Music Strategy focuses on music performance and community experiences associated with attending these events in an urban setting. The document covers all musical genres and styles and recognises that live music performance also requires back up from sub-sections of the music industry including training and education, rehearsal and recording, equipment hire and retail and marketing and promotion. Other aspects of city life including stage in life, employment, transport and demographic change heavily influence how people participate in the live music sector. These factors have been included in the development of this strategy.

Purpose

The Live Music Strategy seeks to deliver a range of practical actions in collaboration with partner agencies and individuals that achieves the commitment outlined in Council's Notice of Motion of 27 February 2018 and associated strategic documents. City of Newcastle has made a commitment to managing and facilitating the live music sector as part of the night time economy through the preparation and implementation of strategic documents including the Safe City Plan 2017-2020, Newcastle After Dark Strategy 2018-2022 and this Live Music Strategy. These documents reference City of Newcastle's Community Strategic Plan - Newcastle 2030 which articulates the community's feedback on the need to support and deliver cultural and community programs, events and live music due to its contribution to vibrant, safe and active public places (Newcastle 2030 p.19 Section 3.1).

The Strategy is not a legislative document, rather it is to be read in the context of NSW environmental planning and assessment legislative framework. The document advocates for change in this area so that we move towards a planning and assessment model that provides clarity for evidence based decision making both in terms of venue development and management as well as quality of life choices.

Background

It is documented by Dr Gaye Sheather, author of *Rock this City (Live music in Newcastle, 1970s-1980s)*, that the Old Beach Hotel (cnr Watt and King Streets) was the first hotel in NSW to be carpeted - in 1955. Hotels at that time were pretty much focused on serving as much alcohol as possible in a short space of time before being hosed out at closing. The introduction of carpet and the end of the “six o’clock swill” was the beginning of the evolution of the modern Australian pub and the point where licensing legislation and patron behaviour and tastes began to change.

Closely followed by these humble developments was the arrival in the early 1970s of night time live music in partnership with an explosion in numbers of eighteen year old baby boomers. These trends were national and occurred at a time when Japanese electronics manufacturing began mass-producing good quality musical instruments, recording equipment and sound systems. Armed with a handful of chords and some gritty lyrics, anyone could form a band and people would happily listen if cold beer was available.

In Newcastle the locals embraced the live music scene with gusto, attending loud regular gigs that occurred in pubs, clubs, surf clubs, taverns and outdoor festivals. Nationally recognised bands started to tour here and the local music crowd began to listen and learn from their sophisticated sound and production techniques. People traveled throughout the Lower Hunter to see bands on multiple nights of the week and before long some of these local acts achieved national status and then later still, international.

The local music scene grew until the late 1980s before venues and live music itself started to be influenced by further technological and entertainment trends. Pubs looked for easier income streams as noise, random breath testing and licensing legislation tightened up and audiences started to drift to other forms of music consumption and pursuits such as international travel. In the 1990s bands downsized to duos and DJs as the cost of keeping an outfit on the rails skyrocketed compared to static or declining live music incomes.

Sadly, allied with this emerged a binge drinking pub culture and with it came a wave of alcohol related violence. This led to authorities to look more closely at harm minimisation strategies, licensing changes and “one punch” legislation to curb this trend. Newcastle led the way with the introduction of what came to be known as the Newcastle Conditions or “lockout laws” This initiative commenced in 2008 and has contributed strongly to reduction in alcohol related violence and generated sufficient interest to be emulated by other Australian cities. Opinion remains divided on the impact of lockout laws on venues and live music. However, Newcastle’s night time culture has matured and diversified to the point where live music is a strong part of the entertainment mix albeit in a range of more low impact venues (seventy seven as at September 2018).

Feeding into the mix of live music, audiences and venues are students and graduates of TAFE and the University of Newcastle. Skilled young people with qualifications in music, performance, production, business and industry enter the sector looking for professional opportunities.

The city has entered a major renewal phase in parallel with the introduction of light rail and the re-development of the former heavy rail corridor. The pace of investment and development has intensified in the identified growth corridors in tandem. It is now certain that many more Novacastrians will be living in mixed use urban villages often in apartment buildings above street level commercial areas that include food, beverage and entertainment businesses.

The Live Music Strategy aims to support the sustainability of the live music sector through collaborative actions addressing promotions, legislation, incubation and attraction.

Lou Reed Civic Theatre, 1976
Photo by Geoff Moore



Research and Community Engagement Overview

Considerable research and community engagement has gone into the development of the Newcastle Live Music Strategy including:

City of Newcastle Community Strategic Plan
Newcastle 2030 - Community engagement phase
2017

City of Newcastle After Dark Strategy - community
engagement phase 2017/18

City of Newcastle submission to the 2017 NSW
Independent Liquor and Gaming Authority's review of
the Newcastle Conditions

City of Newcastle Notice of Motion 27 February 2018
- Live Music Strategy

The formation of a Newcastle Live Music Task Force
in March 2018 to guide the LMS development.

City of Newcastle online community survey and
social pin point mapping June 2018

City of Newcastle live music industry workshop
August 2018

Newcastle Live Music Task Force live music sector
mapping June/July and October/November 2018

City of Newcastle submission to the NSW Legislative
Council Music and Arts Inquiry Hearing (Portfolio
Committee No 6) August 2018

City of Newcastle submission to the Australian
Government's House Standing Committee on
Communications and the Arts Inquiry into: Factors
contributing to the growth and sustainability of the
Australian music industry September 2018

Adoption by City of Newcastle of Newcastle After
Dark Strategy October 2018





Olly Holbrow and his Empire Palais Players, 1931/32

250 000038
Ray Perkins Collection
Newcastle Region Library

Action Plan

The actions listed below are clustered into four themes; legislation, incubation, promotion and attraction. Delivery of these will require multiple agencies and stakeholders to work together to ensure that the opportunities to collaborate are maximised.

1. Develop a Strategic Plan for the music and arts economy in NSW

A State-wide strategic plan for music and arts economy growth would ensure that there is multi-agency and industry focus on an agreed set of targets and actions. Such a document needs to include a focus on developing young talent career pathways and audience engagement in live music delivery.

2. Develop a suite of planning controls to reduce the risk of land use conflict

The existing environmental planning, assessment and protections legislation in NSW needs amendment to reduce the risk of land use conflicts in zones where multiple land uses co-exist e.g. residential and commercial developments in mixed use zones.

The City will consider the use of s149 certificates (officially known as section 10.7(5) zoning certificates under the NSW Environmental Planning and Assessment Act 1979) to manage community perceptions in this regard.

3. Address overlapping regulatory functions

Current non-alignment of liquor licensing and environmental planning and assessment legislation is causing inconsistent decision making around venue development and management.

4. Provide improved noise assessment regulation and guidelines

The current multi-agency approach to noise management in NSW is not delivering consistent outcomes in terms of planning and/or conflict resolution. Existing noise guidelines are restrictive and should be reviewed to more specifically address land use conflicts and noise impacts within mixed use urban zones to facilitate the Night Time Economy. Noise complaint investigations, under the current legislation are problematic as definitions and boundaries are not clear and multiple agencies are required to work in partnership to bring matters to a resolution. It is recommended that the State government develop clear consistent guidelines to assist relevant agencies such as Councils and Licensing Police to undertake planning, assessment and regulatory functions in relation to noise.

5. Create a Night Time Economy unit within State government agencies e.g. NSW Planning and Environment, Create NSW and NSW Industry

The music and arts economy form an integral part of thriving night-time economies. Multiple State and local government agencies play a role in the facilitation and regulation of night-time economies in NSW therefore it is essential that these players be adequately resourced to be aware of the needs of the music and arts industry so that cultural business ventures are encouraged.

6. Implement the recommendations in the City of Newcastle's submission to the NSW Independent Liquor and Gaming Authority's 2017 Newcastle Conditions review

City of Newcastle's submission to this inquiry made a range of recommendations based on the City's vision for more low impact venues as part of a venue hierarchy model allied with a strong consistent focus on noise management and responsible service of alcohol.

7. Targeted funding for youth music and arts development through NSW Family and Community Services and Create NSW Grants Programs

During the community engagement phase of City of Newcastle's Live Music Strategy it was identified that the provision of youth oriented music and arts rehearsal and development spaces and opportunities were limited.

City of Newcastle owns and/or manages a range of community venues that will be made available for the purposes of youth music development and performance across the Newcastle LGA. It is recommended that the State government provide targeted funding, through existing programs such as Youth Week or the Arts and Cultural Development Program to enable young musicians and technicians to have the opportunity to develop their skills using this funding. City of Newcastle already partners with NSW Family and Community Services in Youth Week event delivery.

8. Live music venue liquor licence standard trading across NSW

Standard trading hours for live music venues would assist in the management of community expectations when making decisions around where to live as well as providing venues with a business model that offers a less risky return on investment. Plans of management for licensed live music venues need to include clear targets for the measurement and attenuation of noise as well as adherence to duty of care requirements for patrons leaving a venue.

9. Research and evaluate design solutions for urban noise

Improving the acoustic performance of venues and dwellings in urban settings requires stronger collaborations with design faculties of tertiary learning institutions, music industry stakeholders and the development sector. It is recommended that the State government lobby relevant Australian government agencies to facilitate improvements to legislation such as the National Construction Code so that standards for acoustic performance in building materials are given consideration in future amendments to this document.

10. Improved night time transport services

City of Newcastle's Live Music Strategy community engagement results have clearly indicated that the existing public transport delivery model operating in Newcastle is a barrier to participation in the night time economy. It is recommended that the current service delivery model be revised to ensure that there is a more flexible timetable aligned with venue and precinct operating hours. Further, it is evident that existing transport modes and routes to suburbs are not meeting the needs of those wishing to enjoy live music in the city centre and/or night time precincts. It is recommended that the State government examines transport alternatives with Keolis Downer and/or other transport providers that delivers customer focused timetabling allied with emerging technologies such as online communication, payment and ride share platforms.

Bold move

11. All age Live Music Development

As identified in Council's February 2018 Notice of Motion regarding the support of live music, a process is to be developed to make available Council owned venues like the Civic Playhouse and City Hall Banquet Room for in-kind use on certain days by live music providers catering for all-ages gigs.

12. Online Promotion

Engagement with the local music industry sector has identified the need for provision of an online resource that includes details for local and touring music providers including performers, booking agents, venues, accommodation and music equipment retailers. Support local music events that showcase local performers and match them with promoters, agents and venue providers. Integrate live music theming into destination marketing campaigns.

Yes Commissioner King Edward Park
September 1984



Actions

Goal	Action	Timeline	Identified theme	Key stakeholders	Guiding partners
Promotion	1 Develop a Strategic Plan for the music and arts economy in NSW	2019	Development and Promotion	Create NSW	City of Newcastle Live Music Office
Legislation	2 Develop a suite of planning controls to reduce the risk of land use conflict including notification in Section 10.7 (5) Planning Certificates	2020	Noise Management	NSW Planning and Environment NSW Environmental Protection Agency NSW Police	City of Newcastle
Legislation	3 Address overlapping regulatory functions regarding liquor licensing	2020	Venue Management and Safety	NSW Independent Liquor and Gaming Authority Liquor and Gaming NSW NSW Police	City of Newcastle Liquor Accords
Legislation	4 Provide improved noise assessment regulation and guidelines	2020	Noise Management	NSW Planning and Environment NSW Environmental Protection Agency NSW Police	City of Newcastle
Promotion	5 Create a Night Time Economy unit within relevant State government agencies e.g. NSW Planning and Environment, Create NSW and NSW Industry	2019	Development and Promotion	NSW Planning and Environment Create NSW NSW Industry	Live Music Office
Legislation	6 Implement the recommendations in The City of Newcastle's submission to the NSW Independent Liquor and Gaming Authority's 2017 Newcastle Conditions review	2020	Venue Management and Safety	NSW Independent Liquor and Gaming Authority Liquor and Gaming NSW NSW Police	City of Newcastle
Incubation	7 Targeted funding for youth music and arts development through NSW Family and Community Services and Create NSW Grants Programs	2019	Development and Promotion	Create NSW NSW FACS NSW Industry	City of Newcastle Newcastle Youth Council
Legislation	8 Live music venue liquor licence standard trading across NSW	2020	Venue Management and Safety	NSW Independent Liquor and Gaming Authority Liquor and Gaming NSW NSW Police	City of Newcastle
Attraction	9 Research and evaluate design solutions for urban noise	2019	Precinct Development	University of Newcastle Newcastle TAFE	City of Newcastle
Attraction	10 Improved night time public transport options including safe active transport routes	2019	Transport Diversity and Flexibility	Transport for NSW Keolis Downer Hunter Development Corporation	City of Newcastle Online Ride Share Platforms Community Disability Alliance Hunter
Incubation	11 Facilitate all ages live music development through City of Newcastle venues	2019-2020	Development and promotion	City of Newcastle	Non government agency partners, NSW TAFE and UoN Conservatorium
Promotion	12 Online resource development, destination marketing and live music advocacy	2019	Development and promotion	City of Newcastle	Newcastle Tourism Industry Group Destination NSW Newcastle Live Music Taskforce

Measuring our Progress – an evaluation framework

As we implement the action plan above we will learn more of the initiatives that require increased focus and/ or are making a difference to the live music sector in Newcastle. We will formally review and report the strategy's progress two years after adoption and then after four years at the end of its term.

We will use the already established Newcastle Live Music Task Force to monitor progress using tools including:

Ongoing sector mapping to follow changes in live music delivery

Perceptions of safety in public places (City of Newcastle quarterly community survey)

Numbers of special events in public places and spaces including live music

Number of approved development assessments including live music elements

Case studies from projects arising out of the strategy and their evaluation

Night time patronage data analysis from public transport providers



Vellevide The Lass O'Gowrie

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Music Out of Doors Concert, King Edward Park, December 1949

104 000738
Newcastle Morning Herald Collection
Newcastle Region Library

Definitions

Built environment: human-made surroundings that provide settings for human activity ranging in scale from buildings to parks

Evening economy: 6 -10pm (Newcastle After Dark Strategy 2018-2022)

Night time economy: 9pm -1am (Newcastle After Dark Strategy 2018-2022)

Live music; music performed regularly by singers and/or musicians in hotels, bars, restaurants and clubs as well as in temporary venues such as the public domain, festival grounds and special events. Whilst it is recognised that recorded music played by DJs does form part of the live music scene, this strategy focuses on supporting musicians and the associated production and promotion of these creatives.

Growth corridors: locations in the Newcastle Local Government Area formally identified in planning instruments by the NSW State Government for increased population density in mixed used villages.

“By supporting live music you are ensuring Newcastle not only continues to support emerging talent in the music industry, you are also nurturing the broader creative economy that will produce the innovators and entrepreneurs of our exciting future.”

Thank you

City of Newcastle prepared this plan on behalf of the Newcastle community and would like to thank:

Many people have given their time freely and contributed a strong body of knowledge and research necessary to the development of this document. City of Newcastle would like to thank all community music industry members and CN staff that engaged with us during the research and development process.

Special thanks to the Newcastle Live Music Task Force members who have not only given their time willingly, but also reached out to the wider music industry to engage and seek their views. We look forward to working together further to deliver the actions in the document to keep the conversation going as well make progress towards nurturing the live music scene in Newcastle.

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**ORDINARY COUNCIL MEETING
25 FEBRUARY 2020**

**ITEM 6 - CCL 25/02/20
LIVE MUSIC STRATEGY UPDATE**

**Item 6 - Attachment B: Progress Report Against Actions of Live Music
Strategy 2023**

DISTRIBUTED UNDER SEPARATE COVER

Live Music Strategy Status Report 2019

Action	Details	Timeline	Lead Agency	Partners	Progress update 2019
1 Develop a Strategic Plan for the music and arts economy in NSW	A state-wide strategic plan for music and arts economy growth would ensure that there is multi-agency and industry focus on an agreed set of targets and actions. Such a document needs to include a focus on developing young talent career pathways and audience engagement in live music delivery.	2019	Create NSW	City of Newcastle Live Music Office	Create NSW has a draft NSW Contemporary Music Strategy. City of Newcastle (CN) has extended their support to Create NSW for the development of this document and request that CN be provided opportunity to provide input into this document.
2 Develop a suite of planning controls to reduce the risk of land use conflict including notification in Section 107 (5) Planning Certificates	The existing environmental planning, assessment and protections legislation in NSW needs amendment to reduce the risk of land use conflicts in zones where multiple land uses co-exist eg residential and commercial developments in mixed use zones. The City will consider the use of s149 certificates (officially known as section 10.7(5) zoning certificates under the NSW Environmental Planning and Assessment Act 1979) to manage community perceptions in this regard.	2020	NSW Planning and Environment NSW Environment Protection Agency NSW Police	City of Newcastle	Mapping of live music venues will need to be completed before this action can be progressed. Live music mapping project is currently underway. Advice was sought from Wollongong Council who have added a clause to Part 5 of their 10.7 (5) Planning Certificates regarding the evening economy. Follow up will be made as to the success of this action.
3 Address overlapping regulatory functions regarding liquor licensing	Current non-alignment of liquor licensing and environmental planning and assessment legislation is causing inconsistent decision making around venue development and management.	2020	NSW Independent Liquor and Gaming Authority Liquor and Gaming NSW NSW Police	City of Newcastle Liquor Accords	NSW Planning, Industry and Environment has published a Guide for Establishing and Managing Night-Time Economy (NTE) Uses (2019). During the document's development, CN provided input via two Newcastle-based meetings with the department and a department administrated survey. Our input covered several NTE matters, including the need to addressing overlapping regulatory functions affecting the night time economy including planning, liquor licensing, and noise and building regulation. The NSW Night-Time Economy Council's Committee (NTECC), which CN is an active core member, has undertaken several advocacy initiatives in 2019 highlighting and making recommendations to address current overlapping NTE regulatory functions, including liquor licensing. Refer: NTECC Election Priorities NTE Paper 2019, submitted to NSW Elected Government; NTECC Submission to the Parliamentary Inquiry into Live Music August 2019; and, NTECC Submission to the Parliamentary Inquiry into Music Festival Regulations August 2019.
4 Provide improved noise assessment regulation and guidelines	The current multi-agency approach to noise management in NSW is not delivering consistent outcomes in terms of planning and/or conflict resolution. Existing noise guidelines are restrictive and should be reviewed to more specifically address land use conflicts and noise impacts within mixed use urban zones to facilitate the Night Time Economy. Noise complaint investigations, under the current legislation are problematic as definitions and boundaries are not clear and unambiguous and multiple agencies are required to work in partnership to bring matters to a resolution. It is recommended that the State Government develop clear consistent guidelines to assist relevant agencies such as councils and Licensing Police to undertake planning, assessment and regulatory functions in relation to noise.	2020	NSW Planning and Environment NSW Environment Protection Agency NSW Police	City of Newcastle	Mapping of live music venues will need to be completed before this action can be progressed. Live music mapping project is currently underway. CN will begin investigating relevant recently revised controls and policies developed by other council's, including late night trading precincts, and consider how these can be applied to CN.
5 Create a Night Time Economy unit within relevant State Government agencies eg NSW Planning and Environment, Create NSW and NSW Industry	The music and arts economy form an integral part of thriving night-time economies. Multiple state and local government agencies play a role in the facilitation and regulation of night-time economies in NSW therefore it is essential that these players be adequately resourced to be aware of the needs of the music and arts industry so that cultural business ventures are encouraged.	2019	NSW Planning and Environment Create NSW NSW Industry	Live Music Office	As part of CN's submission to the House Standing Committee on Communications and the Arts Inquiry into the Australian music industry: Factors contributing to the growth and sustainability of the Australian music industry, CN recommended that a Night Time Economy unit be created within Australian and state government agencies eg Communications and the Arts, Create NSW and NSW Industry.
6 Implement the recommendations in The City of Newcastle's submission to the NSW Independent Liquor and Gaming Authority's 2017 Newcastle Conditions review	CN's submission to this inquiry made a range of recommendations based on the City's vision for more low impact venues as part of a venue hierarchy model allied with a strong consistent focus on noise management and responsible service of alcohol.	2020	NSW Independent Liquor and Gaming Authority Liquor and Gaming NSW NSW Police	City of Newcastle	The Independent Liquor and Gaming Authority's review of the Newcastle conditions did not adopt the CN's submission recommendations. CN is however committed to developing an approach to venue management in the NTE that is based on those recommendations. Current work underway includes the NTE Mapping Project, which is the development of a mapping and data tool to provide the evidence-base upon which improved venue management decisions can be made. This project is currently in development utilising the CN City Intelligence Platform and in future phases will engage with researchers and Police to develop a low-medium-high impact criteria upon which the recommendations are premised.

Live Music Strategy Status Report 2019

Action	Details	Timeline	Lead Agency	Partners	Progress update 2019
7 Targeted funding for youth music and arts development through NSW Family and Community Services and Create NSW Grants Programs	During the community engagement phase of CN's Live Music Strategy, it was identified that the provision of youth oriented music and arts rehearsal and development spaces and opportunities were limited. CN owns and/or manages a range of community venues that will be made available for the purposes of youth music development and performance across the Newcastle Local Government Area. It is recommended that the state government provide targeted funding, through existing programs such as Youth Week or the Arts and Cultural Development Program to enable young musicians and technicians to have the opportunity to develop their skills using this funding. CN already partners with NSW Family and Community Services in Youth Week event delivery	2019	Create NSW NSW FACS NSW Industry	City of Newcastle Newcastle Youth Council	CN has a funding agreement with Octapod Assoc for the This is Not Art (TiNA) festival for 2018-2020. The focus of the support is to grow a music strand within the festival, called 'We Don't Dance'. This gives young and emerging musicians and organisers the opportunity to present within a structured festival, and in CN venues. CN had a funding agreement with Newcastle Youth Orchestra (NYO) (2 years) which included expanded performance opportunities and the commissioning of two new works. In 2019 the Newcastle Youth Council (NYC) delivered multiple youth music events at CN venues such as Newcastle Library. The NYC aims to continue to host similar events in 2020 through their partnership with the Libraries and other cultural institutions.
8 Live Music venue liquor licence standard trading across NSW	Standard trading hours for live music venues using City of Newcastle's proposed venue hierarchy model described in point 7) above would assist in the management of community expectations when making decisions around where to live as well as providing venues with a business model that offers a less risky return on investment. Plans of management for licenced live music venues need to include clear targets for the measurement and attenuation of noise as well as adherence to duty of care requirements for patrons leaving a venue.	2020	NSW Independent Liquor and Gaming Authority Liquor and Gaming NSW NSW Police	City of Newcastle	Mapping of Newcastle's NTE will need to be completed before CN's proposed premise hierarchy model (low-medium-high impact criteria) described in our submission to the NSW Independent Liquor and Gaming Authority's 2017 Newcastle Conditions review can be progressed. The mapping project is currently underway; elements to be mapped will include development assessment and liquor licence conditions, hours of trade, patron numbers and premise type.
9 Research and evaluate design solutions for urban noise	Improving the acoustic performance of venues and dwellings in urban settings requires stronger collaborations with design faculties of tertiary learning institutions, music industry stakeholders and the development sector. It is recommended that the state government lobby relevant Australian government agencies to facilitate improvements to legislation such as the National Construction Code so that standards for acoustic performance in building materials are given consideration in future amendments to this document.	2019	University of Newcastle Newcastle TAFE	City of Newcastle	NSW Planning, Industry and Environment has published a Guide for Establishing and Managing NTE Uses (2019). During the document's development, CN provided input via two Newcastle-based meetings with the department and a department administrated survey. As follow up to this input, CN has undertaken a review of other council practices in relation to development assessment and urban noise. Further, CN's Environmental Health Team aims to commence a review, in conjunction with other relevant internal stakeholders, of the assessment criteria and conditions of consent which are referenced by officers in the assessment of live music venues, and proposed sensitive developments which may be affected by existing live music venues, in line with the aims of the Live Music Strategy and Task Force recommendations. In early 2020, the NSW Night-Time Economy Council's Committee (NTECC), which CN is an active core member, will be delivering a 'Soundscape Workshop' open to its 130 NSW council officer membership. This interactive workshop will explore the dynamics of sound in the build environment from a planning and architectural perspective.
10 Improved night time public transport options including safe active transport routes	CN's Live Music Strategy community engagement results have clearly indicated that the existing public transport delivery model operating in Newcastle is a barrier to participation in the night time economy. It is recommended that the current service delivery model be revised to ensure that there is a more flexible timetable aligned with venue and precinct operating hours. Further, it is evident that existing transport modes and routes to suburbs are not meeting the needs of those wishing to enjoy live music in the city centre and/or night time precincts. It is recommended that the state government examines transport alternatives with Keolis Downer and/or other transport providers that delivers customer focused timetabling allied with emerging technologies such as online communication, payment and ride share platforms.	2019	Transport for NSW Keolis Downer Hunter Development Corporation	City of Newcastle Online ride Share Platform Community Disability Alliance Hunter	Transport is a State Government responsibility. However work underway in collaborating with Keolis Downer Hunter (KDH) and TfNSW has established a pilot 'On Demand' service for the city centre and surrounding suburbs. This service does not currently operate at night (restricted to morning and afternoon peaks) but it is hoped that the pilot will confirm the utility of the service, and drive discussion on expansion with NTE an option. CN is also engaged with University of Newcastle and KDH in a research project understanding the drivers of public transport use through the Smart Moves Newcastle project. This research will provide insight into customer choices about public transport usage to guide future service design.

Live Music Strategy Status Report 2019

Action	Details	Timeline	Lead Agency	Partners	Progress update 2019
11 Facilitate all ages live music development through City of Newcastle venues	As identified in Council's February 2018 Notice of Motion regarding the support of live music, a process is to be developed to make available CN owned venues like the Civic Playhouse and City Hall Banquet Room for in-kind use on certain days by live music providers catering for all-ages gigs.	2019-2020	City of Newcastle	Non government agency partners, NSW TAFE and UoN Conservatorium	<p>1. 2018-2020 This is Not Art Festival is supported by CN to present a new music strand (We Don't Dance) with performances in Newcastle Art Gallery. The CN has also supported two live music events through the Special Business Rate funding.</p> <p>2. Sound Station is a free community event at The Station scheduled for 4 April 2020 that will showcase and celebrate Newcastle's live music industry and engage the community with the vibrant East End heritage precinct.</p> <p>3. TRACKS Tram Line Gigs by the Y Project is a live music and youth engagement program in eight different locations along the Newcastle light rail line. These all-age events will be hosted collaboratively with local businesses and feature a wide range of young musicians from the local area.</p> <p>4. CN supported the Newcastle Music Festival through the Event Sponsorship Program.</p> <p>Community Placemaking grants supported:</p> <p>5. "Leg Warmers"- Newcastle female musicians performed and filmed an original track showcasing iconic Newcastle locations, video uploaded on youtube.</p> <p>6. Friday Chill in Pacific Park featured local musicians.</p> <p>7. Throsby Big Brunch in Islington Park featured local musicians.</p> <p>8. Darby Street community garden space events featured local musicians.</p> <p>9. Newcastle Tweed Ride Walking & Cycling Festival at Newcastle showground featured local musicians.</p> <p>10. Bar Beach Community Carols included local musicians.</p> <p>11. Incubators of local young musicians eg Conservatorium of Music, Hunter School of the Performing Arts, TAFE & Newcastle Youth Orchestra and music industry sought-out and consulted with regarding CN grant opportunities.</p> <p>12. CN venue hire structure was identified as an inhibitor to access to Playhouse and Banquet room, and strategies were incorporated in fees and charges for 2019/20. CN now offer a short lead time hire rate, and regular hirer discount. Civic Theatre have sought out and consulted with several local all ages producers to establish networks to encourage events. So far this has resulted in one all ages event in the Playhouse in October 2019, presented by students from UoN, on which the Civic Theatre shared in the production costs. We anticipate more to come in 2020 as consultation and liaison is ongoing.</p>
12 Online resource development, destination marketing and live music advocacy	Engagement with the local music industry sector has identified the need for provision of an online resource that includes details for local and touring music providers including performers, booking agents, venues, accommodation and music equipment retailers. Support local music events that showcase local performers and match them with promoters, agents and venue providers. Integrate live music theming into destination marketing campaigns.	2019	City of Newcastle	Newcastle Tourism Industry Group Destination NSW Newcastle Live Music Taskforce	<p>Engagement with the local music industry sector has identified the need for provision of an online resource that includes details for local and touring music providers including performers, booking agents, venues, accommodation and music equipment retailers.</p> <p>-In review of the current visitor economy of the City, it was identified that the coordination of commercial assets available needed to be improved to support the tourism industry. This identifies key areas that are parallel with the outcomes identified in the request from the local music industry, and will be developed in support of the broader industry to promote economic growth.</p> <p>Support local music events that showcase local performers and match them with promoters, agents and venue providers.</p> <p>-CN continues to work with a range of events promoters to deliver live music events in the City. Opportunities for support are provided through multiple channels including the Major Events Development Program, Event Sponsorship Program, and the Special Business Rate Expenditure Policy. Key supported event from the past year includes the Newcastle Music Festival and the Sound Station event.</p> <p>Integrate live music theming into destination marketing campaigns.</p> <p>-CN is currently developing a Destination Marketing Plan, which provides a framework for future targeted marketing campaigns. In conjunction with ongoing recruitment to the Tourism team, the range and extent of destination marketing for the City will continue to expand. This will align with identified strategies, policies, and plans of the City of Newcastle, including the Live Music Strategy.</p>

**ORDINARY COUNCIL MEETING
25 FEBRUARY 2020**

**ITEM 7 - CCL 25/02/20
SIX-MONTHLY PERFORMANCE ON THE 2018-2022 DELIVERY
PROGRAM (OUR BUDGET 2019/20)**

**Item 7 Attachment A: Six-Monthly Report on the 2018-2022
Delivery Program (2019/20 Our Budget)**

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Six-monthly
December 2019

Performance Report



newcastle.nsw.gov.au



City of
Newcastle

Acknowledgment

City of Newcastle acknowledges that we operate on the grounds of the traditional country of the Awabakal and Worimi peoples.

We recognise and respect their cultural heritage, beliefs and continuing relationship with the land and waters, and that they are the proud survivors of more than two hundred years of dispossession.

Council reiterates its commitment to address disadvantages and attain justice for Aboriginal and Torres Strait Islander peoples of this community.

Enquiries

For information contact

Corporate Strategist

Phone 4974 2000

Published by

City of Newcastle

PO Box 489, Newcastle NSW 2300

Phone 4974 2000 Fax 4974 2222

mail@ncc.nsw.gov.au

newcastle.nsw.gov.au

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Our City



Newcastle at a glance



Newcastle population: 165,050*

Population by 2036: 198,350*

Greater Newcastle population: 575,000*

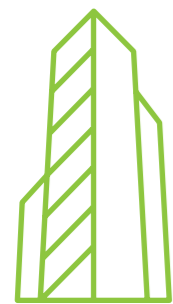
Population by 2036: 692,000*



5.075 million
annual visitors
(year ending March 2019,
Tourism Research Australia)



Median age
37
31%
of residents aged under 24



69,019
dwellings

30.3%
of the dwellings are medium
or high density compared
to 17% in regional NSW



65.7%
of CN's working residents
live and work inside the area



3.5%
of our population identify
as Aboriginal or Torres
Strait Islanders



Average
household size
2.36 people



78.4%
of homes have internet



\$17.680 billion
Gross Regional Product

Average household income
\$1,398 per week



73%
of workers in Newcastle
travel to work by car weekly



Median property price
\$631,500

*Id profile and 2016 sensis data

^ planningnsw.gov.au



187km²
total land area



8.78
people/hectare
population density



972km
pathways



6
main beaches



850km
length of roads



79km
length
of creeks



7
ocean baths and
aquatic centres



88
bushland parcels



54
sporting facilities



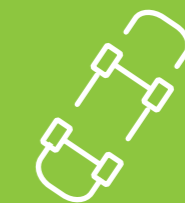
97,428
street and
park trees



15
grandstands



116
playgrounds



9
skate facilities



In 2030, Newcastle will be a smart, liveable and sustainable global city

Who we are?

City of Newcastle employs almost 1,300 staff and is responsible for providing services and facilities to more than 165,000 people.

CN has two parts, but one shared voice:

The Elected Council and The Administration.

Elected Council

Twelve councillors and a popularly elected Lord Mayor make up the elected body of City of Newcastle (CN). The Newcastle Local Government Area (LGA) is divided into four wards, with each ward represented by three councillors who are elected for a four-year term.

Under the *Local Government Act 1993*, councillors have a responsibility to:

be an active and contributing member of the governing body;

make considered and well-informed decisions as a member of the governing body;

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

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

facilitate communication between the local community and the governing body;

uphold and represent accurately the policies and decisions of the governing body;

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

A councillor represents residents and ratepayers, provides leadership and guidance to the community, and facilitates communication between the community and the organisation. Council meets every second, third and fourth Tuesday of the month from February to November and as required in December.

The Administration

The Administration is organised into five groups, each with a range of responsibilities.

The Chief Executive Officer (CEO) leads the administrative arm of CN and is responsible for the efficient and effective operation of the business and ensuring that the decisions of the elected Council are implemented.

The CEO reports to the elected Council.

Advisory Committees and standard committees

Council established four Advisory Committees with effect from 1 July 2019 until the day before the Council election in 2020. Advisory Committees are established under Part Q of Council's Code of Meeting Practice to provide advice to the elected Council on matters of strategic significance, and to provide advice to CN on implementation of relevant matters aligned to the Community Strategic Plan. Advisory Committees may make recommendations to Council or a Committee of Council, but no functions are delegated to them by Council.

The four Committees are:

Infrastructure Advisory Committee

Strategy and Innovation Advisory Committee

Community and Culture Advisory Committee

Liveable Cities Advisory Committee

CN will also continue as standing committees the:

Guraki Aboriginal Advisory Committee

Access Inclusion Advisory Committee

Youth Council

CN Audit and Risk Committee continues to provide independent assurance and assistance to Council on risk management, control, governance and external accountability requirements.

Elected Council



Cr Nuatali Nelmes
Lord Mayor (Labor)



Cr Emma White
(Labor)



Cr John Mackenzie
(Greens)



Cr John Church
(Independent)



Cr Carol Duncan
(Labor)



Cr Kath Elliott
(Independent)



Cr Brad Luke
(Liberal)



Cr Declan Clausen
Deputy Lord Mayor (Labor)



Cr Andrea Rufo
(Independent)



Cr Peta Winney-Baartz
(Labor)



Cr Jason Dunn
(Labor)



Cr Matthew Byrne
(Labor)



Cr Allan Robinson
(Independent)

Ward 1

Bar Beach, Carrington, Cooks Hill, Islington, Maryville, Mayfield, Mayfield East, Mayfield West, Newcastle, Newcastle East, Newcastle West, Stockton, The Hill, The Junction (part), Tighes Hill, Warabrook, Wickham

Ward 2

Adamstown, Adamstown Heights, Broadmeadow, Hamilton, Hamilton East, Hamilton South, Hamilton North, Merewether, Merewether Heights, The Junction (part)

Ward 3

Georgetown, Jesmond, Kotara, Lambton, New Lambton, New Lambton Heights, North Lambton, Wallsend (part), Waratah, Waratah West

Ward 4

Beresfield, Birmingham Gardens, Black Hill, Callaghan, Elermore Vale, Fletcher, Hexham, Lenaghan, Maryland, Minmi, Rankin Park, Sandgate, Shortland, Tarro, Wallsend (Part)



Our organisation



Chief Executive Officer

Jeremy Bath

Governance

Strategy and Engagement

People and Culture

Infrastructure and Property

City Wide Services



David Clarke



Brett Smith



Fiona Leatham



Ken Liddell



Alissa Jones

Finance

Information Technology

Organisational Development

Depot Operations

Art Gallery

Legal

Major Events and Corporate Affairs

HR Operations

Assets and Projects

Museum

Regulatory, Planning and Assessment

Corporate and Community Planning

WHS and Injury Management

Civil Construction and Maintenance

Civic Services

Transport and Compliance

Training and Learning

Property and Facilities

Libraries and Learning

Payroll

Customer Experience

Waste Services

Parks and Recreation

What we do

We are responsible for providing a wide range of community facilities and services.

They include:

construction and maintenance of local roads, drains and bridges;

waste management and recycling;

assessing residential and commercial development applications;

parking strategy and enforcement;

maintenance of parks, sporting fields, pools and beach facilities;

lifeguard patrols at our beaches;

community and cultural facilities including libraries, Newcastle Art Gallery, Civic Theatre, the Playhouse, community centres and Newcastle Museum;

pet registration and animal control;

tourism and economic development;

childcare;

strategic planning for our community;

community engagement about plans, services and facilities;

regulatory services; and

events, licensing and production.

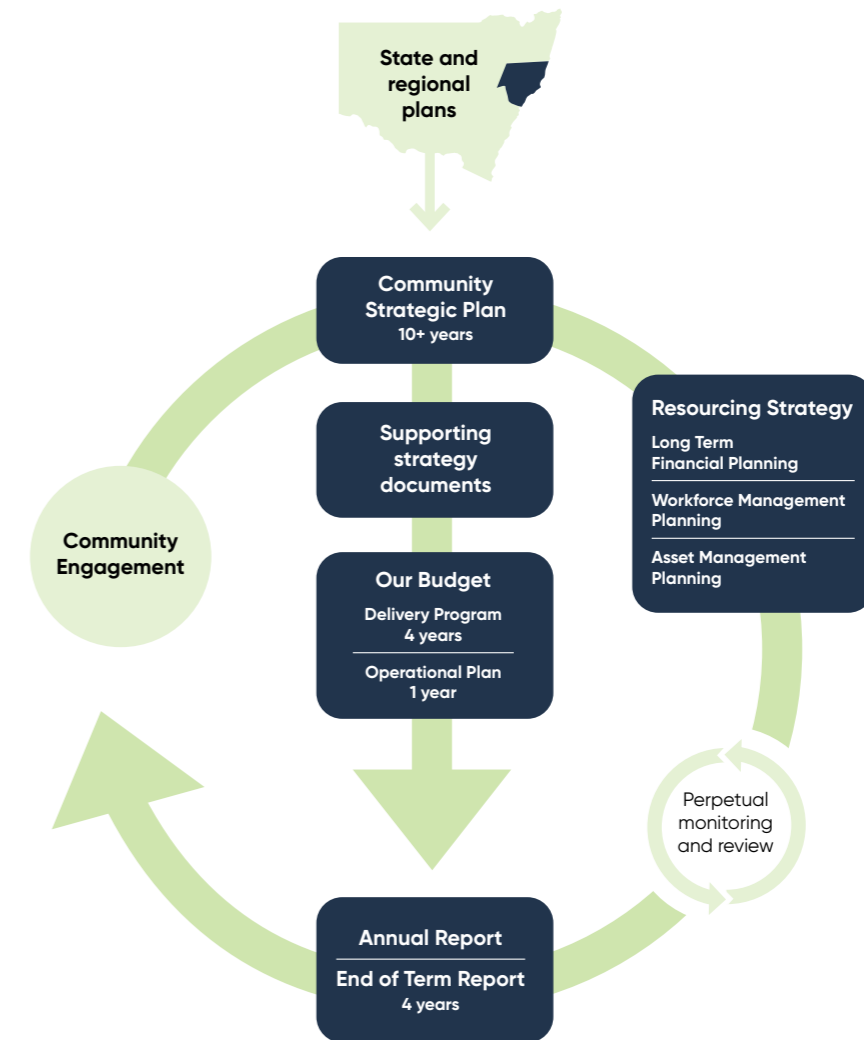
We are responsible for the construction and maintenance of around 3,500 kilometres of roads, footpaths, drainage, and kerbs and guttering. Many natural assets are our responsibility, including 14 kilometres of spectacular coastline, almost 100,000 street trees and more than 400 parks, reserves and wetlands.

We work with local communities and business owners to improve the places we live, by supporting our business improvement associations, place making initiatives, murals in public places and other beautification projects.

Why we do the six-monthly performance report

It is a report to our community on our performance against our Delivery Program strategies.

CN is required under the Local Government Act s404(5) to provide progress reports on the Delivery Program and Operational Plan at least every six months. Our six-monthly performance report details CN's progress on the principal activities detailed in the Delivery Program.



Reporting on our performance

The six-monthly performance report, along with the quarterly performance reports and annual report are the key points of accountability between CN and our community.

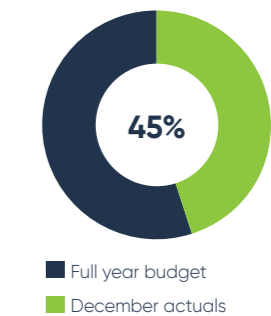
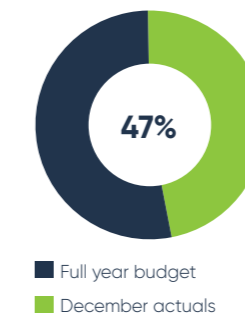
It is not a report to the Office of Local Government or the NSW Government; it is a report to our community on our performance against our Delivery Program strategies.

Every three months, CN reports on the key activities it has undertaken which contribute to achieving our Delivery Program and in the long term our Community Strategic Plan (CSP), Newcastle 2030.

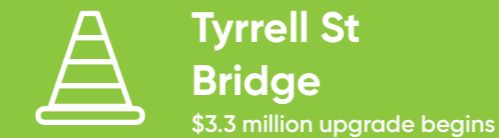
Our Performance



Six-monthly highlights



Highlights



Works Program highlights

 Roads and Transport
\$7.6m

 Recreation Parks, Sporting Facilities and Open Space
\$1.2m

 Environment
\$9.6m

 Smart City
\$1.1m

 Fleet Replacement
\$3.3m

 Stormwater
\$3.6m

 Information Technology
\$2.6m

 Buildings, Structures and Places
\$10.6m

Community satisfaction survey

Our second community survey of 2019/20 has been completed with another positive response. 598 people participated in the survey which is conducted every three months to help inform CN's decision making and service provision. Here is a taste of the things you told us were going well and some areas where we need to improve. The full report with detailed results is available on our website.



Over 8 in 10 (83%) of respondents are 'very satisfied' or 'satisfied' with the overall maintenance and cleanliness of parks



Nearly 8 in 10 (79%) of respondents are 'very satisfied' or 'satisfied' with the overall maintenance and cleanliness of playgrounds



Customer service at the pools has a high satisfaction score, with **over 7 in 10 (73%) respondents saying that they are either 'very satisfied' or 'satisfied'** with the level of service received

Planning for CN playgrounds

Respondents were asked to rate the importance of various features to have in playgrounds and their overall level of satisfaction towards several aspects of playgrounds.

Listed in order of importance:



Provision of shade and shelters is rated far higher compared to other measures asked in the survey, with

79% of respondents regarding this aspect as 'very important' and a further 20% rating this as 'important' giving the overall average rating of 4.9 out of 5 in importance



This is followed by provision of public toilets, with

64% rating this aspect as 'very important' and 28% saying this is 'important' giving the overall average rating of 4.7 out of 5 in importance



Availability of seating also generated an overall average rating of 4.7 out of 5 in importance, whereby

56% rating this aspect as 'very important' and 38% saying this is 'important' giving the overall rating of 4.7 out of 5 in importance



Integrated and Accessible Transport

Transport networks and services will be well connected and convenient. Walking, cycling and public transport will be viable options for the majority of our trips.

Community Objective

- 1.1 Effective and integrated public transport
- 1.2 Linked networks of cycle and pedestrian paths
- 1.3 A transport network that encourages energy and resource efficiency



3 GOOD HEALTH AND WELL-BEING 	9 INDUSTRY, INNOVATION AND INFRASTRUCTURE 	11 SUSTAINABLE CITIES AND COMMUNITIES 	12 RESPONSIBLE CONSUMPTION AND PRODUCTION
---	--	--	--

Highlights of Integrated and Accessible Transport



Park and Ride
24,026
vehicle trips into/out
of the city removed
and transported



19,367
passengers one-way
safely into the city
July-December



76,014
unique users of the
EasyPark app



57,000
people utilised public
transport services
across the Supercars
500 weekend
including

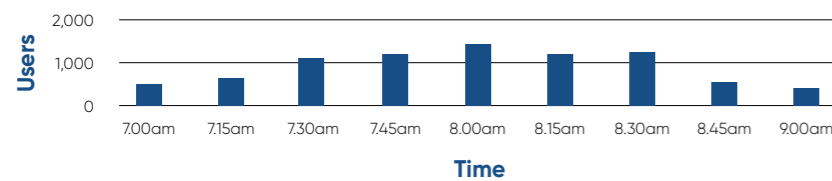


28,000
people catching
the light rail

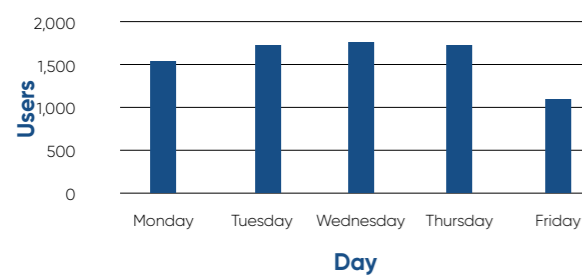


Park and Ride

Most popular time **8.00am**



Most popular day **Wednesday**



What we did

New driverless shuttle

Newcastle's driverless shuttle was available for racegoers and locals to test-ride in Wheeler Place on the Supercars weekend.

The driverless shuttle operated in full driverless mode in Wheeler Place as part of the activities and events planned in Newcastle for the Supercars weekend.

Keolis Downer staff including driverless shuttle specialists and trained chaperones were onsite to answer people's questions around the trial.



Extended parking for Darby Street

CN answered a call from businesses to extend the existing one-hour limits on Darby Street, giving customers more time to both enjoy a meal and indulge in some retail therapy on the popular strip.

The new two-hour, unmetered, parking limits were introduced between Bull and Queen Streets, operating from Monday-Saturday, 9am-7pm.

A four-hour, unmetered, parking limit was also introduced on Sundays between 9am and 4pm to encourage more parking turnover on the traditionally quieter day, which wasn't previously subject to time restrictions.

Local businesses have welcomed the new arrangements and CN's response to their concerns.

How we performed

Total Initiatives

100%

Of initiatives completed or on track



Monitor	0	0%
On Track	17	100%
Off Track	0	0%
No Targets Set	0	0%

Total Key Performance Indicators

100%

Of KPIs completed or on track



Monitor	0	0%
On Track	1	100%
Off Track	0	0%
No Targets Set	0	0%

1.1 Effective and integrated public transport

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
----------------------------	---------------------------------	----------------	--------

1.1.1 Support implementation of the regional transport strategy

Liaise and partner with other government agency representatives to facilitate optimum transport outcomes for Newcastle	Actively represent Newcastle's position in relation to public transport needs in cross-government forums	Transport and Compliance	✓
Promote sustainable transport	Enhance information about public transport and active transport on CN's website	Transport and Compliance	✓

1.1.2 Advocate for public transport improvements including extension of the light rail

Advocate to the State and Federal Government for improved transport outcomes for Newcastle	Present CN's ideas and position for improvements in public transport through submissions, participation in working groups and engagement with government agencies as opportunities arise	Transport and Compliance	✓
	Work collaboratively to deliver an expanded light rail network with relevant state agencies, Keolis Downer and the community	Transport and Compliance	✓

1.1.3 Plan and deliver accessible local infrastructure improvements for public transport

Improve equity of access to public transport, through upgrading of transport stops to meet the Disability Standards for Accessible Public Transport	Implement the transport stops program including the renewal and upgrades of bus shelters and seating to comply with Federal Government legislation	Transport and Compliance	✓
	CN will continue to advocate to other levels of government for assistance to meet compliance standards for transport stops	Transport and Compliance	✓
Improve access to public transport	Undertake planning for a principal pedestrian network	Transport and Compliance	✓

1.2 Linked networks of cycle and pedestrian paths

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
----------------------------	---------------------------------	----------------	--------

1.2.1 Continue to upgrade and extend cycle and pedestrian networks

Develop a network of safe, linked cycle and pedestrian paths integrated with key destinations and green space	Continue to implement the Newcastle Cycling Strategy and Action Plan	Transport and Compliance	✓
Enhance the safety of cyclists and pedestrians	Continue to support delivery of our special rate variation project cycleways	Transport and Compliance	✓
Promote walking and cycling	Continue to implement the ongoing cycling education and promotion campaign	Transport and Compliance	✓

1.3 A transport network that encourages energy and resource efficiency

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
1.3.1 Ensure safe road networks through effective planning and maintenance			
Improve the safety, quality and amenity of local roads through increased road reconstruction, resurfacing and line marking programs	Develop and implement the roads resurfacing program and road renewal works program	Transport and Compliance	✓
	Improve safety for all road users, through implementation of pedestrian access and mobility plan project and local area traffic management projects	Transport and Compliance	✓
	Implement programs for repairs to defects on roads, kerb and gutter, footpaths, nature strips and medians, and stormwater drainage	Civil Construction and Maintenance	✓
Support the continuation of parking education and enforcement programs across Newcastle, particularly around schools and sporting fields/venues	Undertake parking safety education programs	Transport and Compliance	✓
1.3.2 Ensure community and business needs for adequate and accessible parking are prioritised			
Implement parking management strategies in high traffic areas to achieve safety and turnover of spaces	Enforce the parking provisions of the NSW Road Rules to achieve traffic and pedestrian safety and encourage increased turnover of parking spaces	Transport and Compliance	✓
Improve way-finding signage in commercial centres to assist drivers to locate available parking in a timelier manner	Install parking infrastructure that supports the use of available technology and smart parking initiatives	Transport and Compliance	✓
1.3.3 Implement technology solutions to improve transport infrastructure and experiences, and encourage mobility innovation			
Introduce technology to provide greater access to parking payment options and information	Increase usage of the pay by phone application	Transport and Compliance	✓

Key Performance Indicators

Quarterly indicators	Results
Increase the number of users for the parking app (from 18,000)	76,014 ✓

The below annual measures to be reported on in the Annual Report

Maintain ★★★ community satisfaction levels for streets and commercial area cleaning
Maintain ★★★ service level for our roads
Maintain ★★★ service level for car parking
Maintain ★★★ service level for our pathways
Maintain ★★★★ service level for our bridges and structures
Community (%) who agree cycling facilities are well maintained (Target 55%)
Community (%) who are satisfied with the condition footpaths (Target 49%)
Community (%) who agree cycle routes are well-connected (Target 34%)



Protected Environment

Our unique environment will be understood, maintained and protected.

Community Objective

- 2.1 Greater efficiency in the use of resources
- 2.2 Our unique natural environment is maintained, enhanced and connected
- 2.3 Environment and climate change risks and impacts are understood and managed



3 GOOD HEALTH AND WELL-BEING 	6 CLEAN WATER AND SANITATION 	7 AFFORDABLE AND CLEAN ENERGY 	12 RESPONSIBLE CONSUMPTION AND PRODUCTION
13 CLIMATE ACTION 	14 LIFE BELOW WATER 	15 LIFE ON LAND 	

Highlights of Protected Environment



Kerbside collection

Red lid 18,086 tonnes
Green lid 6,206 tonnes
Yellow lid 5,071 tonnes



Garage sale trail
5,776
participants diverted
an estimated
40 tonnes
of waste to reuse



106,892
tonnes of waste received



Summerhill talk and
tour program
547
participants

Resource Recovery Centre



18%
diversion

Since opening on 16 September 2019, CN's Summerhill Resource Recovery Centre (RRC) Sort & Save service has achieved 18% diversion from landfill.

- 4,898 total tonnes received from cash paying customers
- 40,920 vehicles delivered waste to the RRC
- 18% received have been recovered and diverted from landfill
- 10% diverted were presented as sorted materials (sort and save)

What we did

New Resource Recovery Centre

CN confirmed itself as one of Australia's most environmentally progressive councils on the 4 December 2019 when it opened a new \$6 million resource recovery facility.

With a 5,000m² undercover sorting area, the RRC at the Summerhill Waste Management Centre is now offering Newcastle residents the chance to drop off pre-sorted recyclable materials free of charge.

The RRC will increase waste diverted from landfill each year by around 5,700 tonnes, the equivalent of more than 30 Boeing 747s in weight, thanks to a 30,000-tonne processing capacity, with around 20 per cent of materials recycled.

Solar farm

As well as the RRC, CN has recently completed a new solar farm built to save ratepayers around \$9 million over its 25-year lifespan.

Covering an area the size of five football fields on a capped landfill that was once a coal mine, the 14,500 photovoltaic cells are now producing 7.5 million-kilowatt hours of renewable electricity each year.

The solar farm is generating enough energy to power the equivalent of 1,300 households, which is a significant environmental gain as well as reducing CN's electricity costs by millions of dollars.



**enough solar power generation
to power 1,300 households**

The solar farm was partly funded with a \$6.5 million loan from Australia's Clean Energy Finance Corporation and \$1 million granted from the NSW Government's Environmental Trust, through its Waste Less, Recycle More Initiative, to the RRC.

Newcastle's environmental initiatives win major awards

CN's efforts to bring the city up to world-leading environmental standards through initiatives such as a 5MW solar farm, 5,000 new LED street lights and electric vehicle charging stations have earned it the leading prize in Local Government NSW's (LGNSW) Excellence in the Environment Awards.

LGNSW President Linda Scott said Newcastle led an impressive array of 16 category winners at this year's awards.



James Griffin MP, Parliamentary Secretary for the Environment and Veterans, with the CN's Adam Clarke, Deputy Lord Mayor Declan Clausen, Linda Scott and a Local Government NSW representative.

CN delivered more than \$10 million in projects to improve sustainability, using CSIRO-predictive modelling to reduce air conditioning loads on buildings, established a network of sky cameras to predict cloud impact on solar power, created an e-transit hub with a solar car park and built a 5MW solar farm.

The outcome is a city that is well positioned for environmental sustainability well into the future.

The initiative also saw the prestigious Louise Petchell Memorial Award for Individual Sustainability go to CN's Innovation and Sustainability Coordinator Adam Clarke.

Adam showed great leadership in driving many of these initiatives through a combination of inspiration, education and enthusiasm, and is a deserving winner of this year's individual award.

How we performed

Total Initiatives
100%

Of initiatives completed or on track



Total Key Performance Indicators
100%

Of KPIs completed or on track



2.1 Greater efficiency in the use of resources

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
2.1.1 Improve waste minimisation and recycling practices in homes, workplaces, development sites and public places			
Develop internal waste management programs that reduce waste and increase recycling within CN	*Develop a Waste Strategy for CN	Waste Services	✓
Improve public place waste and recycling services that raise awareness of waste and increase resource recovery	*Ensure recycling services can be maintained, manage the current and emerging impacts of political changes of external bodies and organisations	Waste Services	✓
Improve and increase recycling infrastructure at Summerhill Waste Management Centre to increase resource recovery	Launch opening of new regional resource recovery centre facility and increase recycling to establish benchmark performance for future years	Waste Services	✓
2.1.2 Investigate and implement renewable energy technologies			
Increase the percentage of CN's electricity sourced from low carbon energy sources	Construct the mid-scale (5MW) Summerhill Solar Farm project to offset CN energy use and greenhouse emissions	Corporate and Community Planning	✓

Develop projects to implement battery storage and smart grid technologies	Establish No.2 Sportsground as the trial site for smart grid and smart city energy technologies	Corporate and Community Planning	✓
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2.1.3 Encourage energy and resource efficiency initiatives

Pilot and deploy technologies that improve energy and resource sustainability across CN and the broader community	Install private street lighting network throughout utilising LED technology and smart lighting controls	Corporate and Community Planning	✓
	Develop and implement an organics facility	Waste Services	✓

2.2 Our unique natural environment is maintained, enhanced and connected

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
----------------------------	---------------------------------	----------------	--------

2.2.1 Facilitate and advocate for protection and rehabilitation of natural areas

Continue to implement the Urban Forest Policy to achieve an expanded and sustainable canopy cover through our streets and parks	Maintain our street, reserve, and public land trees to ensure the health of our trees and safety of the community	Civil Construction and Maintenance	✓
	Implement the living streets tree replacement program to maintain and replenish our urban forest	Civil Construction and Maintenance	✓

Promote and control environmentally sustainable business practices and on-site wastewater system operation	Proactively monitor and regulate activities to minimise environmental impact, including implementing CN's business pollution prevention program and erosion and sediment control program	Regulatory, Planning and Assessment	✓
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Ensure development takes place in accordance with the requirements of environmental planning	Manage contaminated land information and seek appropriate remediation through the development application process	Regulatory, Planning and Assessment	✓
	*Commence rehabilitation of the former Astra St landfill site	Waste Services	✓

Ensure priority natural environment areas are maintained and improved	Deliver environmental improvement projects and maintenance along the coastline	Assets and Projects	✓
	Deliver projects that maintain and enhance the natural environment including delivery of the Blackbutt Reserve Plan of Management	Assets and Projects	✓

2.2.2 Encourage and support active community participation in local environmental projects

Opportunities for community involvement are incorporated in the delivery of natural environment areas maintenance and improvement projects	Deliver the natural connections and living streets community education initiatives in co-ordination with the delivery of key environment, stormwater and road projects	Assets and Projects	✓
	Support volunteer involvement in the delivery of natural environment programs (eg Landcare)	Parks and Recreation	✓

2.3 Environment and climate change risks and impacts are understood and managed

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
----------------------------	---------------------------------	----------------	--------

2.3.1 Ensure decisions and policy response to climate change remains current and reflects community needs

Keep the community involved in the development of climate change adaption measures consistent with the adopted plans	Monitor sea level rise and ground water behaviour in low lying suburbs	Assets and Projects	✓
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2.3.2 Build community readiness by engaging the community in risk management processes

Support individuals to prepare, respond and recover from emergency events	Co-ordinate prevention, preparedness, response and recovery activities in accordance with legislation and emergency plan responsibilities	Legal	✓
	To formalise an Integrated Emergency Management Capability and Capacity Development Framework to enhance CN's capacity to effectively prevent, prepare for, respond to, and recover from significant emergency events impacting the communities of Newcastle	Legal	✓

* new actions (see page 96 for more detail)

Key Performance Indicators

Quarterly indicators	Results		
Maintain Landcare hours and programs		continuing	✓
Level of satisfaction with bins in Newcastle ★★★ (reported from September survey)		89%	✓
The below annual measures to be reported on in the Annual Report	2019	2020	Early Results
Reduction of 5% in waste land fill			
Improve aesthetic and cleanliness of our city above ★★★☆ streets and public areas			
Improve aesthetic and cleanliness of our city above ★★★☆ public parks	3.7	4.1	✓
Improve aesthetic and cleanliness of our city above ★★★☆ beaches and beach facilities			
Improve aesthetic and cleanliness of our city above ★★★☆ Ocean baths and facilities			
Increase usage of community recycling centre			
40% waste diversion rate for municipal collection			
Plant over 1,000 trees a year			





Vibrant, Safe and Active Public Places

A city of great public places and neighbourhoods promoting people's happiness and wellbeing.

Community Objective

- 3.1 Public places that provide for diverse activity and strengthen our social connections
- 3.2 Culture, heritage and place are valued, shared and celebrated
- 3.3 Safe and activated places that are used by people day and night



Highlights of Vibrant, Safe and Active Public Places

★★★★★ (3.8) Satisfaction with playground equipment available

★★★★★ (4.1) Satisfaction with customer service at pools
(Community survey)

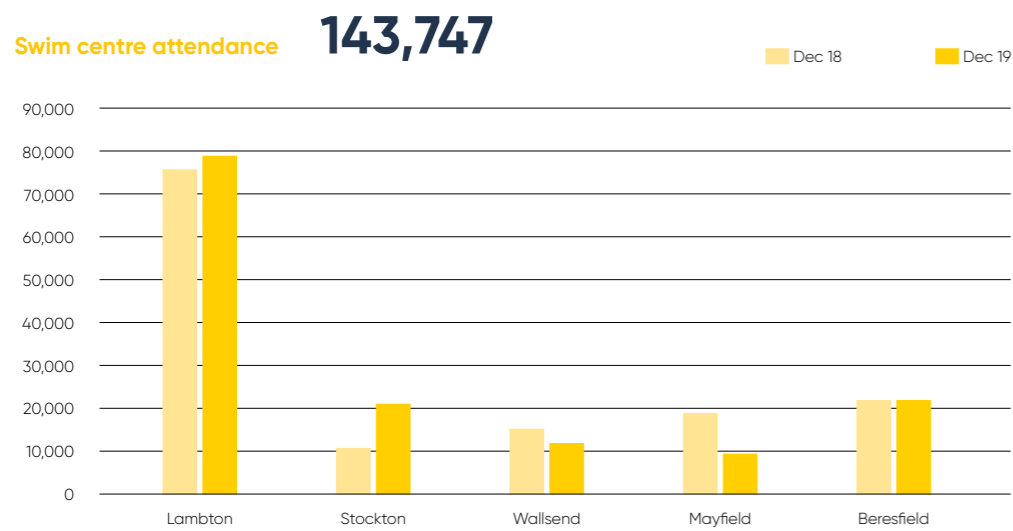
92% of people have visited a park in the last 12 months
(Community survey)



2,365 overall attendance at events in City Hall, Fort Scratchley Function Centre and Museum hire spaces



18 times the community hire rate was used at Civic Theatre, Playhouse, City Hall, Fort Scratchley Function Centre and Museum



What we did

City unveils towering harbourside Christmas tree

CN installed an 11-metre-tall Christmas tree at Queens Wharf to spread festive cheer and activate the city centre over the holiday season.

Adorned by more than 4,300 lights and 350 decorations, the tree is expected to become a tradition over the next decade.

Novocastrians appreciated the sight of the tree by the harbour, especially at night. It became a major drawcard, bringing families into the city.

The tree will be installed in the city centre annually over the holiday period.



Lord Mayor Nuatali Nelmes at the installation

How we performed

Total Initiatives
100%

Of initiatives completed or on track



Monitor	0 0%
On Track	35 100%
Off Track	0 0%
No Targets Set	0 0%

Total Key Performance Indicators

KPIs are annual, to be reported on in the Annual Report

3.1 Public places that provide for diverse activity and strengthen our social connections

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
3.1.1 Provide quality parkland and recreation facilities that are diverse, accessible and responsive to changing needs			
Upgrade and enhance our parkland and recreational facilities	Deliver recreational facility improvements throughout the city - playgrounds, outdoor courts, sportsgrounds, exercise equipment, dog off-leash areas	Parks and Recreation	✓
	Provide open spaces to meet community needs - playgrounds, outdoor courts, sportsgrounds, exercise equipment, dog off-leash areas	Parks and Recreation	✓
	Provide aquatic facilities to meet community needs and industry requirements	Parks and Recreation	✓
	Support safe use of beaches through lifesaving services	Parks and Recreation	✓

	Deliver recreation projects that improve our public space	Parks and Recreation	✓
	Providing sustainable infrastructure to support our parkland and recreational facilities by construction of new assets and renewal of existing assets	Civil Construction and Maintenance	✓
Ensure that recreation facilities provide opportunities for the full range of age groups and abilities	Deliver projects that support whole of community use and incorporate universal design principles	Parks and Recreation	✓
Ensure spaces and facilities are multi-functional, and adaptable to changing need	Undertake plans of management and masterplans to reflect the current community needs	Parks and Recreation	✓

3.1.2 Enhance our beaches and coastal areas through upgraded facilities

Continue to support and deliver on our special rate variation project 'Coastal Revitalisation'	Plan and design for the implementation of the Bathers Way at South Newcastle, Bar Beach and King Edward Park	Assets and Projects	✓
Upgrade and enhance our beaches and coastal area facilities	Providing sustainable infrastructure to support our beaches and coastal facilities by construction of new assets and renewal of existing assets	Civil Construction and Maintenance	✓
	Ensure our ocean baths, beaches and coastal facilities are clean and inviting	Property and Facilities	✓

3.1.3 Plan, coordinate and deliver cultural and community infrastructure and programs

Develop and deliver a range of learning-based community events and programs in partnership to enhance social connections	Maintain a balance of programming targeted to a breadth of audience demographics including works of new and emerging thinking, forms and technology	Libraries and Learning	✓
	Maintain a balance of audience engagement programs targeted to a breadth of audience demographics	Libraries and Learning	✓
	Establish a fully resourced virtual library and seamless online membership experience	Libraries and Learning	✓
	Establish partnerships with key programming deliverables for the city	Libraries and Learning	✓

Ensure Newcastle audiences have access to a diverse range of exhibitions and works of high quality	Maintain a balance of Museum audience engagement targeted to a breadth of audience demographics	Museum	✓
	Enhance relationships within and external to CN to promote our Museum	Museum	✓
	Maintain a balance of programming for the Art Gallery, targeted to a breadth of audience demographics including works of new and emerging thinking, forms and technology	Art Gallery	✓
	Maintain a balance of programming for Civic Services targeted to a breadth of audience demographics including works of new and emerging thinking, forms and technology	Civic Services	✓
Partner with Newcastle's small to medium not for profit arts and cultural organisations in growing arts and culture in the city	Establish up to five programming partnerships of up to three-year terms with key programming deliverables for the city	Civic Services	✓
Ensure our buildings are multi-functional and support whole of community use	Ensure our community and CN buildings are clean, inviting, damage and graffiti free	Property and Facilities	✓

3.2 Culture, heritage and place are valued, shared and celebrated

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
----------------------------	---------------------------------	----------------	--------

3.2.1 Celebrate Newcastle's history, cultural heritage and cultural diversity

Grow the city's identity via its collections of art and artefacts, local history and architecture	Plan, support and maintain the city's art exhibitions and collections to generate educational programming	Art Gallery	✓
	Secure and preserve Newcastle's stories, heritage and history collections	Libraries and Learning	✓

3.2.2 Increase collaboration with artists and practitioners in the cultural sector

Promote the Newcastle Library's Local History and Heritage Collections through a range of exhibitions, partnerships and programs	Present shows within Civic Services that feature local stories and cultural identity across the local government area	Civic Services	✓
	Maintain a balance of local stories told through exhibitions, web content and media	Museum	✓

Expose local stories, both historic and contemporary, through cultural programming and build Newcastle's cultural identity	Present Art Gallery shows that feature local stories and cultural identity across the local government area	Art Gallery	✓
	Deliver Arts and Cultural support programs within the Art Gallery and Civic Services	Art Gallery and Civic Services	✓

3.3 Safe and activated places that are used by people day and night

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
----------------------------	---------------------------------	----------------	--------

3.3.1 Collaborate with local groups and services to address crime and safety

Provide CN parking facilities that are safe, welcoming and inclusive	Deliver improved accessibility across Newcastle through parking safety initiatives, management and enforcement	Transport and Compliance	✓
	Continue to partner and fund on the ground initiatives including Walk Smart and Salvation Army Streetsafe program	Corporate and Community Planning	✓
Protect, promote and control the risk to public health associated with local business activities	Conduct regular inspection programs of food businesses, skin penetration premises, public swimming pools and monitor regulatory compliance for premises with water cooling systems (legionella)	Regulatory, Planning and Assessment	✓
Develop public places that are safe, welcoming and inclusive	Deliver park improvement projects that integrate safer by design principles	Parks and Recreation	✓

3.3.2 Plan for a night-time economy, characterised by creativity, vibrancy and safety, that contributes to cultural and economic revitalisation

Implement policy and strategic initiatives to encourage more diverse night-time venues	Implement the year 2 actions from the Newcastle After Dark Strategy	Corporate and Community Planning	✓
	Deliver, with partners, the night-time spaces project to create more interactive and safer public spaces in the city's nightlife precincts	Corporate and Community Planning	✓
	Apply crime prevention through environmental design principles for all new and replacement infrastructure	Corporate and Community Planning	✓
	Implement creative and safety lighting programs	Corporate and Community Planning	✓

Key Performance Indicators

The below annual measures to be reported on in the Annual Report	2019	2020	Early Results
Increase the annual attendance at Libraries, Art Gallery, Museum and Civic Services by 5%			
Maintain a community (%) that feel overall safe in Newcastle LGA (Target 74%)			
Community (%) who agree the upgrades to coastal facilities have enhanced our beaches and coastal areas (Target 87%)			
Improve community satisfaction above ★★★ maintenance of public parks	3.7	4.1	✓
Improve community satisfaction above ★★★ condition of ocean baths and facilities			
Improve community satisfaction above ★★★ playground and equipment available	3.5	3.8	✓
Improve community satisfaction above ★★★ shade provided in parks and playgrounds	3.1	3.3	✓





Inclusive Community

A thriving community where diversity is embraced, everyone is valued and has the opportunity to contribute and belong.

Community Objective

4.1 A welcoming community that cares and looks after each other

4.2 Active and healthy communities with physical, mental and spiritual wellbeing



Highlights of Inclusive Community



78%
feel welcomed and
connected with their local
community
(survey results -
Summer 2018)

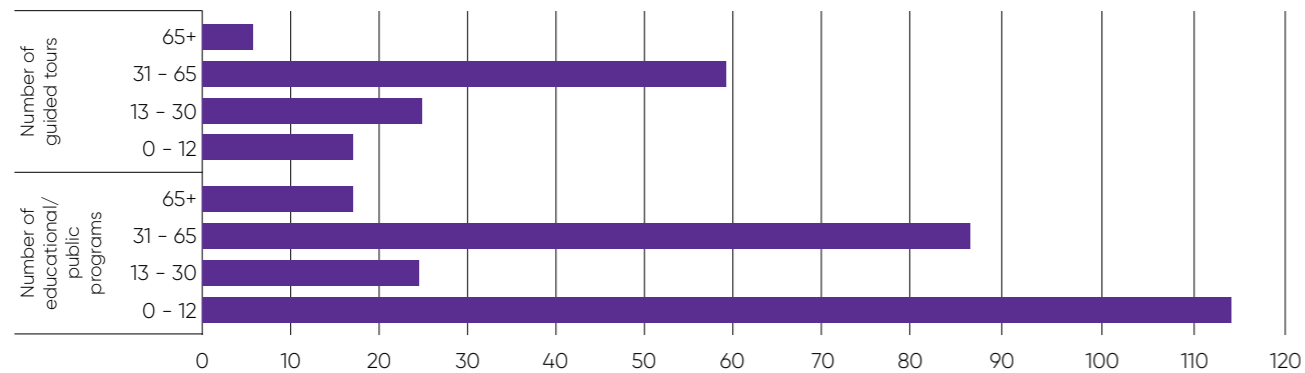


**20th
anniversary**
Guraki Aboriginal
Advisory Committee



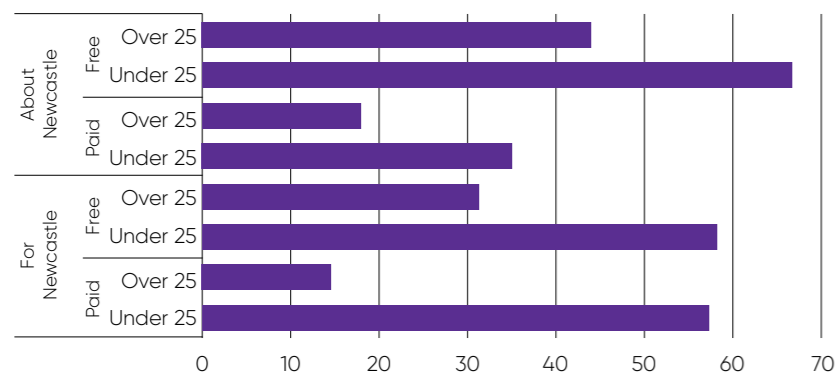
41,659
Art Gallery attendance

Programs and Tours - Art Gallery



56,387
Museum attendance

Number of programs - Museum



What we did

Guraki Committee celebrates its 20th anniversary of driving reconciliation

The Guraki Committee provides high level strategic advice to assist CN to better understand the perspectives and aspirations of local Aboriginal people.

Guraki's milestone was marked on 7th November at an anniversary event held at Newcastle Museum. The past and future came together in a unique augmented reality Aboriginal Acknowledgement Ceremony highlighting the heritage and culture of local Aboriginal peoples followed by a video presentation of Guraki and CN's journey over the past 20 years.



Lord Mayor celebrates the 20th anniversary of the Guraki committee



Between two worlds exhibition opened at the Art Gallery

BETWEEN TWO WORLDS (16 November 2019 – 16 February 2020) comprises 62 works from 43 artists examining themes ranging from cultural identity, globalisation and migration.

30 years on: Remembering the 1989 earthquake

At 10.27am on 28 December 2019 it was 30 years to the minute since an earthquake broke Novocastrian hearts and devastated our city.

CN remembered the 13 people killed and the courage, resilience and community spirit that followed the 1989 quake by hosting and supporting a range of events to mark the 30th anniversary.

CN also acknowledged the incredible efforts of the emergency services personnel and others who helped their fellow citizens.

As well as killing 13 and injuring 160, the quake caused around \$4 billion in damage, an astonishing figure.

More than 35,000 homes were damaged, leaving 1,000 people homeless, as were 147 schools and 3,000 other buildings.

Newcastle Museum's *Earthquake Then and Now and Again* exhibition was extended due to public demand until Monday 13 January after opening in July.



First responders at the Newcastle earthquake in 1989

How we performed

Total Initiatives
100%

Of initiatives completed or on track



Monitor	0 0%
On Track	29 100%
Off Track	0 0%
No Targets Set	0 0%

Total Key Performance Indicators
100%

Of KPIs completed or on track



Monitor	0 0%
On Track	1 100%
Off Track	0 0%
No Targets Set	0 0%

4.1 A welcoming community that cares and looks after each other

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
4.1.1 Acknowledge and respect local Aboriginal history, cultural heritage and peoples			
Deliver CN's Aboriginal Heritage Management Strategy	Facilitate the Guraki Aboriginal Advisory Committee to provide advice to CN on matters relating to culture and heritage	Corporate and Community Planning	✓
Know our heritage and enhance our community's knowledge or and regard for Aboriginal cultural heritage items and places	Implement the dual naming project with the installation of signage at eight locations and supporting website	Corporate and Community Planning	✓
Increase engagement with local Aboriginal community	Develop and facilitate opportunities for workshops with local groups eg Wollotuka	Civic Services	✓
	Utilisation of Aboriginal science and collection in Supernova	Museum	✓

4.1.2 Support initiatives and facilities that support social inclusion and community connections

Support and encourage programs and events by community groups and not for profit groups	Liaise with community and sporting clubs for open space bookings and events	Parks and Recreation	✓
	Raise public awareness of water safety issues through a targeted education program	Parks and Recreation	✓
	Advocate and liaise with groups in relation to community building bookings and events	Property and Facilities	✓
Ensure open space and facilities are multi-functional and support whole of community use	Upgrades to community facilities to improve accessibility	Property and Facilities	✓
Deliver the Disability Inclusion Action Plan	Further develop advice and guidance on delivering accessible and inclusive events. Deliver/develop partnerships for inclusive events	Corporate and Community Planning	✓
	Promote and support roll out of Abilitylinks Better App	Corporate and Community Planning	✓
	Undertake three accessibility audits for CN's facilities or assets	Corporate and Community Planning	✓
	Continue the rewards and recognition program for CN volunteers	Civic Services	✓

4.1.3 Improve, promote and facilitate equitable access to services and facilities

Deliver the Disability Inclusion Action Plan	Implement Disability Awareness training as part of staff induction process	Corporate and Community Planning	✓
Promote a culture of responsive customer service	Undertake second audit of website accessibility to assess progress towards content compliance	Corporate and Community Planning	✓
Celebrate inclusive practice and access outcomes	Liaise with and promote accessible and inclusive sports and activities within Newcastle	Corporate and Community Planning	✓
Improve staff awareness of disability issues to provide responsive services for customers with a disability	Promote and facilitate inclusion awareness with councillors, executive leadership and other staff	Corporate and Community Planning	✓

4.2 Active and healthy communities with physical, mental and spiritual wellbeing

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
4.2.1 Ensure people of all abilities can enjoy our public places and spaces			
Ensure that a variety of parklands and recreational facilities are provided, that are accessible and distributed equitably across the city	Deliver recreational facility improvements throughout the city - playgrounds, outdoor courts, sportsgrounds, exercise equipment and dog off-leash area	Parks and Recreation	✓
Demonstrate leadership in public domain improvements	Promote new Lift and Change facilities at Nobbys Beach. Develop priority list of potential lift and change locations	Corporate and Community Planning	✓
	Facilitate the Disability Inclusion Advisory Committee, and prepare second iteration of the Disability Inclusion Action Plan	Corporate and Community Planning	✓
New or renewed infrastructure will be delivered in accordance with Disability Standards where practical	Continuously upgrade CN assets to meet the requirements of the Disability Discrimination Act	Assets and Projects	✓

4.2.2 Improve access to formal and informal learning opportunities, facilities and services

Increase focus on young people (16-30 yrs)	Actively invest in programming and communications targeted to young people	Civic Services	✓
Develop and deliver community programs, partnerships, information and learning programs designed to create wide opportunities for all	Target lifelong learning resources and programs to improve skills in financial literacies; health literacies; living sustainably and promoting wellbeing	Libraries and Learning	✓
	Measure the impact of early childhood activities for libraries and childcare over a period to develop proven methodologies which has every child read	Libraries and Learning	✓
	Establish adult learning volunteer program	Libraries and Learning	✓
	Target lifelong learning for community governance workshops to support CN and community volunteer organisations	Libraries and Learning	✓
	Actively invest in education and public programs engaging with identified groups	Art Gallery	✓
Actively invest in education and exhibitions programs within the Museum, engaging with identified groups	Museum	✓	

4.2.3 Promote recreation, health and wellbeing programs

Support and encourage development of recreation and leisure opportunities and events	Provide website and social media updates to encourage use of recreation	Parks and Recreation	✓
Promote awareness of the requirements of the Companion Animals Act with respect to the ownership of companion animals	Continue the existing Responsible Pet Ownership Program, to have three to four community events per year in collaboration with RSPCA and other stakeholders	Transport and Compliance	✓

Key Performance Indicators

Quarterly indicators	Results
Volunteer satisfaction with programs	on track ✓

The below annual measures to be reported on in the Annual Report

Deliver a minimum of four targeted lifelong learning resources and programs
Increase the number of education and exhibition programs with identified groups
Maintain the number of community projects funded annually through grants and sponsorship programs
Community (%) who feel welcomed/ connected with your local community (Target 78%)
Community (%) who agree Newcastle's Civic Theatre, Art Gallery, Libraries and Museum facilities play a primary role in the development and promotion of culture in Newcastle



Liveable Built Environment

An attractive city that is built around people and reflects our sense of identity.

Community Objective

- 5.1 A built environment that maintains and enhances our sense of identity
- 5.2 Mixed-use urban villages supported by integrated transport networks
- 5.3 Greater diversity of quality housing for current and future community needs
- 5.4 Sustainable infrastructure to support a liveable environment



<p>3 GOOD HEALTH AND WELL-BEING</p>	<p>4 QUALITY EDUCATION</p>	<p>7 AFFORDABLE AND CLEAN ENERGY</p>	<p>8 DECENT WORK AND ECONOMIC GROWTH</p>
<p>10 REDUCED INEQUALITIES</p>	<p>11 SUSTAINABLE CITIES AND COMMUNITIES</p>	<p>17 PARTNERSHIPS FOR THE GOALS</p>	

Highlights of Liveable Built Environment



8
heritage conservation
areas declared



mean net determination
times for Development
Applications (DAs)
65.6 days



average value of DAs
approved/month
\$631,510

the average number
of DAs received/month
110
applications



No. of Development Applications and value of works

Approved	592	\$373,854,043
Determined*	701	\$433,772,892
Received*	601	\$461,155,038

*Includes applications that have been rejected due to inadequate information and are likely to be submitted and accepted at a later date

What we did

Community consultation on Masterplans

Carrington Greenspace

This Masterplan sets the future direction for Carrington Greenspaces, providing innovative and active spaces for all members of the community to enjoy.

Additional feedback was sort as part of the public exhibition in November and December.

James Street Plaza

Two Masterplan concepts were presented to the community to create a flexible multi-use meeting space for the whole community, consultation closed in January.

Council endorses the transfer of harbourside land to City of Newcastle

CN endorsed five harbourside lots stretching from the Cowper Street Bridge, Wickham, to Lynch's Hub Café will be officially transferred to the City for permanent use as the harbour promenade.

City marks 90th birthday of civic jewels

This year CN the charge to a new, more accessible CBD by relocating to a modern office block in the West End.

Ninety years ago it blazed a similar trail, opening City Hall and the Civic Theatre upon completion of a twin £300,000 development dubbed "Civic Block".

Council had by then outgrown a small Watt Street premises, which previously served as military offices during the days of the penal-colony, and moved west in parallel with large-scale industrial expansion.

Ninety years ago a great weeklong celebration kicked off in Newcastle to mark a development that shaped the City's Civic Precinct. As well as the two grand openings, bands played for the community in King Edward Park, other entertainment featured a soccer tournament, competitive woodchop, surf carnival and aerial pageant at District Park, while a new floating dock was launched on the harbour.

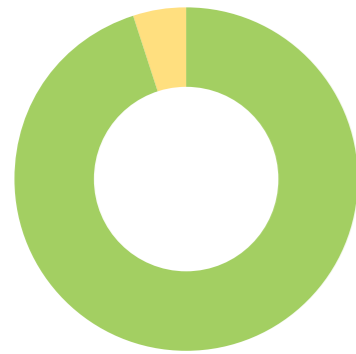


Builders put the finishing touches on Civic Theatre as work progressed on City Hall's clocktower.

How we performed

Total Initiatives
95%

Of initiatives completed or on track



Monitor	1	5%
On Track	19	95%
Off Track	0	0%
No Targets Set	0	0%

Total Key Performance Indicators

KPIs are annual, to be reported on in the Annual Report

5.1 A built environment that maintains and enhances our sense of identity

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
5.1.1 Protect and promote our unique built and cultural heritage			
Ensure compliance with environmental planning regulations	Undertake investigations into alleged breaches of planning laws and development consents and promote awareness of policy, procedure and laws to encourage voluntary compliance	Regulatory and Assessment	✓
Ensure development controls and zoning protect the heritage significance of items and conservation areas	Implement the recommendations from the Review of Heritage Conservation Areas Final Report (2016). This includes the preparation of planning proposals and a review of Development Control Plans and Technical Manuals	Regulatory, Planning and Assessment	✓

Ensure we protect and maintain our unique built and cultural heritage infrastructure	City Hall restoration - restore the northern and western facade of City Hall	Assets and Projects	✓
	*Operate selected CN venues as venue hire, balancing community access and revenue generation to offset venue operational costs	Civic Services	✓
	*Maintain interiors and facilities of City Hall and Civic Theatre	Civic Services	✓
	Increase community access and use of Civic Theatre, Playhouse and City Hall	Civic Services	✓

5.1.2 Ensure our suburbs are preserved, enhanced and promoted, while also creating opportunities for growth

The land use pattern will reinforce mixed use centres, educational nodes, opportunities for technology-based businesses, supported by integrated transport	Prepare the Local Strategic Planning Statement as required in the Environmental Planning and Assessment Act 1979 and update the Local Planning Strategy	Regulatory, Planning and Assessment	✓
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5.1.3 Facilitate well designed and appropriate scale development that complements Newcastle's unique character

Protect and enhance heritage buildings, streetscapes, views and key features, as well as, encouraging building innovation	In the assessment of development applications ensure development is consistent with the principles in CN's Local Planning Strategy 2015, including ensuring development addresses public spaces and is scaled for the pedestrian to provide vibrant and activated public spaces	Regulatory, Planning and Assessment	✓
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5.2 Mixed-use urban villages supported by integrated transport networks

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
5.2.1 Plan for concentrated growth around transport and activity nodes			
Implement the recommendations of CN's Parking Study and Parking Management Action Plan	Provide improved access and management of on-street parking spaces across Newcastle consistent with CN's adopted Parking Management Framework	Transport and Compliance	✓
	Implement the recommendations of CN's Permit Parking Guidelines, consolidating control of all CN's parking permits into one management area	Transport and Compliance	✓
	Support Park and Ride and investigate possible new locations	Transport and Compliance	✓
Promote integrated, sustainable, long term planning for Newcastle	Implement the priority actions in the Greater Newcastle Metropolitan Plan 2036	Regulatory, Planning and Assessment	○
	Implement the actions in the Wickham Master Plan to deliver on the vision to create a diverse and dynamic mixed-use neighbourhood	Regulatory, Planning and Assessment	✓
5.2.2 Plan for an urban environment that promotes active and healthy communities			
Raise fire safety awareness of all relevant property owners and managers, tenants and business operators	Promote and encourage voluntary compliance with fire safety regulations through submissions of Annual Fire Safety Statements and through the Fire Safety Statement Program	Regulatory, Planning and Assessment	✓

5.3 Greater diversity of quality housing for current and future community needs

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
5.3.1 Ensure sufficient housing diversity to meet community needs, including affordable and adaptable housing options			
Promote fire safety in medium to high density boarding houses	Annual compliance inspections of registered and assisted boarding houses, as well as premises being used as unauthorised boarding houses to ensure compliance with fire safety and planning legislation	Regulatory, Planning and Assessment	✓

Ensure sufficient housing capacity for our future population	CN to participate in the Urban Development program established by the Department of Planning and Environment to monitor delivery of housing in the Lower Hunter	Regulatory, Planning and Assessment	✓
Facilitate affordable living	Implement the CN Affordable Living Plan	Regulatory, Planning and Assessment	✓

5.4 Sustainable infrastructure to support a liveable environment

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
5.4.1 Advocate for implementation of energy and resource efficiency in new developments			
Improved waste and recycling infrastructure in new developments	Finalise waste management in new developments guidelines which set minimum planning requirements	Waste Services	✓
5.4.2 Plan, provide and manage infrastructure that continues to meet community needs			
Implement best practice asset management to deliver sustainable services	Prioritise renewal of infrastructure to deliver desired levels of service	Assets and Projects	✓
	Ensure capacity is maintained at the Summerhill Waste Management Centre to meet the needs of the community	Waste Services	✓

*new actions (see page 96 for more detail)

Key Performance Indicators

The below annual measures to be reported on in the Annual Report

Complete the agreed number of public engagements with responsible pet ownership events
Community (%) who agree there is a good mix of housing types (large and small single dwellings, apartments, units in their local suburb)
Community (%) who are satisfied with the quality of heritage conservation (Target 56%)
Proportion (%) of houses within 800 metres of a public transport stop
% of development applications notified in accordance with the Development Control Plan
% of development applications that have information available on the web site, that complies with the GIPA
80% of food premises satisfactory on first food inspection for the year
Community (%) who agree there is sufficient land available for different types of businesses to establish and grow



Smart and Innovative

A leader in smart innovations with a prosperous, diverse and resilient economy.

Community Objective

- 6.1 A vibrant diverse and resilient green economy built on educational excellence and research
- 6.2 A culture that supports and encourages innovation and creativity at all levels
- 6.3 A thriving City that attracts people to live, work, invest and visit



4 QUALITY EDUCATION 	6 CLEAN WATER AND SANITATION 	7 AFFORDABLE AND CLEAN ENERGY 	8 DECENT WORK AND ECONOMIC GROWTH
9 INDUSTRY, INNOVATION AND INFRASTRUCTURE 	10 REDUCED INEQUALITIES 	11 SUSTAINABLE CITIES AND COMMUNITIES 	17 PARTNERSHIPS FOR THE GOALS

Highlights of Smart and Innovative



Newcastle App
1300+
downloads since
launch



Supercars 500
attracted
154,000
people



Total combined audience
14m

Estimated value
of coverage
\$2m



\$30.1m
to local economy



Second IQ talk held for the year

Headlining this edition was Colin Kinner - big thinker and innovation change agent

What we did

New app launched

CN's new smart phone app is part of our Smart City Program and has been designed to increase digital communication with residents and visitors. The app is your one stop shop for everything there is to know about Newcastle including latest news and information on city services and events, plus handy tips on where to eat, stay, shop and play. Enjoy a faster way to explore Newcastle; all from the convenience of your smartphone.

Key features

Discover: everything around you in list or map view - beaches and pools, sportsgrounds, art and culture, attractions and tours, parks, libraries, accommodation, food and drink.

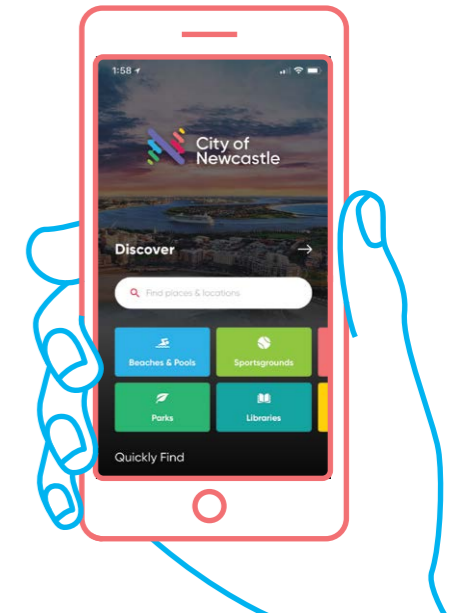
Quickly find: a handy feature helping you to find what you need in the area whether it's parking, bike racks or BBQs.

What's On: a list of the many events happening in our buzzing city.

News: stay up to date on the latest City news breaking in and around Newcastle.

Quickly connect to our social media accounts

Report an issue: you can help make the CN a better place by reporting issues such as graffiti, fallen trees or broken or damaged CN facilities. All submitted information is confidential. Note - the CN app has been designed to report non-urgent issues. To report urgent issues, please phone us on 02 4974 2000 or in life threatening emergencies please contact 000.



Newcastle leads the way with smart city infrastructure

An advanced network of sensors spread across the city has put Newcastle on the front foot to combat a range of local environmental issues.

CN's 'Envirosensing' network and Internet of Things (IoT) project, officially launched on 18th October, is the culmination of three years of work to build one of the most advanced smart city infrastructure systems in Australia.

The system is designed to measure a range of environmental conditions including temperature, humidity, wind direction, air quality, water usage, soil moisture and solar irradiance.



Newcastle 500 delivers for city in 2019

The Supercars Newcastle 500 has delivered another successful event for the city in 2019, with solid attendance numbers, positive feedback from businesses, and tens of thousands of dollars raised for charity.

In its third year, the Newcastle 500 drew 154,000 people through the gates over the three-day event, with police 'extremely pleased' with the 'very respectful and well behaved' crowd.

Newcastle was on show over the event weekend, with 344 media stories from Friday 22 to Sunday 24 November, reaching a combined domestic audience of more than 14 million people, with an estimated value of over \$2 million.

CN's social media was lit-up with 1.2 million individual impressions of the multiple posts shared including action shots from the track and videos showcasing the city bursting with activity.

It was great to see Hunter Street Mall active with the Super-Duper Karts event, including music, a petting zoo and camel rides thanks to a local business-led event.

How we performed

Total Initiatives

100%

Of initiatives completed or on track



Monitor	0 0%
On Track	25 100%
Off Track	0 0%
No Targets Set	0 0%

Total Key Performance Indicators

KPIs are annual, to be reported on in the Annual Report

6.1 A vibrant diverse and resilient green economy built on educational excellence and research

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
6.1.1 Recognise and strengthen Newcastle's role as a regional capital and hub for industry, education, health, business, personal, tourism, port and logistics services			
Embrace digital platforms to broaden audiences for culture	Invest in digital platforms to broaden and deepen audience engagement in the Art Gallery	Art Gallery	✓
	Invest in digital platforms to broaden and deepen audience engagement in the Museum	Museum	✓
Promote the lifestyle and cultural values of Newcastle as a place to work, invest and live	Develop an opportunities prospectus to promote Newcastle as the perfect business and lifestyle location nationally and internationally	Major Events and Corporate Affairs	✓
	Participate in the United Nations Compact City Partnership program	Corporate and Community Planning	✓

6.1.2 Attract new business and employment opportunities

Continue to work with the NSW Government to promote revitalisation of the city centre and attract new investment, business and jobs	Gather and analyse economic and industry information to identify gaps and business opportunities	Corporate and Community Planning	✓
Strengthen the existing commercial, activity, service and employment centres	Continue to deliver the Local Centres Public Domain Program to foster new growth in local centres	Assets and Projects	✓

6.2 A culture that supports and encourages innovation and creativity at all levels

6.2.1 Support and advocate for innovation in business, research activities, education and creative industries

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
Increase support for, and engagement with, local artists, innovative thinkers, academic creatives and cultural practitioners	Support development of artists and practitioners through mentoring and professional placements	Art Gallery	✓
	Establish program for tertiary students in cultural disciplines and professional practitioners, to view ticketed programming at reduced prices	Museum	✓
	Develop a specific Library IT Infrastructure Plan	Libraries and Learning	✓
	Support and encourage innovation and creativity at all levels	Libraries and Learning	✓
E-Smart Library that fosters digital citizenship	Libraries and Learning	✓	✓
Continue to facilitate innovative ecosystem development projects	Support the strategic development of the regional incubator collaborative project and the iQ series of events	Corporate and Community Planning	✓

6.2.2 Support and advocate for the small business sector

Continue to build on and promote Newcastle's advantages in education, health, energy research and smart city initiatives	Deliver the Newcastle Living Lab Framework to promote technology innovation trials and research	Corporate and Community Planning	✓
	Continue to expand smart city infrastructure including smart poles, WiFi, and sensor networks	Corporate and Community Planning	✓
	Deliver a range of digital platforms that can collect, analyse and present data including portal, app, dashboard and city intelligence platform	Corporate and Community Planning	✓

6.3 A thriving city that attracts people to live, work, invest and visit

6.3.1 Facilitate events and festivals that attract visitors and support the local economy

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
Maintain a diverse program of events to appeal to a broad audience that build on Newcastle's assets	Deliver the annual CN Event Sponsorship Program	Major Events and Corporate Affairs	✓
	Support events via provision of Visitor Services to increase visitor nights and expenditure	Civic Services	✓
	Support industry through training opportunities and increase visitor experience	Civic Services	✓
Build cultural tourism by presenting events that celebrate the city and contribute to its identity	Develop local stories in our Art Gallery and build Newcastle's cultural identity	Art Gallery	✓
	Tell the stories of Newcastle through a variety of mediums and technologies in collaboration with other CN units and community	Museum	✓

6.3.2 Work with the tourism sector to further develop Newcastle as a visitor and event destination

Implement the Destination Management Plan	CN to continue its leadership role in developing the visitor economy	Major Events and Corporate Affairs	✓
Continue to work on researching and promoting sector infrastructure issues, including accommodation, and conference facilities	Maintain the visitor website as well as print promotions such as maps and self-guided tours	Major Events and Corporate Affairs	✓
Utilise economic and business information to track city and key industry trends	Investigate the visitor services model	Major Events and Corporate Affairs	✓
Continue to identify signature events and experiences for the Newcastle community and our visitors	Promote Newcastle as a destination for business, association and professional conferences and events	Major Events and Corporate Affairs	✓

6.3.3 Work with businesses, planners and government at all levels to facilitate key infrastructure to support business growth

Work with our community, business sector and government to identify and facilitate key infrastructure projects	Continue to support the development of Newcastle Airport and expansion and national and international routes	Major Events and Corporate Affairs	✓
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6.3.4 Foster a collaborative approach to continue city centre renewal

Revitalisation of our city centre to provide the standard of facilities necessary to attract people to live, work and play in Newcastle	Deliver economic development and activation projects across the city	Corporate and Community Planning	✓
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Key Performance Indicators

The below annual measures to be reported on in the Annual Report

- _____ Increase the number of visitors to Newcastle
- _____ Maintain economic values of grants provided by the Events Sponsorship Program
- _____ Increase in the estimated value of approved commercial developments
- _____ Increase the number of visitors to visitnewcastle.com.au
- _____ Maintain the number of major events held in Newcastle
- _____ Improve awareness of CN's new brand





Open and Collaborative Leadership

A strong local democracy with an actively engaged community and effective partnerships.

Community Objective

- 7.1 Integrated, sustainable long-term planning for Newcastle and the Region
- 7.2 Considered decision-making based on collaborative, transparent and accountable leadership
- 7.3 Active community engagement in local planning and decision-making processes and a shared responsibility for achieving our goals
- 7.4 A local government organisation of excellence



5 GENDER EQUALITY 	8 DECENT WORK AND ECONOMIC GROWTH 	9 INDUSTRY, INNOVATION AND INFRASTRUCTURE 	16 PEACE, JUSTICE AND STRONG INSTITUTIONS
17 PARTNERSHIPS FOR THE GOALS 			

Highlights of Open and Collaborative Leadership



2,795
visitors to our
customer counter



50,396
calls taken
on 4974 2000



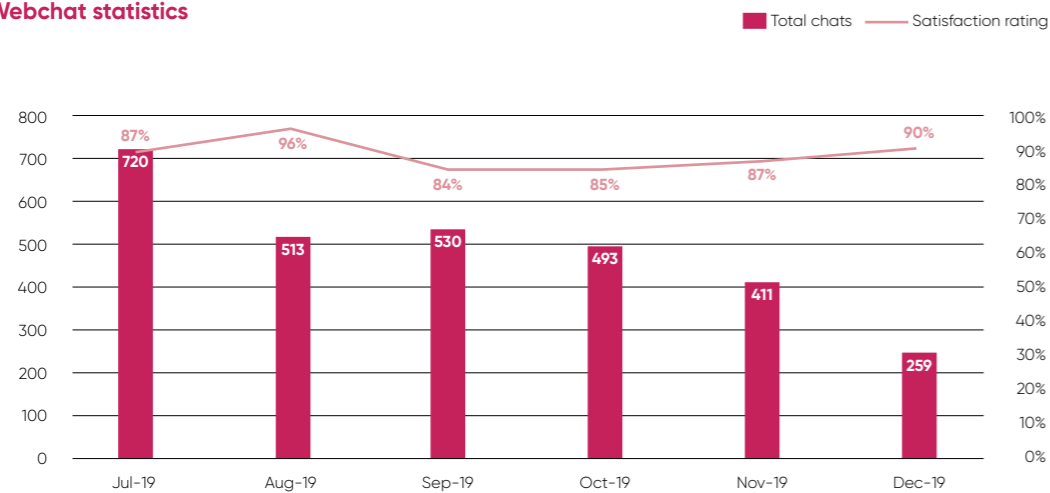
Total number of social media
followers across all sites (including
Visit Newcastle) for December is
149,705
which is an 8.4% increase



Facebook – CN	42,491 followers
Facebook – Visit Newcastle	72,463 followers
Twitter	8,137 followers
LinkedIn	8,887 followers
Instagram	17,727 followers

(this is a combined City and Destination account)

Webchat statistics



What we did

Spark Speaker Series for our staff

Supporting the development of our Wellbeing Strategy, the purpose of the series was to encourage, inspire and support staff in the circumstances of their lives and the challenges they face. Three guest speakers, each with a compelling story to share, presented to staff during November and December.

Following an inspiring talk from Turia Pitt on 7th November, Craig Hamilton joined us on 26th November, and our very own Alex Goodwin (Finance Business Partner) addressed staff on 2nd December. Alex and his son Carter, who has cerebral palsy, feature in a television campaign for the Newcastle Permanent Charitable Foundation. Alex shared his family's story as well as provided us with some excellent strategies for engaging with people and their families with disabilities.

Risk and Audit

The Audit and Risk Committee (Committee) plays a pivotal role in the governance framework to provide CN with independent assurance and oversight of audit processes, including internal control activities. Broadly, these include oversight of CN's risk management control framework, legislative compliance and internal audit. The Committee also reviews the external audit opinion and recommendations and other aspects of financial governance and reporting.

CN outsources 60% of the internal audit function. Outsourcing facilitates an agile internal audit program and ensures a high level of independence and autonomy from CN's management enabling specialised knowledge and skills to be procured to conduct audits of those high-risk areas which could impact the achievement of CN's objectives.

The Committee has received regular updates and reports from the Risk Management Coordinator and the Governance and Risk Executive Committee on the establishment of the revised ERM Framework and the implementation of the software solution utilised to manage and support a consistent, effective and structured approach to the management of risk at CN.

Snapshot of internal audit progress

Audit Action Overview



Audit Actions by Risk



11% (14) 2nd Agreed Date
26% (35) On Schedule
14% (19) 3rd Agreed Date
49% (66) Complete

22% (15) Low
15% (10) Medium
63% (42) High

Remaining Audit and Risk Actions

Audit	Total #	Total Complete	Balance	High Risk	Medium Risk	Low Risk
Leave Management	8	5*	3	-	3	-
RMS Drives 2017-2018	1	1	-	-	-	-
Delegations	9	8	1	1	-	-
Fraud, Corruption & Control	15	11	4	-	2	2
Procurement	22	9	13	3	5	5
NHVAS	2	2	-	-	-	-
Customer Service	14	5	9	1	6	2
Historical Recommendations	4	2	2	-	2	-
RMS Drives 2018-2019	1	1	-	-	-	-
Community Facilities (Management Agreements)	8	7	1	-	1	-
Records Management	15	6	9	1	6	2
Summerhill Environmental Compliance	20	9	11	-	9	2
Audit Office External Audit	14	-	14	4	8	2
TOTAL	133	66	67	10	42	15

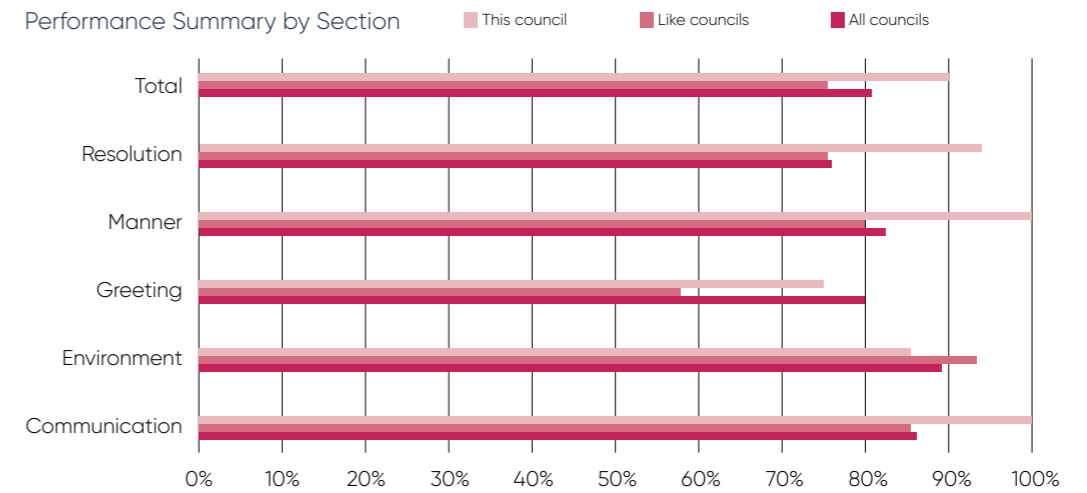
Mystery customer

On a quarterly basis a Mystery Customer undertakes telephone and on-premises visit surveys of Council Service Centres across the country. They have a strong coverage of NSW, with 126 councils shopped by telephone, and 96 shopped in person.

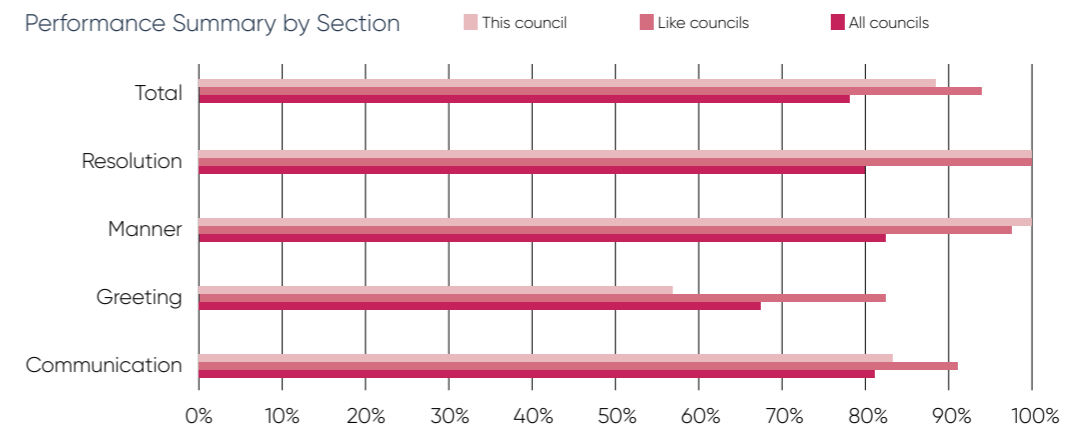
The surveys provide CN with:

- analysis and performance metrics of key service criteria;
- comparison, evaluation and ranking across all councils, and like councils;
- verbatim shopper comments; and
- quarterly and annual reporting

Walk in results



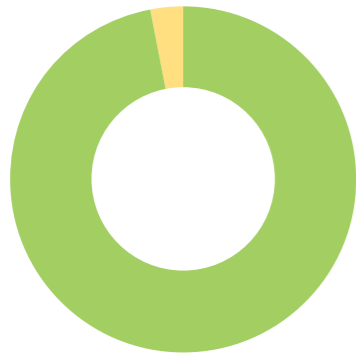
Phone results



How we performed

Total Initiatives 97%

Of initiatives completed or on track



Monitor	2	2.53%
On Track	77	97.47%
Off Track	0	0%
No Targets Set	0	0%

Total Key Performance Indicators 100%

Of KPIs completed or on track



Monitor	0	0%
On Track	1	100%
Off Track	0	0%
No Targets Set	0	0%

7.1 Integrated, sustainable long-term planning for Newcastle and the region

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
7.1.1 Encourage and support long term planning for Newcastle, including implementation, resourcing, monitoring and reporting			
Implement the Integrated Planning and Reporting framework	Develop and deliver a three-year Delivery Program detailing the objectives which are aligned with achieving our CSP	Corporate and Community Planning	✓
	Adopt an Operational Plan that clearly details and shows accountability for the actions taken to achieve the Delivery Program and CSP	Corporate and Community Planning	✓
	Develop Resourcing Strategies that support our Delivery Program and Operational Plan	Corporate and Community Planning	✓
	*Development of a risk-based management approach to managing the Waste Services Unit	Waste Services	✓

7.1.2 Ensure long-term financial sustainability through short, medium- and long-term financial planning

Review and incorporate the financial strategies underpinning all short and medium term plans into the Long Term Financial Plan	Ensure the management of CN's budget allocation and funding alternatives are compliant with our policy and relevant legislation to ensure the long term financial sustainability of the organisation	Finance	✓
	Co-ordinate and update CN's 10 years Long Term Financial Plan	Finance	✓
	Improve investment performance of CN's reserves funds within agreed risk	Finance	✓
Effectively and efficiently manage financial operations, systems and information	Manage, monitor and review CN's financial performance in accordance with the Financial Reporting Framework	Finance	✓
	Ensure the rates and charges for the financial year are levied and collected in accordance with relevant legislation, whilst also incorporating rates assistance provisions	Finance	✓
	Ensure timely and accurate management of accounts payable, logistics, purchasing and financial authorisations to provide both internal and external customers with a high level of service	Finance	✓

7.2 Considered decision-making based on collaborative, transparent and accountable leadership

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
7.2.1 Conduct Council business in an open, transparent and accountable manner			
Maintain a strong ethical culture and high standard of conduct	Councillors, the CEO and CN's senior staff are expected to demonstrate, through both their words and actions, commitment to the Code of Conduct	Legal	✓
	Education and training for both Councillors and staff to ensure they appropriately understand their governance obligations	Legal	✓

Provide open and accessible government information as well as a commitment to the protection of privacy	Processing all formal access applications within the statutory timeframes and in compliance with the Government Information Public Access Act	Legal	✓
	Proactively publishing more information on CN's website than is legally required and improve efficient release of information	Legal	✓
	Ensure CN meets the highest level of public disclosure regarding all dealings with officials while also meeting its obligations under the relevant privacy legislation and CN's Privacy Management Plan	Legal	✓

7.2.2 Provide timely and effective advocacy and leadership on key community issues

Provide a clear line of communications between members of the public and Councillors	Release business papers to members of the public in advance of Council meetings	Legal	✓
	Keep Councillors' contact details available and updated so the public can email or speak to Councillors about issues scheduled to go before the elected Council prior to a Council meeting	Legal	✓

7.2.3 Establish collaborative relationships and advocate for local needs with all stakeholders

Develop partnerships and networking with community, government and business	Develop partnerships and networking with community, government and business	Corporate and Community Planning	✓
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7.3 Active community engagement in local planning and decision-making processes and a shared responsibility for achieving our goals

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
----------------------------	---------------------------------	----------------	--------

7.3.1 Provide opportunities for genuine engagement with the community to inform CN's decision-making

Increase opportunities for community input into CN's decision-making processes	Review internal business processes to ensure all projects with high community impact receive appropriate community engagement	Major Events and Corporate Affairs	✓
Increase profile of community engagement as an integrated function of CN	Review the Community Engagement Policy 2013 for consideration by elected Council	Major Events and Corporate Affairs	✓

Increase engagement with hard to reach groups	Develop targeted engagement strategies to ensure feedback from hard to reach groups is incorporated in CN decision-making	Major Events and Corporate Affairs	✓
Build capacity of the organisation to be able to involve community in decision making	Promotion of community engagement toolkit throughout 2019	Major Events and Corporate Affairs	✓

7.3.2 An informed community through clear and consistent communications

Improve reputation and trust	Implement a Corporate Brand Strategy	Major Events and Corporate Affairs	✓
Provide accessible and inclusive communications	Use a range of methods and channels to ensure broad reach	Major Events and Corporate Affairs	✓
	Utilise options to increase accessibility such as translator services	Major Events and Corporate Affairs	✓
	Implement guidelines for accessible, clear and easy to read graphic design and publishing	Major Events and Corporate Affairs	✓
	Review web content to comply with Web Content Accessibility 2.0 guidelines	Major Events and Corporate Affairs	✓
Increase CN's digital and social media profile and encourage information sharing online	Develop a Social Media Style Guide that aligns with Corporate Brand Strategy	Major Events and Corporate Affairs	✓
	Produce regular print and electronic communications to inform community about CN activities, events and projects	Major Events and Corporate Affairs	✓
	Advise, implement and deliver effective communication plans and products to promote activities and services	Major Events and Corporate Affairs	✓
Enhance digital platforms	Conduct website audit on corporate website www.newcastle.nsw.gov.au to review and improve content	Major Events and Corporate Affairs	✓

Deliver open access information related to development to the public in a clear and concise manner	Prepare a Community Participation Plan to: - Increase the information made available to the public - Provide a mechanism for the public to be informed of development - Publicly notify development applications in accordance with the plan	Regulatory, Planning and Assessment	✓
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7.4 A local government organisation of excellence

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
7.4.1 continuous improvement in services delivery based on accountability, transparency and good governance			
Develop a culture of continuous improvement across CN	Promote continuous improvement across CN's services to increase the efficiency and effectiveness of service delivery	Corporate and Community Planning	✓
	*Deliver a business improvement model for the Waste Service Unit to review and prioritise key business improvement initiatives	Waste Services	✓
Promote an organisation that eliminates or minimises risk	Maintain and adopt a risk management framework and risk management committee to appropriately identify and manage our risks	Legal	✓
	*Deliver an Environmental Improvement Program to address audit and environmental risks	Waste Services	✓
Provide the community with easy to understand and meaningful information about performance of CN	Provide the community with an annual report and six-monthly progress report on the Delivery Program achievements	Corporate and Community Planning	✓
Ensure accountability for public money and high-level services	Ensure external audits of our financial reports are carried out in accordance with accounting standards	Finance	✓

Effectively and efficiently manage Depot and Fleet operations, systems and information	Provide continued improvement, support and management of CN procedures required to manage the operational works depot and provide the facilities to support the services delivered to the community	Depot Operations	✓
	Managing the operational fleet and plant to provide safe, fit for purpose and legislatively compliant assets	Depot Operations	✓

7.4.2 Provide services that deliver on sustainable community service expectations

Ensure Asset Management Strategy and Plans capture community and service expectations	Integrate business practices with service reporting development of 20 Service Asset Plans	Corporate and Community Planning	✓
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7.4.3 Provide the Community with responsive customer service

Provide our customers with simple and convenient ways to access and do business with CN	Ensure the community can access CN by phone, email and mail easily and without undue delays or effort	Customer Experience	✓
	Explore new channels for interaction with CN	Customer Experience	✓
	Review systems and processes to enable better communication with community members regarding the outcome of requests they have made	Customer Experience	✓
	*Evaluate the potential for customer service improvements through a specialised call centre for waste enquiries	Waste Services	✓
Focus our customer service around the quality of service	Create and maintain a high level of customer satisfaction through all services provided at the Museum	Museum	✓

7.4.4 Maintain a high-quality workforce that is responsive to the needs of CN and the community

Delivery Program objective	Operational Plan action 2019/20	Responsibility	Status
Attract and retain a high quality, committed workforce	Create a positive induction/on boarding experience	People and Culture	✓
	Develop a Total Value Proposition	People and Culture	✓
	Develop and implement an improved salary system including progression framework and recognition of critical roles	People and Culture	✓
	Develop and implement an improved performance and development system including recognition mechanism for high performers	People and Culture	✓
	Improve employee access to flexible work arrangements	People and Culture	✓
	Relocation of the City Administrative Centre to a new high-performance building	People and Culture	✓
	Review and update position descriptions to ensure role clarity and capacity to meet future demand	People and Culture	✓
	Review use of contingent labour to address short term needs and provide job security for permanent staff	People and Culture	✓
Invest in the capabilities of our people	Develop and implement a succession planning framework for critical (and emerging), roles and retirement planning	People and Culture	✓
	Develop and implement an improved performance and development framework including identification of career paths and access to development opportunities	People and Culture	✓
	Develop and implement training to support the introduction of new and emerging technologies	People and Culture	○
	Facilitate the introduction of mentoring arrangements	People and Culture	✓
	Invest in leadership development for both current and future leaders	People and Culture	✓

Facilitate a culture of Cooperation, Respect, Excellence and Wellbeing	Continued investment in activities to enhance our organisational culture and build courage, trust and pride	People and Culture	✓
	Implement our Diversity Management Plans, (Aboriginal & EEO Employment Strategy, Reconciliation Action Plan, Disability Access & Inclusion Plan) through integrated actions	People and Culture	✓
	Design and implement a health and wellbeing strategy	People and Culture	✓
	Continue to develop our safety culture	People and Culture	✓
Plan for our future workforce needs	Align annual vocational/tertiary program recruitment to critical roles and retirement trends identified in this plan	People and Culture	✓
	Review FTE requirements and critical roles annually as part of the corporate planning process	People and Culture	✓
	Develop and implement transition to retirement arrangements to facilitate knowledge transfer	People and Culture	✓
	Review true vacancies regularly to offer opportunities and flexible options for critical emerging and development roles	People and Culture	✓
Continue to develop our safety culture	Develop opportunities for improved return to work processes and collaborative inclusion	People and Culture	✓
	Develop opportunities for Work Health and Safety (WHS) mobility and ease of user access. Establish dynamic WHS statistical reporting	People and Culture	○
	Ensure our mandatory training requirements are continuously met	People and Culture	✓

7.4.5 Support the community and the organisation through improved IT services that meet community needs

Focusing on delivering valuable services to the customer by driving seamless and effective customer engagement across multiple channels and changing into a regional information hub	Continue to meet the needs of our customers regarding our Apps and CN interfaces	Information Technology	✓
Establishing a sustainable, high performing organisation that leverages technology to enable a modern and agile workforce and translates data into actionable insights to optimise business operations	Next Generation Information and Communication Technology operating model	Information Technology	
	Governance for information and technology	Information Technology	✓
	Continue to be a Geographic Information Systems leader	Information Technology	✓
Setting a strong foundation in information and communication technology governance, weaving into all areas of CN as a reliable business partner and facilitating new opportunities for technology transformation	Data ownership and governance model	Information Technology	
	Review OneCouncil implementation	Information Technology	✓
	Establish integration framework	Information Technology	✓
Proactively identifying and exceeding customer expectations of the future through driving agility and connectivity, and ultimately supporting the evolution of Newcastle into one of the leading local governments nationally	Implement smart city technology foundation	Information Technology	✓

* new actions (see page 96 for more detail)

Key Performance Indicators

Quarterly indicators	Results
Maintain in-person contact survey rating of 74%	78% ✓
The below annual measures to be reported on in the Annual Report	
Increase Community (%) who agree City News is informative in updating you about what CN is delivering in our city	
Increase Community (%) of awareness for CN's regular newsletters	
Increase Community (%) satisfied with City of Newcastle's performance	
Increase Community (%) who agree that CN's information is easy to access from our website	
Increase social media followers	
Increase community awareness of Our Budget document	

Operational Plan Action Changes

CN is committed to continuous improvement and conducts regular reviews of our actions, programs and projects.

These are reviewed for consistency, legislative requirements and community expectations. Paramount to our review process is aligning our strategies, policies and action plans with our community vision. The Community Strategic Plan, which sets the overarching, long-term vision and the key objectives was last updated in 2018. Accordingly, some operational actions are no longer applicable or require rewording, to ensure consistency with our revised priorities.

A recent review of Waste Services operational actions determined those to the right to be closed. Many of the initiatives continue through the revised actions and newer actions have been developed to better address our strategic direction and context (the new actions have been marked with *).

Community objective	Operational Plan Action 2019/20 closing off December 2019	Closure comments
2.1 Greater efficiency in the use of resources	Identify key deliverables and develop a delivery strategy over a three-year period	New Waste Management Strategy in development which encompasses previous operational actions
	Work with individual service units to develop agreed service level plans that reduce waste generation and increase resource recovery	Six business units were covered in the initial internal waste assessment, further improvements to be covered after the new Waste Strategy is adopted
	Roll out of at least 50 new waste recycling stations with improved aesthetics and cleanliness	The new enclosures are successfully providing CN with a uniform and easily identifiable set of waste and recycling infrastructure. Locations for additional stations are under review
	Introduce customer portal and implement online self-service booking for bulk waste services and vouchers	Funding has been reallocated to allow development of overarching waste strategy. Communications are underway to determine if an in-house solution is possible
5.2 Mixed-use urban villages supported by integrated transport networks	Collaborate with "Keep Australia Beautiful" littering campaign and involvement with Regional Illegal Dumping Squad to develop and implement strategies to reduce littering, the identification of littering or dumping hot spots through intelligence-based trend analysis and increased proactive patrols to identify offenders	"Hot Spot" areas have been identified and collaboration continues with key external agencies, including Corrective Services with increased collections days

Special Rate Variation (SRV) Section 508 (2) and 508A

2012 Special Rate Variation

In 2012, CN successfully applied for a section 508(2) special rate variation (SRV) of 5% above the rate cap for one year. The variation occurred in the 2012/13 financial year increasing the base rate charge. The 2012 SRV was granted for works of a capital nature for specific projects, these are outlined below.

Since the introduction in July 2012, the special rate has raised \$41.9 million, with \$3.7 million being raised this year. This revenue is placed in a restricted reserve to fund the projects outlined in the 2012 SRV application only.

Almost \$650,000 was spent this financial year on the top four priority projects with the majority of funding being used for coastal revitalisation.

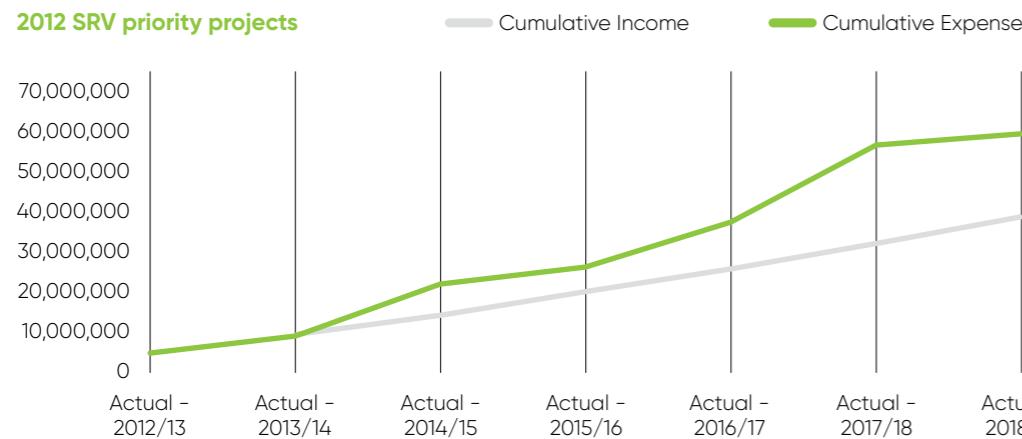
In total, \$58 million has been spent to date on these capital projects. 2019/20 financial year will include spending a further \$4.2 million on the 2012 SRV priority projects.

2012 SRV priority projects

- City centre revitalisation
- Revitalising our coast
- Upgrading Blackbutt Reserve
- Providing new cycleways
- Improving our swimming pools
- Modernising our libraries
- Expanding our Art Gallery.

Priority	2012 SRV projects	2019/20 (\$'000)	Total spend to 30 Dec 2019 (\$'000)
		Actual	Actual
1	City Centre revitalisation	305	4,109
2	Coastal revitalisation	152	40,573
3	Blackbutt Reserve	-	5,364
4	Cycleways	192	8,090
Total		649	58,137

2012 SRV priority projects



2015 SRV

The 2015 SRV was approved by IPART in May 2015 and has increased our revenue by 46.9% over the five years to 2019/20.

CN will use the \$283.6 million over 10 years to fund:

- \$16.5 million on enhanced services by increasing operating expenditure,
- \$200.1 million to preserve or maintain cash reserves, and
- \$67.0 million on asset renewals and new capital expenditure.

Over \$92 million has been raised from the 2015 SRV since the introduction in July 2015, with \$20.2 million raised this year.

2019/20 is the fifth and final year of the 2015 SRV

Table A.1 Newcastle City Council – Income and proposed expenditure over 10 years related to the special variation (\$000)

	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	Total
Special variation income above rate peg	6,041	12,040	18,683	26,029	34,137	35,161	36,216	37,303	38,422	39,574	283,607
Funding for increased operating expenditures	750	770	1,041	1,063	2,085	2,109	2,134	2,160	2,188	2,217	16,517
Funding to reduce operating deficits (or increase surpluses)	5,291	11,270	17,642	24,966	32,052	33,052	34,082	35,143	36,234	37,357	267,090
Total	6,041	12,040	18,683	26,029	34,137	35,161	36,216	37,303	38,422	39,574	283,607
Funding for renewals/new capital expenditure	1,100	1,803	3,905	6,159	8,163	8,167	8,671	8,675	9,180	11,184	67,007
Transfers to reserves	4,191	9,467	13,737	18,807	23,889	24,885	25,411	26,467	27,054	26,173	200,083

Note: Numbers may not add due to rounding. Source: Newcastle City Council, Application Part A, Worksheet 6, IPART calculations and email from Newcastle City Council, 31 March 2015.

Table A.2 Newcastle City Council – Proposed 10-year capital expenditure program related to the special variation (\$000)

	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	Total
Restoration/renewal of City Hall							2,500	2,500	3,000	5,000	13,000
Road/footpath renewals	300	500	750	1,000	1,000	1,000	1,000	1,000	1,000	1,000	8,550
Total Asset Renewal	300	500	750	1,000	1,000	1,000	3,500	3,500	4,000	6,000	21,550
Online DA tracking system	200	200	50	51	53	54	55	57	58	59	837
Road and pedestrian traffic improvements	500	500	1,000	1,000	2,000	2,000	2,000	2,000	2,000	2,000	15,000
Accelerated Hunter Street revitalisation				1,000	2,000	2,000					5,000
Accelerated Blackbutt Reserve improvements			500	1,500							2,000
Implement Cycling Strategy and Action Plan				500	3,000	3,000	3,000	3,000	3,000	3,000	21,500
Newcastle revitalisation projects	100	103	105	108	110	113	116	119	122	125	1,120
Total Asset Upgrades	800	1,303	3,155	5,159	7,163	7,167	5,171	5,175	5,180	5,184	45,457
Total Capital Expenditure	1,100	1,803	3,905	6,159	8,163	8,167	8,671	8,675	9,180	11,184	67,007

Note: Numbers may not add due to rounding. Source: Newcastle City Council, Application Part A, Worksheet 6, and email from Newcastle City Council, 31 March 2015.

	2015-2019	
	Budget	Actual
Special variation income above rate peg	96,930	92,189
Funding for renewals/new capital expenditure	22,114	24,841
Transfer to reserves	74,816	67,348

**ORDINARY COUNCIL MEETING
25 February 2020**

**CCL 25/02/20
ADOPTION OF THE SECTION 7.11 WESTERN CORRIDOR LOCAL
INFRASTRUCTURE CONTRIBUTIONS PLAN**

- Item 8 - Attachment A:** Section 7.11 Western Corridor Local Infrastructure Contributions Plan 2013 (Updated February 2020)
- Item 8 - Attachment B:** Summary of Submissions
- Item 8 - Attachment C:** Submissions Report

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**ORDINARY COUNCIL MEETING
25 February 2020**

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Item 8 - Attachment A: Section 7.11 Western Corridor Local Infrastructure Contributions Plan 2013 (Updated February 2020)

Section 7.11 Western Corridor Local Infrastructure Contributions Plan 2013

Update February 2020



City of
Newcastle

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1.0 Summary of Plan

1.1 Preamble

The Western Corridor is an urban release area centred on the localities of Minmi, Fletcher and Maryland in the western part of the Newcastle Local Government Area (LGA). Land to which the Plan applies is shown in Figure 1.

Development of the Western Corridor is well advanced but is only partly complete. Significant additional development (shown in Figure 1 as Future Planned Development Sites) is yet to be determined.

The Local Infrastructure needs (public amenities or services) of the area have historically been managed through conditions of consent issued under pre-existing contributions plans and planning agreements negotiated with local developers. This Plan describes the local infrastructure that is demanded by the remainder of the Western Corridor development, and the contributions of land and works from Western Corridor developers that will be required.

The required local infrastructure includes:

- open space and recreation facilities, such as local and district sporting facilities, local parks and playgrounds;
- community facilities, such as multi-purpose community centres; and
- traffic and transport management facilities, such as upgraded roads, intersections and cycle paths.

1.2 Summary of contribution rates and works schedule costs

Table 1.1 shows the contribution rates applicable to development the subject of this Plan, and the total value of works to be funded by contributions anticipated under this Plan.

Note: A cap of \$20,000 applies to all residential lots/dwellings. Upon gazettal of an amended Ministerial Direction, a cap of \$30,000 will apply to areas identified within this Plan as 'Planned Future Development sites' (shown hatched in Figure 2).

Table 1.1 Works and contribution rates summary schedule

Infrastructure type	Contribution rates				
	Land and works cost to be met by development	Per PM peak trip	Per person	Per dwelling (except seniors housing)	Per self-contained seniors housing dwelling
Traffic and Transport	\$25,167,560	\$10,189.30		\$8,660.90	\$2,037.90
Social Infrastructure	\$50,349,174		\$5,630	\$16,890	\$8,445
Total	\$75,516,734			\$25,550.90	\$10,482.90
				\$20,000 Cap	

1.3 Overview and structure of Plan

Section 7.11 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) authorises a consent authority responsible for determining a development application to grant consent to a proposed development subject to a condition requiring infrastructure contributions of cash and/or land towards the provision or improvement of public amenities and services to meet that development.

Where the consent authority is a council or an accredited certifier, such a contribution may be imposed on a development only if it is of a kind allowed by and determined in accordance with a contributions plan, such as this Plan.

This Plan has been prepared to authorise the imposition of section 7.11 contributions on development expected to occur in the Western Corridor area of the Newcastle LGA.

This Plan has been prepared in accordance with the EP&A Act and *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), including the requirement for the Plan to have had regard to the latest Practice Notes and Ministerial Direction (section 7.17) issued by the NSW Department of Planning, Infrastructure and Environment.

There are minimum requirements as to the form and subject matter of section 7.11 contributions plans that are set out in the EP&A Regulation. Each requirement, and reference to the clause or Part of this document that deals with that requirement, are listed in Table 1.2.

Table 1.2 Contributions plan requirements

EP&A Regulation requirement	Reference in this Plan
The purpose of the plan	Clause 2.6
The land to which the plan applies	Clause 2.8
The relationship or nexus between the expected development in the area and the community infrastructure that is required to meet the demands of that development	Background Document
The formulas to be used for determining the reasonable contributions required from expected development for different types of community infrastructure	Clauses 3.2.1 and 3.2.2
The contribution rates for the anticipated types of development in the area	Clause 1.2
The council's policy concerning the timing of the payment of monetary section 7.11 contributions, and the imposition of section 7.11 conditions that allow deferred or periodic payment	Clauses 2.16 and 2.17
Maps showing the specific public amenities and services proposed to be provided by the council, supported by a works schedule that contains an estimate of their cost and staging (whether by reference to dates or thresholds)	Tables 3.2 and 3.3
If the plan authorises monetary section 7.11 contributions or section 7.12 levies paid for different purposes to be pooled and applied progressively for those purposes, the priorities for the expenditure of the contributions or levies, particularised by reference to the works schedule	Tables 3.2 and 3.3

The Plan is structured in the following Parts:

- Part 1 (this Part) contains an introduction and summary schedules.
- Part 2 contains provisions that describe the contributions framework, essential details of the Plan, and how section 7.11 contributions for development in the Plan area will be imposed, settled and managed.
- Part 3 provides summaries of the expected development, and the proposed infrastructure provision for meeting that development, including works schedules and maps.

A Background Document has been prepared to guide and support implementation of this Plan. While it provides background on the original Plan, updated information has been included in this Plan to support necessary adjustments in relation to traffic and transport and social infrastructure projects required to support growth.

The Background Document includes the following:

- Details on how the proposed schedule of local infrastructure levied under this Plan was originally derived.
- Details on the likely or expected development in the study area. These are assumptions that have informed the type, scale and location of public amenities and services included in the Plan.
- Discussion on the relevance of the Council's current contributions plans that apply to the Western Corridor lands to the new contributions plan, and a strategy for dealing with contributions receipts under the current plans.

2.0 Administration and operation of the Plan

2.1 Name of the Plan

This Plan is called the *Section 7.11 Western Corridor Local Infrastructure Contributions Plan*.

2.2 Definitions used in this Plan

Except where indicated in this clause, the definitions of terms used in this Plan are the definitions included in the EP&A Act, EP&A Regulation and Newcastle Local Environmental Plan 2012.

In this Plan, the following words and phrases have the following meanings:

Attributable cost means the estimated cost for each item in the works schedules set out in the Plan, which may differ from the final actual cost of the item. It will be the value used in determining the amount of any offset of monetary contributions as a result of any works-in-kind proposal.

Council means City of Newcastle

CPI means the Consumer *Price Index (All Groups - Sydney)* published by the Australian Statistician.

EP&A Act means the Environmental Planning and Assessment Act 1979.

EP&A Regulation means the Environmental Planning and Assessment Regulation 2000.

Local Infrastructure means public amenities or public services in Division 7.1 of the EP&A Act.

LGA means Local Government Area.

Residential Accommodation has the same meaning as in Newcastle Local Environmental Plan 2012 (NLEP 2012).

Traffic Study means City of Newcastle Western Corridor Traffic and Transport Study, prepared by Bitzios, 2019.

Works-in-kind means the undertaking of a work or provision of a facility by an applicant which is already nominated in the works schedule of a contributions plan as a means of either fully or partly satisfying a condition of consent requiring infrastructure contributions to be made.

Works schedule means the schedule of the specific Local Infrastructure for which contributions may be required as set out in Part 3 of this Plan.

2.3 What are infrastructure contributions?

Infrastructure contributions are contributions towards the provision or improvement of public amenities or services imposed on developments approved under the EP&A Act.

Contribution requirements may be in the form of the dedication of land free of cost, or the payment of a monetary contribution.

Contribution requirements may be settled by either of these means, or by the provision of a 'material public benefit' such as the provision of a work-in-kind.

There are different classes of development contributions provided for under the EP&A Act:

- special infrastructure contributions;
- local Infrastructure contributions, which may be either section 7.11 contributions or section 7.12 fixed rate levies;
- contributions included in planning agreements; and
- contributions toward the provision of affordable housing.

This Plan is principally concerned with the imposition of conditions of consent requiring local infrastructure contributions under section 7.11 of the EP&A Act.

2.4 Prerequisites for imposing contribution requirements in consents

2.4.1 Contributions must be authorised by a contributions plan

The EP&A Act provides that a council (or an accredited certifier) can require, through imposition of a condition or conditions on a development consent (or on a complying development certificate), infrastructure contributions if:

- there is a contributions plan applying to the development that is in force and that authorises the contribution (such as this Plan); and
- the contribution is imposed in accordance with the provisions of such a plan.

Accredited certifiers are further restricted to imposing only infrastructure contributions being monetary contributions on a consent.

As an alternative to, or in addition to, the levying of section 7.11 contributions, a council may negotiate a planning agreement with a developer for the provision of local infrastructure.

Council may seek to negotiate planning agreements with relevant parties in relation to major developments. Such agreements may address the substitution of, or be in addition to, the contributions required under this Plan.

Any draft planning agreement shall be subject to any provisions of or Ministerial Directions made under the EP&A Act or EP&A Regulation relating to planning agreements.

2.4.2 Section 7.11 contributions must be reasonable

Section 7.11 contributions must be reasonable in the particular circumstances of each development. That is, a section 7.11 contribution must be proportional to the relationship (or 'nexus') that exists between the development being levied and the need for the public amenity or service for which the contribution is required.

Section 7.11 contributions may be imposed on developments to meet the cost of facilities yet to be provided; and to recoup the cost of facilities that have already been provided in advance of development occurring.

A condition may only be imposed under section 7.11 towards the future provision of public facilities:

- if the proposed development will or is likely to require the provision of, or increase the demand for, Local Infrastructure within the LGA; and
- to require only a reasonable dedication or monetary contribution for the provision, extension or augmentation of the Local Infrastructure concerned.

A condition may be imposed under section 7.11 towards the recoupment of the cost of local infrastructure if:

- the consent authority has, at any time, provided local infrastructure within the LGA in preparation for or to facilitate the carrying out of development in the area, and
- development for which development consent is sought will, if carried out, benefit from the provision of the local infrastructure.

A person entitled to act on a development consent may, under Division 7.13 of the EP&A Act, appeal the reasonableness of a section 7.11 condition that is imposed in accordance with a contributions plan. Such a condition may be disallowed or amended by the Land and Environment Court because it is unreasonable in the particular circumstances of that case, even if it was determined in accordance with the relevant contributions plan.

2.5 Cap on monetary section 7.11 contributions

As part of the State Government's strategy to stimulate housing construction, increase housing supply and improve housing affordability in NSW, the Government has set limits on the total monetary section 7.11 contributions that a consent authority may impose on developments.

The Minister for Planning issued a Direction to the Council under Division 7.17 of the EP&A Act effective from 28 August 2012 that restricts consent authorities from imposing conditions of consent requiring monetary section 7.11 contributions on development for residential lots or dwellings in excess of the monetary cap specified by or under the Direction.

The monetary cap applying to residential development on the land to which this Plan applies is currently \$20,000 per lot or dwelling unless the Plan has been reviewed and approved by IPART for a higher amount.

An amended Ministerial Direction will increase the cap to \$30,000 for areas identified in this Plan as 'Planned Future Development sites'. Location of land to be capped at \$30,000 (once gazetted) is shown hatched in Figure 2. The remainder of infill development is capped at \$20,000. Self-contained seniors living developments are under the \$20,000 cap.

The contribution rates included in this Plan are consistent with the updated Direction.

2.6 Purposes of the Plan

The primary purpose of the Plan is to authorise Council or accredited certifiers:

- when granting consent to an application to carry out development to which this Plan applies, or
- when issuing a complying development certificate for development to which this Plan applies,

to require a contribution to be made towards either/both the provision, extension or augmentation of local infrastructure and the recoupment of the cost of providing existing local infrastructure.

Other purposes of the Plan are:

- to provide the framework for the efficient and equitable determination, collection and management of infrastructure contributions toward the provision of local infrastructure generated by development within the Western Corridor;
- to determine the demand for local infrastructure generated by the incoming population to the area and ensure that development makes a reasonable contribution toward the provision of that local infrastructure;
- to ensure (within the limits imposed by Ministerial Directions) that the existing community is not unreasonably burdened by the provision of local infrastructure required (either partly or fully) as a result of development in the area; and
- to ensure Council's management of development contributions complies with relevant legislation and guidelines.

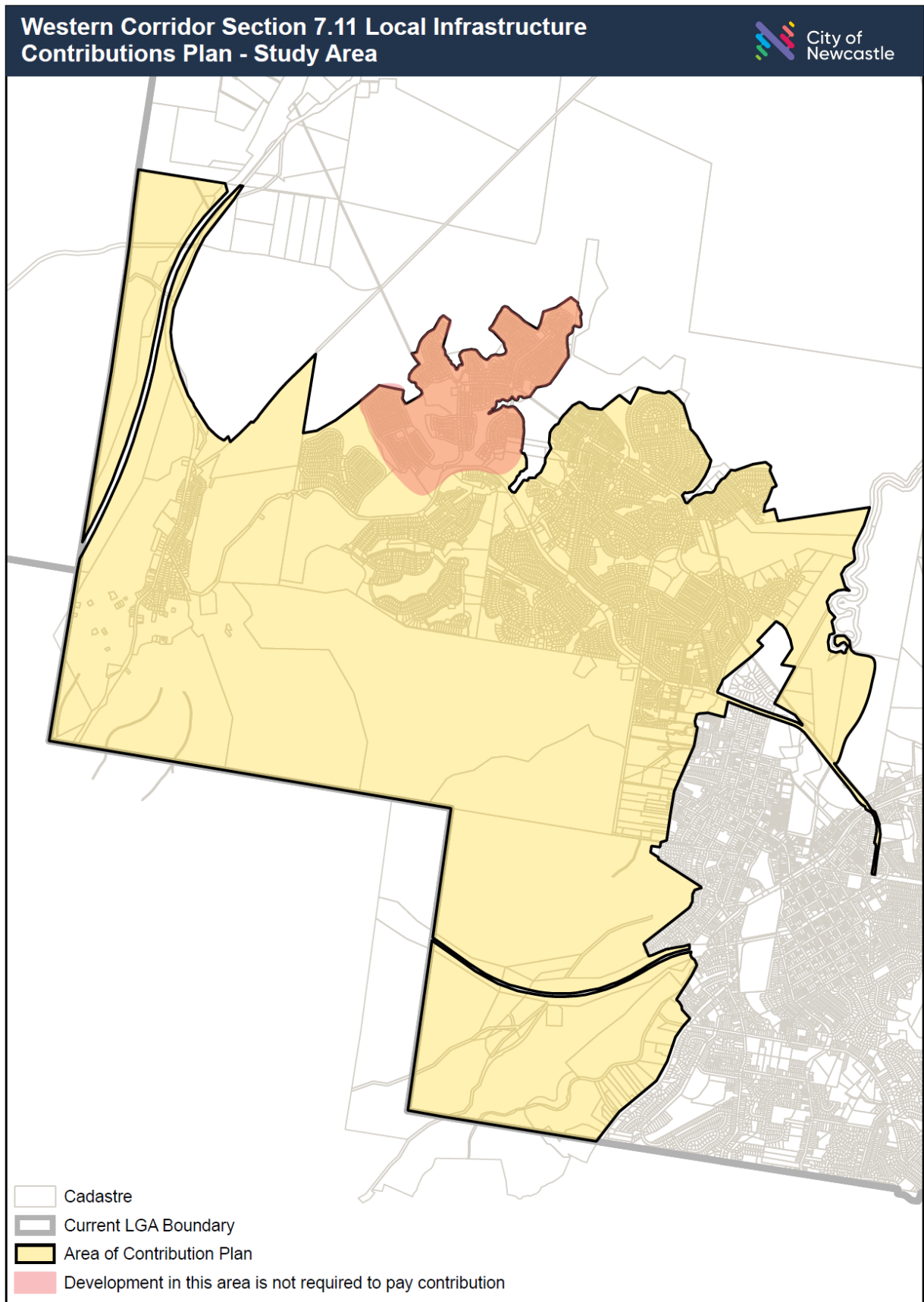
2.7 Commencement of the Plan

This Plan commences on 13 January 2014.

2.8 Land to which Plan applies

This Plan applies to all of the land identified in Figure 1.

Figure 1 Land to which this Plan applies



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2.9 Development to which this Plan applies

Except as provided for by this clause, this Plan applies to all Residential Accommodation development that will or is likely to require the provision of or increase the demand for local infrastructure.

This Plan does not apply to development:

- for the purpose of a single dwelling on a single allotment that was the subject of a section 7.11 contribution that has already been paid; or
- for the purpose of alterations and additions to existing dwellings; or
- ordinarily incidental or ancillary to the use of a dwelling, such as swimming pools, garages, sheds, tree applications and the like; or
- for the purposes of seniors housing by a social housing provider within the meaning of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*; or
- for demolition (where there is no replacement building or development); or
- for which Council considers an exemption warranted, where a decision is made by formal ratification of the Council at a public Council meeting.

Applicants for the above developments may be required to provide written justification for exemption from section 7.11 contributions under this Plan.

2.10 Relationship to other contributions plans

This Plan applies to the development of land shown in Figure 1 that has not been the subject of a section 7.11 (former Section 94) contribution imposed under a pre-existing contributions plan (this includes Development Contributions Plan No. 1 and 4).

Where a consent includes a contribution imposed under a pre-existing contributions plan, and that development has been commenced but has not yet been completed, then any future development on the land the subject of that consent shall be assessed against, and be subject to the provisions of, the pre-existing contributions plans.

2.11 Allowances for existing development in the calculation of contributions

Monetary contributions determined under this Plan will be calculated according to the estimated net increase in demand for the particular items of local infrastructure that are included in this Plan and that a particular development is projected to generate.

In calculating contributions under this Plan an allowance will be made for the demand for social infrastructure assumed to be attributable to existing development on a development site.

Table 2.1 Assumed household occupancy rates

Dwelling Type	Assumed Occupancy Rate
Standard residential lot	3.0 persons per dwelling
Dwellings	3.0 persons per dwelling
Self-contained seniors' housing dwelling	1.5 persons per dwelling

The contribution required from a development for social infrastructure will only be due to any net increase in population relating to the proposed development, which is the total proposed population increase less any credits calculated using the assumptions in Table 2.1.

2.12 Section 7.11 contributions may be required as a condition of consent

This clause authorises consent authorises to require contributions of money and/or land on development consents, as follows.

2.12.1 Monetary contributions

This Plan authorises the Council or an accredited certifier, when determining a development application or an application for a complying development certificate, to impose a condition under section 7.11 of the EP&A Act requiring the payment of a monetary contribution towards:

- the provision, extension or augmentation of Local Infrastructure to meet the demands of the development; or
- the recoupmnt of the cost of Local Infrastructure previously provided in advance of development within the area.

2.12.2 Land contributions

This Plan authorises the Council, by imposition of a condition of development consent, to require in connection with any development on land to which this Plan applies (and in addition to any monetary contribution that may be sought) the dedication free of cost to the Council of any part of the development site that is land that is to be acquired under this Plan.

The area of land that may be required in the consent shall not exceed the area equivalent to the monetary contribution otherwise authorised by this Plan. Council will credit only the amount provided in the Plan.

For the purposes of this clause, the value of the land is to be calculated in accordance with the value of the land as indexed by the provisions of clause 2.14 of this Plan.

The monetary development contribution otherwise authorised by this Plan shall be reduced by an amount corresponding to the value of the land required to be dedicated.

Where the value of the land exceeds the monetary development contribution otherwise authorised, the developer may offer to enter into a planning agreement dealing with an appropriate settle-up in exchange for the dedication of the remainder.

2.13 Obligations of accredited certifiers

In relation to an application made to an accredited certifier for a complying development certificate:

- the accredited certifier must, if a complying development certificate is issued, impose a condition requiring a section 7.11 contribution, if such a contribution is authorised by this Plan; and
- any such contribution may only be a monetary contribution required under this Plan; and
- the amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this Plan in respect of the development.

It is the responsibility of the principal certifying authority to accurately calculate and apply the local infrastructure contribution conditions to complying development certificates. Deferred payments of contributions required by a condition of a complying development certificate will not be accepted.

Likewise, it is the responsibility of an accredited certifier issuing a construction certificate to certify that the contributions have been paid to Council prior to the issue of the certificate. The accredited certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where a works-in-kind, material public benefit, dedication of land and/or deferred payment arrangement has been agreed by the Council. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

2.14 Adjustment of contribution rates under this Plan

The purpose of this clause is to ensure that the monetary contribution rates imposed at the time of development consent reflect the indexed cost of the provision of local infrastructure included in this Plan.

Council may, without the necessity of preparing a new or amending contributions plan, make changes to the monetary section 7.11 contribution rates set out in this Plan to reflect quarterly changes to the Consumer Price Index.

The contribution rate for works schedule items will be indexed (subject to the Note) as follows:

$$\frac{\$C_A \times \text{Current CPI}}{\text{Base CPI}}$$

Base CPI

Where:

$\$C_A$ is the contribution rate for works schedule items (other than land yet to be acquired) at the time of adoption of the Plan expressed in dollars

Current CPI is the most recent quarterly level of the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician at the time of the review of the contribution rate

Base CPI is the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician at the date of adoption of this Plan.

Note: The contribution rate will not be less than the contribution rate specified at the date of the adoption of this Plan.

2.15 Adjustment of contributions required by a condition imposed under this Plan

The purpose of this clause is to ensure that the monetary contributions at the time of payment reflect the indexed cost of the provision of local infrastructure included in this Plan.

A contribution required by a condition of development consent imposed in accordance with this Plan may require indexation of the contribution between the date of the grant of the consent and the date on which the contribution is made as follows.

The total contribution for all work schedule items at the time of payment is determined (subject to the Note) by the following formula:

$$\frac{\$C_C \times \text{CPI}_P}{\text{CPI}_C}$$

Where:

$\$C_C$ is the contribution amount for all works schedule items (other than land yet to be acquired) shown in the development consent expressed in dollars

CPI_P is the most recent quarterly level of the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician at the time of the payment of the contribution

CPI_C is the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician which applied at the time of the issue of the development consent.

Note: The contribution payable will not be less than the contribution specified on the development consent.

2.16 Timing of payment of monetary contribution required under this Plan

Monetary contributions required under this Plan shall be paid to the Council at the time indicated in the development consent.

2.17 Policy on deferred or periodic payments

Deferred or periodic payments may be permitted in the following circumstances:

- Deferred or periodic payment of the contribution will not prejudice the timing or the manner of the provision of the items of Local Infrastructure included in this Plan's works program; or
- In other circumstances considered reasonable by Council.

For a deferred or periodic payment to be considered, the applicant must satisfy to Council that:

- There are valid reasons for deferred or periodic payment;
- No prejudice will be caused to the community deriving benefit from the services being provided under this Plan; and
- No prejudice will be caused to the efficiency and operation of this Plan.

If Council does decide to accept deferred or periodic payment, Council may require the applicant to provide a bank guarantee for the full amount of the contribution or the outstanding balance on condition that:

- a) The bank guarantee be issued by an Australian bank or a bank in Australia for the amount of the total contribution, or the amount of the outstanding contribution, plus an amount equal to thirteen (13) months interest.
- b) Any charges associated with establishing or operating the bank security are payable by the applicant.
- c) The bank guarantee must carry specific wording identifying the exact obligation to which it relates (i.e. section 94 development contributions for development of Lot x DP xxx under Development Consent No. xxx)
- d) The bank unconditionally pays the guaranteed sum to the Council if the Council so demands in writing not earlier than 12 months from the provision of the guarantee or completion of the work.
- e) The bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development.
- f) The bank's obligations are discharged when payment to the Council is made in accordance with this guarantee or when Council notifies the bank in writing that the guarantee is no longer required.
- g) Where a bank guarantee has been deposited with Council, the guarantee shall not be cancelled until such time as the original contribution and accrued interest are paid.

Deferred or periodic payments may be permitted, in accordance with the above requirements, only with approval of the Council Officer(s) whose position(s) holds the required Council delegations.

2.18 Dedication of land, or provision of works-in-kind or other material public benefits offered in part or full satisfaction of contribution requirements

A person may make an offer to the Council to carry out works or provide another kind of material public benefit or dedicate land, in lieu of making a contribution in accordance with a condition imposed under this Plan.

Any offer shall be made in writing to the Council.

If the offer is made prior to the issue of a development consent then the offer must be made by way of a planning agreement, and the Council will consider the request as part of its assessment of the development application.

The Council will take into account the following matters in deciding whether to accept an offer of works, land or other material public benefit:

- the requirements for dedication of land described in clause 2.18.1 (if the offer includes the dedication of land); and
- the overall benefit of the proposal; and
- the standard and timing of delivery of, and security arrangements applying to, the land or works the subject of the offer are to Council's satisfaction; and
- the conditions applying to the transfer of the asset to the Council are to Council's satisfaction; and
- the provision of the land or works will not unduly prejudice the timing or the manner of the provision of Local Infrastructure included in the works program; and
- whether the works schedule included in this Plan would require amendment; and
- the financial implications for cash flow and the continued implementation of the works schedule included in this Plan (including whether Council would need to make up for any shortfall in contributions by its acceptance of the offer).

The acceptance of any offer is entirely at Council's discretion.

If Council approves the offer then it will require the applicant to enter into a written agreement for the provision of the works in a suitable time period. Agreements shall specify (as a minimum) the works the subject of the offer, the value of those works, the relationship between those works and this Plan, the program for delivering the works.

If the offer is made by way of a draft planning agreement under the EP&A Act, the Council will require the agreement to be entered into and performed via a condition in the development consent. Planning agreements shall address the matters included in the EP&A Act and Regulation.

The value of any land, work-in-kind or material public benefit offered by the applicant may, at Council's discretion, be used to offset monetary contributions applicable to the development under this Plan. Refer to clause 2.18.1 for specific arrangements for dedication of land in exchange for offsetting contributions.

2.18.1 Minimum requirements for dedication of land for open space

The Council may accept the following areas for open space purposes:

- Land comprising natural areas or riparian corridors.
- Land that is required to deliver the social infrastructure contained in the Western Corridor contributions plan.
- Land that adds to the diversity of open space settings in the area.
- Land that links existing and/or proposed areas of open space and other community-focused land uses (eg shopping centres, libraries, transport nodes, schools, community centres).

Acceptance of such land is subject to the following conditions being met:

- The land can be made accessible to the general public.
- The land must be cleared of all rubbish, boulders and debris.
- The land must have in place ongoing maintenance arrangements that are acceptable to the Council.
- The land is separately subdivided and has a separate certificate of title.
- The land must not display any factors that may significantly limit its usability for open space purposes, such as flooding, contaminated soils, acid sulfate soils, current use of the land, or any other hazards or relevant factor.

Where any of the land is proposed to be dedicated to Council as open space **for the purpose of offsetting the developer's monetary contributions under the contributions plan**, the land must satisfy all of the following additional criteria:

- It must have the capacity to accommodate recreational facilities related to its intended purpose for either passive or active open space and recreation.
- It must be not less than 0.5 hectares in size, have a minimum dimension of 50 metres, and have a slope no greater than 1 in 20.
- It preferably should link existing and/or proposed areas of open space and other community-focused land uses (eg shopping centres, libraries, transport nodes, schools, community centres).
- It should have at least 50% frontage to a public road, facilitating visibility into and from the site.
- It must have maintenance and emergency vehicle access.

It must be provided with connection to water mains and other utility services.

2.18.2 Valuation of offers

The value of works offered as works-in-kind is the attributable cost of the works (or a proportion of the attributable cost if the offer involves providing only part of a work) indexed in accordance with the provisions of this Plan.

The attributable cost of works will be used in the calculation of the value of any offset of monetary contributions required under this Plan.

The value of any other kind of material public benefit will be determined by a process agreed to between the Council and the person making the offer at the time the development application is being prepared.

The value of land will be the attributable cost of the land under this Plan indexed to the time the agreement is entered into, in accordance with the indexing provisions of this Plan (refer to clause 2.14).

2.18.3 Provision of land, works-in-kind and other material public benefits in excess of contribution requirements

It is at Council's discretion whether it will accept from a developer the provision of land, works-in-kind or other material public benefits where the value of the land and/or works (which is the attributable cost of the land and/or works indexed in accordance with the provisions of this Plan) exceeds the value of development contribution required by conditions of consent.

Where Council does agree to accept land and/or works with a value greater than the contributions required, Council will hold the 'surplus value' of the land/works as a credit in favour of the developer and will apply this credit against future development contribution requirements for that particular type of infrastructure.

For example, if works are provided by a developer that are 'community facility' works identified in this Plan, and those works have an attributable cost greater than the community facilities monetary contribution that is required on the developer's development consent, then the difference between the attributable cost of the community facility works-in-kind and the monetary contribution (this is called the 'surplus value') will be held as a credit and will only be used to offset section 7.11 requirements for community facilities imposed on development consents in the Newcastle LGA issued to that developer.

That is, Council would not offset requirements to make contributions for the purposes of, for example, open space and recreation facilities or any other types of facilities required under this Plan or any other contributions plan against this 'surplus value', as the surplus value relates only to the provision of community facilities.

Developers providing land, works-in-kind and other material public benefits that are in excess of their contribution requirements should not expect 'settle-up' monetary payment from Council until all contributions toward the provision of the works identified in this Plan have been received from other developers of land in the Western Corridor and the surplus contributions are available to meet the payment.

2.19 Pooling of funds

For the purposes of Division 7.3 of the EP&A Act, this Plan authorises money obtained from levies paid in respect of different developments to be pooled and applied by the Council progressively towards the local infrastructure items listed in Part 3 of this Plan.

2.20 Accountability and access to information

Council is required to comply with a range of financial accountability and public access to information requirements in relation to section 7.11 contributions. These are addressed in Divisions 5 and 6 of Part 4 of the EP&A Regulation and include:

- maintenance of, and public access to, a contributions register;
- maintenance of, and public access to, accounting records for contributions receipts and expenditure;
- annual financial reporting of contributions; and
- public access to contributions plans and supporting documents.

These records are available for inspection free of charge at Council.

2.21 Review of Plan without the need for public exhibition

Pursuant to clause 32(3) of the EPA Regulation, Council may make certain minor adjustments or amendments to the Plan without prior public exhibition and adoption by Council. Minor adjustments could include minor typographical corrections and amendments to rates resulting from changes in the indexes adopted by this Plan (see clause 2.14).

2.22 Savings and transitional arrangements

A development application which has been submitted prior to the adoption of this Plan but not determined shall be determined in accordance with the provisions of the plan which applied at the date of determination of the application.

3.0 Summary of Local Infrastructure demand and provision

3.1 Planned Future Developments and Approved developments

The Western Corridor has experienced growth in residential developments and population which is forecast to continue into the foreseeable future. The Western Corridor has been divided into different sections which make up the area of the Plan. New developments are proposed in Fletcher and Minmi.

Within the Plan area a total of nine areas were identified where residential developments or other developments, have recently been completed or are being planned to be implemented in the future. Of the nine areas, the following four areas currently being planned for new development (should they proceed into LEP Amendments) include:

Planned Future Development sites

- Coal and Allied Part 3A (Winton)
- 505 Minmi Road
- Xstrata Coal
- seniors living.

The remaining five areas already include a range of developments and additional developments that have been approved. These areas are:

Approved Development sites

- Nikkinba Ridge
- Hidden Waters
- St Andrews Way
- Sanctuary Estate
- The Outlook

The location of these developments is shown in **Figure 2**.

Coal and Allied (Winton Property Group)

Coal and Allied is located within Minmi and Fletcher (and other suburbs outside of the CN LGA). A total of 1,672 dwellings is expected including 152 seniors living dwellings. The Coal and Allied development is estimated to house approximately 4,800 residents.

Note. The development proposed south of the City of Newcastle's LGA boundary will allow for an additional 3,300 (approximately 1100 dwellings).

505 Minmi Road

505 Minmi Road is located within Fletcher. A total of 110 dwellings may be achieved housing approximately 300 residents.

Xstrata Coal

Xstrata Coal is located within Wallsend and Elmore Vale (with the remainder outside the CN LGA). A total of 1,200 dwellings may be achieved, housing approximately 3,600 residents.

Seniors Living

Seniors Living – Elmore Vale is located within Elmore Vale. A total of 150 seniors dwellings is expected, housing approximately 225 residents.

Nikkinba Ridge Estate

Nikkinba Ridge is located within Fletcher. It is expected that 463 dwellings would be constructed within Nikkinba Ridge, housing an estimated 1,400 residents. The proposed development also includes the expectation that 32 of the 463 dwellings will be medium density.

Hidden Waters

Hidden Waters is located within Fletcher. It is expected that 427 dwellings would be constructed within Hidden Waters, housing an estimated 1,350 residents.

St Andrews Way

St Andrew Way is located within Fletcher. It is the smallest development area within the Western Corridor with only 25 dwellings approved, but yet to be released. It is expected to be around 75 residents.

Sanctuary Estate

Sanctuary Estate is located to the north of Fletcher. Sanctuary Estate is expected to be the largest estate within Fletcher with an expected 836 dwellings, including 77 medium density dwellings, housing approximately 3,000 residents.

Outlook

The Outlook is located within Fletcher. The Outlook is proposed to contain the highest proportion of medium density dwellings, with over 25% of all dwellings to be medium density. A total of 618 dwellings are expected, housing approximately 1,850 residents.

An additional 3,132 dwellings are expected in this area and when added to the 2,634 dwellings which are approved or under construction, this results to a total of 5,766 dwellings.

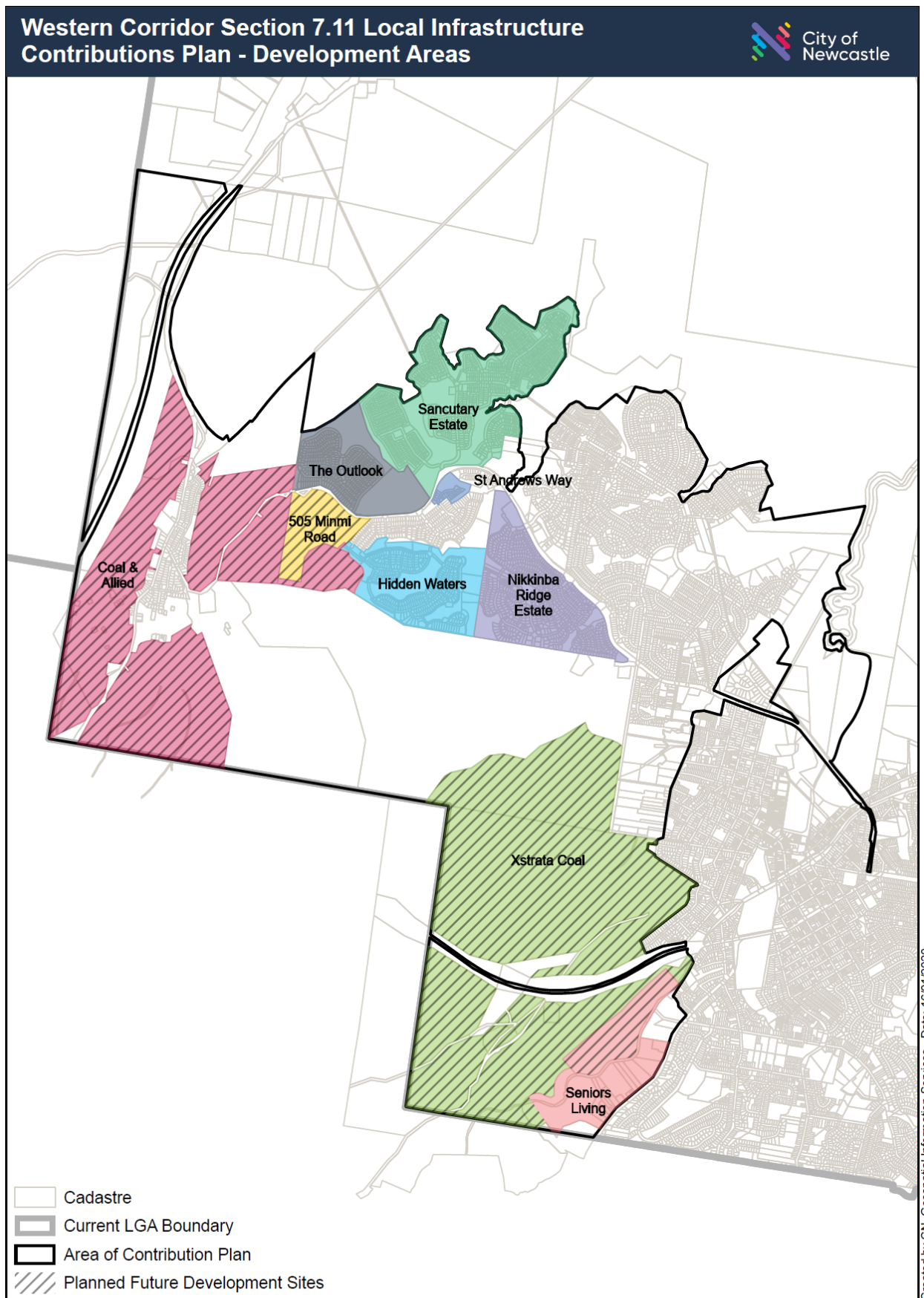
Table 3.1 Expected (planned future) development in the Western Corridor

Western Corridor Development Areas	Expected dwellings	Estimated population in anticipated development ¹
Coal & Allied Part 3A	1,520	4,560
- seniors living component	152	228
505 Minmi Road	110	330
Xstrata	1,200	3,600
Seniors Living - Elmore Vale	150	225
Total	3,132	8,943

Notes:

1. assumed occupancy rate of 1.5 persons per dwelling for self-contained seniors living development and 3 persons per dwelling for all other dwellings.

Figure 2 Western Corridor development area



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3.2 Local infrastructure strategies

3.2.1 Traffic and transport

Background

When the 2013 plan was published, a total of 67% of the area was either developed or covered by an approved development application. The 2013 plan reported multiple intersections along Minmi Road having unacceptable levels of service (LoS) in at least one peak period, based on forecast 2016 traffic volumes at that time. The Plan proposed approximately \$3 million of upgrades along Minmi Road transport corridor. The majority of upgrades comprised additional lanes in Minmi Road and minor modifications to intersection geometry. The planned suite of upgrades also included an off-road cycleway from Britannia Boulevard to Woodford Street.

CN commissioned a traffic and transport study of the Western Corridor Plan Area to inform a future works program and provide the necessary information to recalculate contributions from planned developments. It is intended that the traffic and transport study be reviewed in five years' time, and the contributions plan be updated to support further recommendations for longer term projects. The traffic and transport study considers future road network requirements for general traffic, as well as required footpath and cycleways infrastructure, including indicative costs and staging.

The following information is extracted from the Western Corridor Traffic and Transport Study (2019).

Existing situation and growth challenges

Most of the major developments in the study area rely on Minmi Road for access to Newcastle Link Road. The Newcastle CBD is a major attractor to the east and there is a heavy orientation of traffic between these development areas and the intersections in the south-east of the study area.

Development Areas and Road Network

An additional 3,310 dwellings are expected for this area and when added to the 2,634 dwellings which are approved or under construction, results in a total of 5,764 dwellings which need to be accommodated by the road network. This growth in the study area will add nearly 50,000 vehicles per day (vpd) to the road network, most of which is orientated towards the south-east confluence of the network. Through traffic on the Newcastle Link Road corridor is forecast to increase by nearly 22,000 vpd between 2016 and 2036.

In 2017, most of the intersections in the study area operated at a Level of Service (LoS) of 'D' or better in both the AM and the PM peak hours. LoS E/F is typically identified as the condition where an upgrade would ordinarily be warranted. The exception to the LoS D performance is the Lake Road/Thomas Street/Newcastle Link Road intersection which operates at LoS F in the PM peak. With a heavy reliance on Minmi Road for distributing development traffic to/from the south-east, there are significant challenges in providing sufficient road capacity in this corridor, particularly at its southern end which is already heavily trafficked.

Upgrades Needs Assessment Process

Traffic demands were calculated for each of the assessment years of 2021 and 2026 based on expected rates of development as well as the growth in through traffic on the Newcastle Link Road corridor. Footpath and cycleway upgrades have been identified based on 'missing links' and logical extensions of facilities into development areas.

The following upgrade needs have been identified for years 2021 - 2028:

Cowper Street/Lake Road Intersection

- addition of one extra circulating lane between the southern and western approaches and
- one additional exit lane on the southern approach.

Cowper Street/Newcastle Road Intersection

- change from priority control to a 4-way, one lane roundabout.

Sandgate Road/Wilkinson Avenue/Tillie Street Intersection

- realign the Wilkinson Avenue approach to join Sandgate Road/Tillie Street intersection and signalise the intersection with pedestrian crossings across the Sandgate Road (E), Wilkinson Avenue and Tillie Street approaches of the intersection
- an additional lane on the Tillie Street approach (80m long)
- an additional lane on the Sandgate Road departure
- extend the short lane by banning peak hour kerb side parking on the approach and departure of Sandgate Road (W) as far as Dennis Place.

Cowper Street/Cameron Street Intersection

- ban the east to north right turn movement at the Cowper Street/Cameron Street intersection and introduce traffic signals at the Minmi Road/Sandgate Road intersection to provide the east to north right turn
- reconfigure the intersection to incorporate an additional left turn slip lane from Minmi Road (N) to Sandgate Road (E) at the Sandgate Road/Minmi Road intersection
- an additional lane on the departure side of Longworth Avenue and
- reconfigure the intersection to allow two through lanes for eastbound traffic.

Minmi Road/Awabakal Road Intersection

- introduce an additional traffic lane for the westbound traffic.

Minmi Road / Highland Way Intersection

- reconfigure the current priority (T) intersection to a 4-way single lane roundabout.

Minmi Road/Woodford Street Intersection

- an additional right turn lane on Woodford Street (S) and an additional departure lane on Minmi Road (E).

Mid-block Road Capacity Improvements

- widen Minmi Road eastbound to two lanes between Awabakal Drive and Maryland Drive, Maryland Drive and Bottlebrush Boulevard, Bottlebrush Boulevard and Warkworth Street and Warkworth Street and Summerhill Road; and
- widen Minmi Road southbound to two-lanes between Cowper Street/Cameron Street and Longworth Avenue/Newcastle Road.

Cowper Street/Kokera Street Intersection

- an additional lane (80m long) for the east to north movement
- an additional eastbound lane on the Cowper Street departure as far as Brooks Street and
- re-configure the eastbound kerb side lane to be a shared left and through lane.

Cowper Street/Nelson Street Intersection

- an additional departure lane in Cowper Street (E) as far as Murnin Street and
- extend the westbound short lane between Nelson Street and Newcastle Road.

Cowper Street/Newcastle Road Intersection

- an additional short northbound lane (25m long) on the northbound approach of Newcastle Road and
- consequently an additional short lane (60m) on the exit side of Cowper Street (E).

Sandgate Road/Wilkinson Avenue/Tillie Street Intersection

- extend the two-lane section on the Tillie Street approach by 70m.

Cowper Street/Cameron Street Intersection

- an additional southbound lane at the Minmi Road/Sandgate Road/Cowper Street/Cameron Street intersection and
- an additional northbound short lane (65m) at the Longworth Avenue approach.

Minmi Road/Bunnings Intersection

- an additional departure lane northbound and
- re-configure the northbound approach so that the kerb side lane is shared between through and left turning traffic.

Minmi Road/Maryland Drive Intersection

- re-configure the southbound left turn from priority control (give-way) to a slip lane configuration and introduce an additional traffic lane on the eastbound departure.

Minmi Road/McNaughton Avenue Intersection

- additional lane eastbound and westbound and
- exclusive (60m) left turn lane on McNaughton Avenue.

Minmi Road/Woodford Street Intersection

- an additional northbound lane between Bell Street and Minmi Road
- two left turn lanes on the westbound approach: one 50m lane and one full lane and
- an additional southbound lane on Woodford Street south of the intersection.

Mid-block Road Capacity Improvements

- widen Minmi Road to two-lanes eastbound between Anna Place and Maryland Drive
- widen Minmi Road to three-lanes eastbound between Maryland Drive and Fletcher Street
- widen Minmi Road to two-lanes westbound between Bunnings and Macquarie Street and between Maryland Drive and Anna Place
- widen Minmi Road to two-lanes eastbound between McInnes Street and McCarthy Street and between McCarthy Street and McInnes Street
- widen Cowper street to two-lanes eastbound between Kokera Street and Nelson Street, between Newcastle Road and Union Street and between John Street and Minmi Road
- widen Cowper Street to two-lanes westbound between Union Street and Newcastle Road
- ban peak hour kerb side parking along Woodford Street between Minmi Road and Railway Street southbound and between Bell Street and Minmi Road northbound and
- ban peak hour kerb side parking along Cowper Street between Lake Road and Kokera Street and between Nelson Street and Newcastle Road eastbound and between Newcastle Road and Nelson Street westbound and between Kokera Street and Lake Road westbound.

Footpath and Cycleway Upgrade Needs

Additional footpath and cycleway links have also been identified for years 2021 – 2026 based on the assessment of missing links and new links needed to service new development areas. The following footpath and cycleway projects have been identified, as follows:

Footpath projects:

- 1: Tallowood Crest to Jetty Parade
- 2: Cottonwood Chase to Weller Street
- 3: Beech Close to Weller Street
- 4: Along Minmi Road (between Churnwood Drive and Bellbird Close)
- 5: St Andrews Way to Styles Close
- 2: Waterside Drive to Hebrides Road
- 3: Waterside Drive to Tartan Place
- 4: Waterside Drive to Plattsburg Parade
- 5: Wedgetail Street to Crestview Street
- 6: Wedgetail Street to Crestview Street
- 7: Pebblestone Street to Kingfisher Drive
- 8: Pebblestone Street to Kingfisher Drive

Cycleway projects

- 1: Blue Gum Hills Road to Brookfield Avenue (Northern side of Minmi Road)
- 2: Brookfield Avenue to Blue Gum Hills Road (Southern side of Minmi Road)
- 3: Britannia Boulevard to Brookfield Avenue
- 4: Maryland Drive to Summerhill Road

Summary (planned and approved developments)

The combination of planned and approved developments within the study area are expected to generate 4,580 vehicular trips during peak hours from a total of 5,764 low density residential and senior living dwellings.

This is summarised in Table 3.2

Table 3.2 Traffic Generation Summary (Planned plus Approved Developments)

Development Stage	Expected Dwellings	Weekday Peak Hour Vehicle Trip Rate	Vehicle Trips/hour	Daily Vehicle Trip Rate	Vehicle Trips/day
Planned	3,130	Various	2,470	Various	26,075
Approved	2,634		2,110		22,220
TOTAL	5,764	-	4,580	-	48,295

Calculation of a reasonable development contribution

Monetary contributions for traffic and transport infrastructure are calculated on a per peak hour trip basis, then factored up to a per lot or per dwelling amount.

The monetary contribution per peak hour trip in a development containing residential dwellings or lots is calculated as follows:

$$\text{Contribution per resident (\$)} = \frac{\$INF}{T}$$

Where:

$\$INF$ = the estimated total cost of all the traffic and transport infrastructure required to meet the future development expected under this Plan

T = the estimated total number of peak hour vehicle trips that will be generated by the future development expected under this Plan. The per dwelling amount is determined by multiplying the per trip contribution by the estimated increase in peak hour vehicle trips as a result of the development, using the following assumed trip generation rates shown below.

The following workings show the calculation of the section 7.11 contribution rate:

$$\begin{aligned} \text{Contribution per vehicle trip (\$)} &= \frac{\$INF}{T} \\ \text{Contribution per vehicle trip (\$)} &= \frac{\$25,167,560}{2,470} \\ &= \$10,189.30 \end{aligned}$$

Assumed peak hour vehicle trip generation rates:

- Standard lot or dwelling 0.85 trips per dwelling
- Seniors living dwellings 0.2 trips per dwelling

Using the above assumptions the following per dwelling contributions are derived:

Contribution per standard lot or dwelling (\$) =		\$10,189.30 x 0.85
	=	\$8,660.90
Contribution per seniors living dwelling (\$) =		\$10,189.30 x 0.2
		\$2,037.86

Works program

The proposed traffic and transport works program for works to 2026, and maps showing the location of the infrastructure, are shown on the following pages.

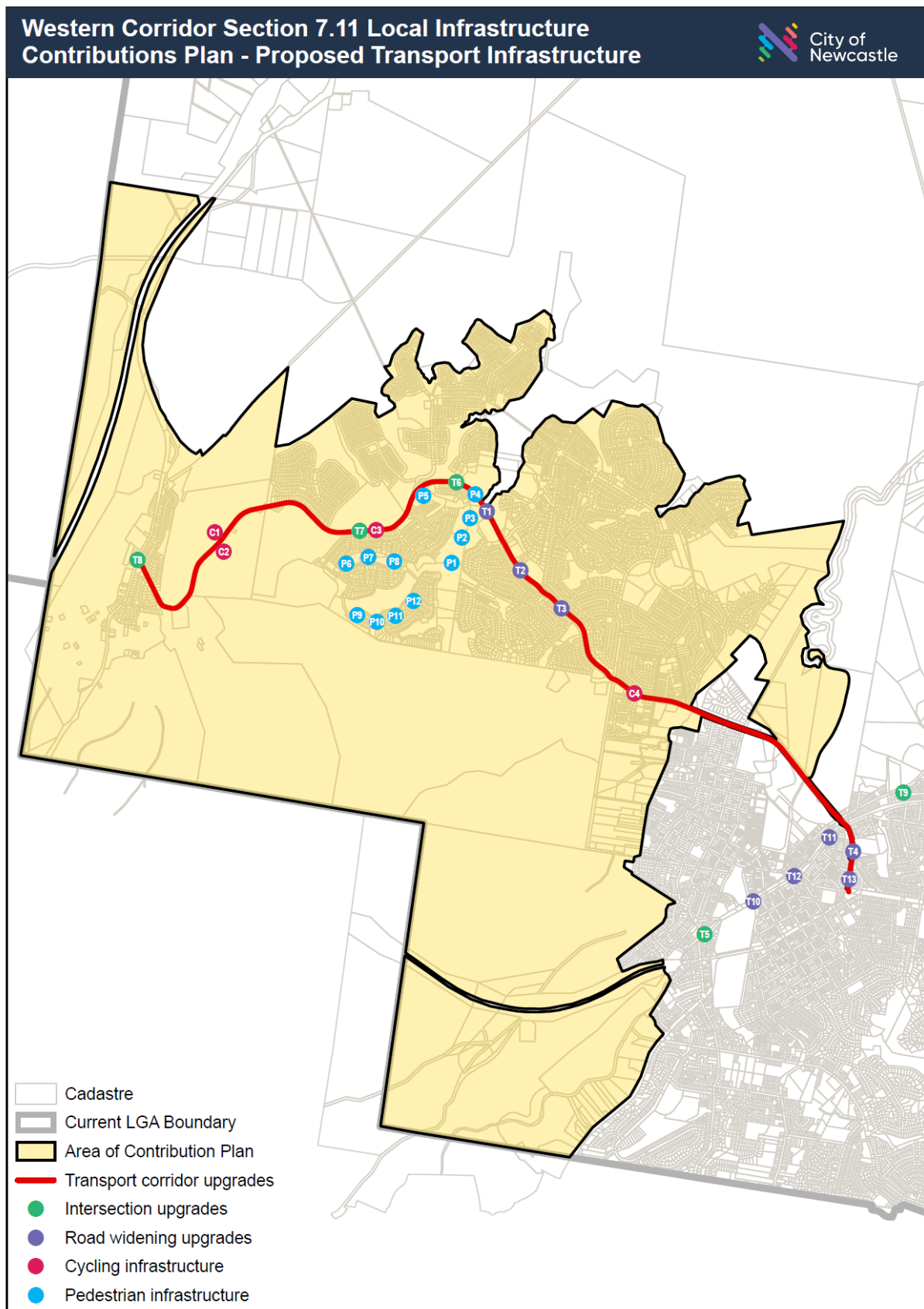
Traffic Infrastructure

No	Item	Description	Estimated cost of works	Estimated staging and priority
T1	Awabakal Drive to Maryland Drive - Add lanes (1 to 2 lanes) - Minmi Road	Road widening upgrades	\$2,371,961	2021-2026
T2	Maryland Drive to Bottlebrush Boulevard (EB) - Add lanes (1 to 2 lanes) - Minmi Road	Road widening upgrades	\$1,931,454	2021-2026
T3	Bottlebrush Boulevard to Warkworth Street (EB) - Add lanes (1 to 2 lanes) - Minmi Road	Road widening upgrades	\$1,185,981	2021-2026
T4	Cowper Street/Cameron Street/Sandgate Road/Minmi Road – intersection upgrade works - add lanes (1 to 2 lanes) Cameron Street to Newcastle Road (SB) Longworth Avenue – road widening upgrade works	Intersection upgrades Road widening upgrades	\$3,185,205 + \$9,890,000 (-46%) = \$7,060,611	2021-2026
T5	Cowper Street / Lake Road	Intersection upgrade	\$1,528,316	2021-2026
T6	Minmi Road / Awabakal Drive	Intersection upgrade	\$1,457,062	2021-2026
T7	Minmi Road / Highland Way	Intersection upgrade	\$253,858	2021-2026
T8	Minmi Road / Woodford Street	Intersection upgrade	\$900,694	2021-2026
T9	Sandgate Road / Wilkinson Avenue / Tillie Street	Intersection upgrade	\$960,690	2021-2026
T10	Kokera Street to Nelson Street (EB) - Add lanes (1 to 2 lanes) - Cowper Street	Road widening upgrades	\$1,200,863	2021-2026
T11	John Street to Minmi Road (EB) - Add lanes (1 to 2 lanes) - Cowper Street	Road widening upgrades	\$928,792	2021-2026
T12	Union Street to Newcastle Road (WB) - Add lanes (1 to 2 lanes) - Cowper Street	Road widening upgrades	\$365,888	2021-2026
T13	Newcastle Road to John Street (NB) - Add lanes (1 to 2 lanes) - Longworth Avenue	Road widening upgrades	\$816,211	2021-2026
T14	Land Acquisition Costs		\$873,438	2021-2026
Total			\$21,835,819	

Cycleway and pedestrian infrastructure

No	Item	Description	Estimated cost of works	Estimated staging and priority
C1	Blue Gum Hills Road to Brookfield Avenue (Northern side of Minmi Road)	Cycling infrastructure	\$380,737.85	2021-2026
C2	Brookfield Avenue to Blue Gum Hills Road (Southern side of Minmi Road)	Cycling infrastructure	\$380,737.85	2021-2026
C3	Britannia Boulevard to Brookfield Avenue	Cycling infrastructure	\$158,640.77	2021-2026
C4	Maryland Drive to Summerhill Road	Cycling infrastructure	\$174,504.85	2021-2026
	Total		\$1,094,621.00 (- 46%) = \$591,095.5	
P1	Tallowood Crest to Jetty Parade	Pedestrian infrastructure	\$489,555	2021-2026
P2	Cottonwood Chase to Weller Street	Pedestrian infrastructure	\$575,947	2021-2026
P3	Beech Close to Weller Street	Pedestrian infrastructure	\$590,345	2021-2026
P4	Along Minmi Road (between Churnwood Drive and Bellbird Close)	Pedestrian infrastructure	\$604,744	2021-2026
P5	St Andrews Way to Styles Close	Pedestrian infrastructure	\$393,551	2021-2026
P5	Waterside Drive to Hebrides Road	Pedestrian infrastructure	\$188,905	2021-2026
P6	Waterside Drive to Tartan Place	Pedestrian infrastructure	\$355,770	2021-2026
P7	Waterside Drive to Plattsburg Parade	Pedestrian infrastructure	\$289,654	2021-2026
P8	Wedgetail Street to Crestview Street	Pedestrian infrastructure	\$273,912	2021-2026
P9	Wedgetail Street to Crestview Street	Pedestrian infrastructure	\$550,972	2021-2026
P10	Pebblestone Street to Kingfisher Drive	Pedestrian infrastructure	\$428,184	2021-2026
P11	Pebblestone Street to Kingfisher Drive	Pedestrian infrastructure	\$333,731	2021-2026
	Total		\$5,075,270 (- 46%) = \$2,740,645.80	
	Total for all Traffic and Transport		\$25,167,560	

Figure 3 Western Corridor transport infrastructure



DISCLAIMER: Although great care has been taken in the preparation of these documents/maps, City of Newcastle makes no representation or warranty as to the accuracy or completeness of any information contained in them. City of Newcastle accepts no responsibility for any misprints, errors, omissions or inaccuracies in these documents/maps or for loss or damages resulting from reliance on any information provided.

3.2.2 Social infrastructure summary of requirements

Social infrastructure includes the community facilities, services and networks which help individuals, facilities, groups and communities meet their social needs, maximise their potential for development and enhance community wellbeing.

Currently, there is some 113 hectares of open space available in the study area, about 33 hectares of which is considered by Council to be 'usable' open space. The Blue Gum Hills Regional Park is an additional facility that is a major recreation resource. Further local recreation facilities are being provided as part of development. The study area also includes three existing centres that comprise community facilities floor space.

The social infrastructure within and immediately surrounding the study area are generally adequate only to service the existing population. Given the estimated projected population growth in the study area, the current facilities will not remain adequate.

A range of planning benchmarks were examined to develop an indication of the social infrastructure needs and demands attributable to future development in the study area, including State Government guidelines, Council's community assets policy, the current rates of provision in the study area, and the facilities proposed as part of future developments (such as Coal and Allied).

A set of facility planning principles were prepared to inform the social infrastructure requirements. These principles focus on providing an equitable distribution of baseline and robust facilities in partnership with others, including the developers who will largely be responsible for creating the new communities in the study area.

A set of requirements and a schedule for the following facilities was prepared. These facilities will be the subject of development contribution requirements imposed under the contributions plan, or of voluntary planning agreements negotiated with developers of land in the study area:

- passive (developed) open space
- sportsfields (local and district)
- outdoor courts
- playgrounds
- skate facilities
- multi-purpose community facilities/neighbourhood centres.

Calculation of a reasonable development contribution

Monetary contributions for social infrastructure are calculated on a per person or per resident basis, then factored up to a per lot or per dwelling amount.

The monetary contribution per person in a development containing residential dwellings or lots is calculated as follows:

$$\text{Contribution per resident (\$)} = \frac{\text{\$INF}}{P}$$

Where:

\$INF = the estimated total cost of all the social infrastructure required to meet the future population in development expected under this Plan (i.e. **\$50,349,174**)

P = the estimated resident population that will require the social infrastructure included in this Plan (i.e. 8,943 persons)

The per dwelling amount is determined by multiplying the per person contribution by the estimated increase in population as a result of the development, using the assumed dwelling occupancy rates listed in Table 2.1 of this Plan.

The following workings show the calculation of the section 7.11 contribution rate:

	=	$\frac{\text{\$INF}}{P}$
	=	$\frac{\text{\$50,349,174}}{8,943}$
	=	$\text{\$5,630}$
Contribution per standard lot or dwelling (\$)	=	$\text{\$5,630} \times 3.0$
	=	$\text{\$16,890}$
Contribution per seniors living dwelling (\$)	=	$\text{\$5,630} \times 1.5$
	=	$\text{\$8,445}$

Works program

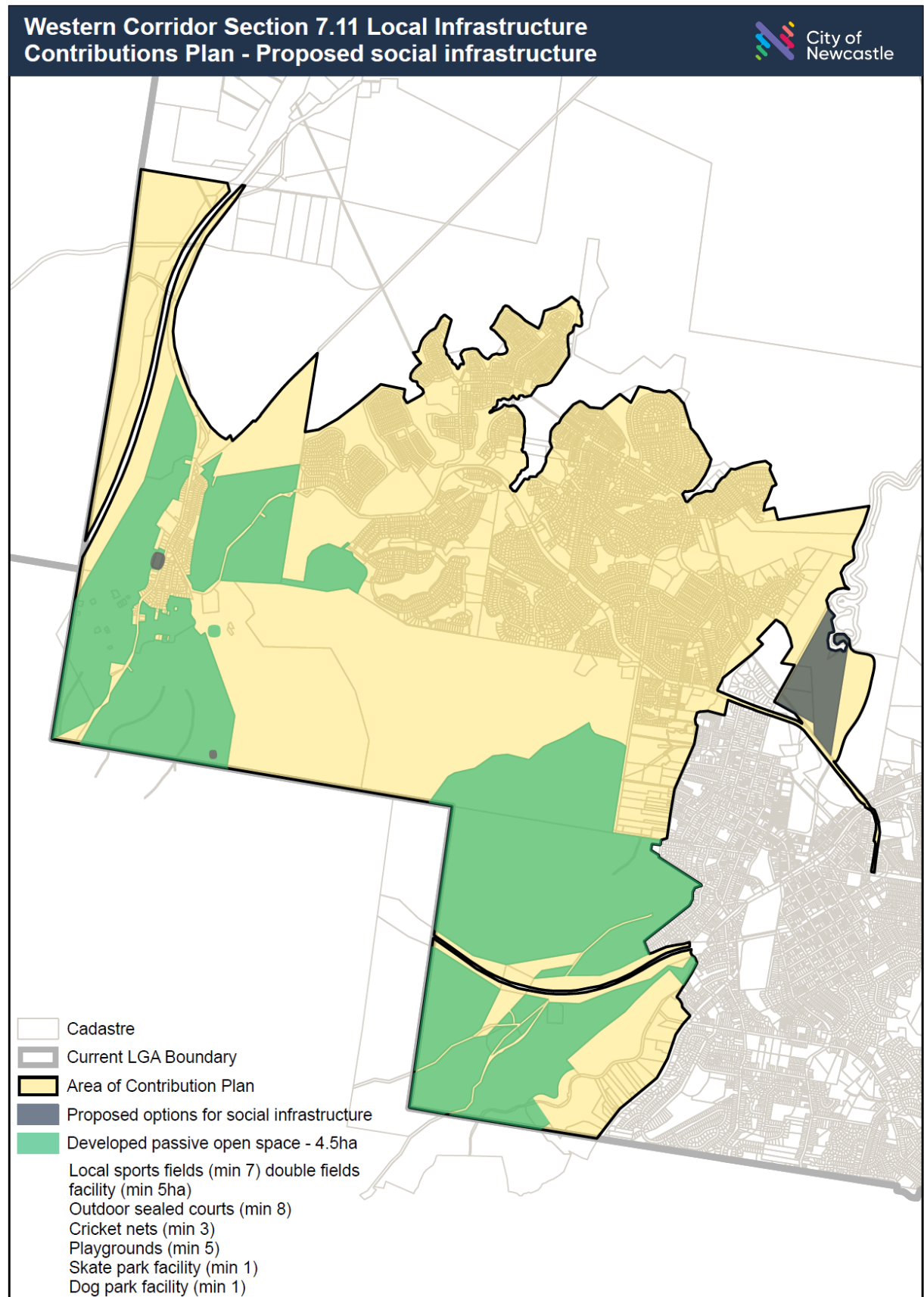
The proposed social infrastructure works program, and maps showing the location of the infrastructure, are shown on the following pages.

Table 3.3 Social Infrastructure

Item No.	Item	Description	Land Area	Estimated cost of land	Estimated cost of works	Project on costs and contingency	Estimated total cost/apportioned cost	Estimated staging and priority
	Open Space & Recreation							
S1	Developed, passive open space	Minimum of 0.5ha / 1,000 people for new development areas = 4.5ha	45,000	\$675,000	\$3,109,041	\$466,356	\$4,250,397	As and when surrounding development proceeds
		Half roads based on 9 parks each of 5,000m ² , with half the total parks frontage having a facing road	10,080	\$151,200	\$1,429,281	\$214,392	\$1,794,873	As and when surrounding development proceeds
S2	Local Sports Fields	Minimum of 7 local fields; double field facilities each min 5ha 1:1,250	175,000	\$2,625,000	\$17,305,625	\$2,595,844	\$22,526,469	As and when surrounding development proceeds
		Half roads based on half the park area frontage of 5ha having a facing road	11,872	\$178,080	\$3,366,750	\$505,013	\$4,049,843	As and when surrounding development proceeds
	Baseball	One Diamond plus associated facilities and amenities 1: 10,000		Included in existing Reserve	\$840,000	\$126,000	\$966,000	As and when surrounding development proceeds
S3	District Sports Fields	Apportioned cost of providing 2 fields at the proposed Creek Rd District Sports Facility		Included in Creek Rd site	\$12,689,350	\$1,903,403	Total = \$14,592,753 (- 67%) Apportioned cost of \$4,815,608.40	As and when surrounding development proceeds

Item No.	Item	Description	Land Area	Estimated cost of land	Estimated cost of works	Project on costs and contingency	Estimated total cost/approxned cost	Estimated staging and priority
S4	Outdoor Courts	Minimum 8 sealed courts: 3 x Netball 1:3,000 2 Basketball 1:5,000 3 x Tennis 1:3,000		Included in sportsfields	\$1,539,170	\$230,875	\$1,770,045	As and when surrounding development proceeds
S5	Enclosed Dog Exercise Area	Enclosed area 1:10,000		Included in passive open space	\$440,000	\$56,000	\$496,000	As and when surrounding development proceeds
S6	Playgrounds	Minimum of 5 local playgrounds 1:1,500		Included in passive open space	\$2,117,518	\$317,628	\$2,435,146	As and when surrounding development proceeds
S7	Skate/BMX Facility	One (1) district level playground (1:15,000)		NA (investigate location in Blue Gum Hills Regional Park)	\$1,563,399	\$234,510	\$1,797,909	As and when surrounding development proceeds
S8	Multipurpose community hub	One (1) local facility to be provided in a location TBD 1:10,000	3,000	\$45,000	\$763,508	\$114,526	\$878,034	As and when surrounding development proceeds
	Sub Total	Construction of floorspace			\$12,000,000	\$1,800,000	Total = \$13,845,000 (- 67%) Apporxned cost of \$4,568,850	As and when surrounding development proceeds
				\$3,674,280			\$50,349,174	

Figure 4 Western Corridor social infrastructure



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**ORDINARY COUNCIL MEETING
25 February 2020**

**CCL 25/02/20
ADOPTION OF THE SECTION 7.11 WESTERN CORRIDOR LOCAL
INFRASTRUCTURE CONTRIBUTIONS PLAN**

Item 8 - Attachment B: Summary of Submissions

Attachment B - Summary of submissions

	Summary of submissions	CN response
<p>Submission One – Property Owner</p>	<ul style="list-style-type: none"> • <u>Errors in Formulae:</u> Dwelling yield for the Coal & Allied site is incorrect as detailed designs are completed and it is likely that fewer dwellings will be constructed. Overall, it is likely that there will be over 90 dwellings less than assumed by the 2013 GLN report. This could impact funding of projects and the number of facilities required. • <u>Errors in estimating potential income:</u> The 352 standard residential lots approved in Stages 1A and 1B will be levied at the current rate of \$13, 717.40 (as at January 2020) rather than the proposed rate of \$30,000. This will generate approximately \$4,828,525 in income rather than the \$10,560,000 assumed in the Draft CP. This will result in a shortfall in funding well in excess of \$5.5m. • <u>No allowance for land costs for community facility:</u> No allowance has been made for land costs associated with the provision of the multi-purpose community hub. The market value of the land must be incorporated into the total cost of the facility. The acquisition rate must be based on the market value of the land, at the time of dedication. The Draft CP does not provide any value for this large fully serviced site. • <u>Dramatic increased cost of some recreation and community facilities:</u> The cost of local sports fields has increased from \$15,019, 200 to \$22,088,969 an increase of approximately 40% which is well above any CPI increases during the period 2013 to 2019. The cost of local playgrounds has increased from \$862,500 for six local playgrounds to \$2,435, 146 for five local playgrounds which equates to around a 300% increase. The cost of the multi-purpose community facilities has 	<ul style="list-style-type: none"> • At the time of engaging consultants to prepare the Traffic and Transport Study, the best available information was used to reflect approvals and potential yields to be expected by greenfield development. Should approved developments be less than expected, this would not greatly impact the infrastructure proposed (and contribution calculated) as part of this Plan. For example, the Parks and Recreation Strategy identifies a desired standard of 1:15,000 - 25,000 people for a district level recreation park. • Should there be a gap in the contributions collected and projects to be funded, CN will adopt a priority list of works for the study area to match available funds. • Land values have been independently reviewed and the Plan amended to reflect recommendations from an updated Land Valuation Report. The value per square metre has increased from \$12.50 to \$15. Land costs for the multi-purpose community hub have been included. Originally, land costs were not included for the multi-purposed community hub as it was proposed on Council land. • A further adjustment was made to the proposed multipurpose community facility that is now considered to support the district. It was considered that the new / expected development only contributes their apportionment which is 33% of the cost. This approach is similar to that

	Summary of submissions	CN response
	<p>increased from \$5,378,077 to \$13, 800,000 which is another significant increase without justification. This is particularly significant given the number of multi-purpose facilities proposed under the Draft CP has dropped from two facilities to one. There is no justification or reasons provided for these increases, which is a serious transparency issue.</p> <ul style="list-style-type: none"> • <u>Recreation facilities deleted / introduced without justification:</u> 3 cricket nets are no longer included but a dog exercise area and baseball diamond are added at a cost of \$496,000 and 4996,000. The number of local playgrounds has been reduced from 6 to 5 and a new district level playground is introduced. The estimated cost is 1.79M. The estimated population does not generate a demand for a district level playground. An additional \$1.4M has been added in costs as a result of these changes. • <u>Lack of clarity and potential inequity around the differential levy:</u> There is no definition for infill development. The rate of \$20,000 is applied to infill development and \$30,000 is paid for greenfield sites, the residents of both forms of development will have access to exactly the same recreational facilities but the financial contributions paid will be higher in some circumstances. • <u>Misleading reference to estates in study area:</u> The Draft CP makes reference to estimated costs for facilities in the Nikimba Estate which do not form part of the proposed levies. This should be clarified. • <u>Lack of rigour in calculating land value:</u> There is no process for the value of land to be dedicated to Council to be valued. A process equivalent to the Just Terms Compensation process 	<p>applied for the district sports fields, being only 33% of the cost.</p> <ul style="list-style-type: none"> • The Submissions Report has been updated to clarify detail on the proposed changes. CN's adopted standards of provision / benchmarks within the Parkland and Recreation Strategy and Community Asset and Open Space Policy (COAS) have guided the required changes to the social infrastructure schedule to best support growth in the Western Corridor. • Costs associated with delivering social infrastructure projects have been applied based on a combination of changing community expectations, standard industry rates, recent builds, better understanding of environmental constraints within the area and historical information. • CN's adopted Parks and Recreation Strategy identifies a desired benchmark of 1:15,000 - 25,000 people for a district level recreation park. In line with current CN practices, sport specific infrastructure such as cricket nets is the responsibility of the individual sport to provide and has therefore been removed from the Plan. The Parkland and Recreation Strategy identifies a benchmark of one dog park per 5000 - 10000 people. There is also a known need for additional facilities to support juniors. Originally two community facilities were proposed but one has since been provided at Fletcher. As per the adopted benchmarks / provisions and supporting principles a library is proposed to be co-located within the

	Summary of submissions	CN response
	<p>should apply to ensure that a fair market value is paid (or recognised) when land is dedicated for community purposes.</p> <ul style="list-style-type: none"> • <u>Concerns with Traffic & Transport Study:</u> The Bitzios Consulting study should acknowledge the work being undertaken by RMS in relation to Newcastle Link Road and Thomas Street as future infrastructure upgrades to these transport corridors are likely to have direct bearing on the outcomes of this study. A review of the revised traffic study should be undertaken considering all issues raised in this submission, consideration should be given to any recommended roadworks being capable of being funded in stages so that if the Coal and Allied landholding is the only landholding developed, that the funds generated can be utilised in a practical way to benefit those landholders who have contributed funds. • <u>Clarify Savings and Transitional Provisions:</u> in relation to a modification application lodged prior to the adoption of the Draft CP. 	<p>multipurpose community facility; hence the increase in cost to deliver. The increase reflects costs as at 2020.</p> <ul style="list-style-type: none"> • The Plan has been amended to clarify that the playground in Nikimba Estate is not to be funded under the Plan. • The map has been further refined to better clarify the areas that are potential greenfield sites. The remaining areas (not hatched) will be considered infill and be capped at \$20,000. An increase of up to \$30,000 for greenfield development (with Ministerial support) will not exceed the cap for greenfield sites. • A Land Valuation Report has been commissioned by CN. • This Strategy has not been completed by RMS and the Plan only includes short to medium term traffic and transport projects. These are projects that can realistically be delivered within ten years and less should the yields be realised, and the funds available. This approach was supported by the project team, which included RMS (Transport for NSW). • There is no proposed change to how the Plan refers to the application of contributions for modifications.
Submission Two – UDIA	<ul style="list-style-type: none"> • The draft Plan must not be adopted as currently written. 	<ul style="list-style-type: none"> • CN appreciates the thorough review of the Draft Plan. This guided further investigation and resulted in changes to the Plan reported to Council. One item (T4) has been included in this Plan that was originally

	Summary of submissions	CN response
	<ul style="list-style-type: none"> • A revised draft Plan should be re-exhibited after it has addressed the following issues raised in the submission with updated background material to ensure transparency: <ul style="list-style-type: none"> i. Remove infrastructure items which overlap with Contributions Plans No. 1 and/or No. 4 (for which contributions have already been levied). ii. Remove development which has been levied contributions under Contributions Plans No. 1 and No. 4 or the Sanctuary Estate VPA from dwelling forecasts and mapping within the Plan. • <u>Update the traffic study to incorporate the following:</u> <ul style="list-style-type: none"> i) The findings of the Newcastle Link Road Corridor Strategy including any proposed upgrades from Transport for NSW. ii) Revised traffic modelling to remove developments which are already approved or under construction from the assumptions of traffic generation attributed to “development”. iii) Inclusion within the model of the significant traffic infrastructure upgrades identified in Contributions Plan No. 4 yet to be constructed as contributions have been levied against these upgrades and they must be delivered by CN. iv) Identify timing and point of origin for traffic generated by expected (planned future, i.e., not approved or under construction) new development with recognition that some developments within the plan area require rezoning of land, DA assessment, subdivision construction, registration of lots and house construction before they will generate traffic. 	<p>identified in Plan 4. The Bitzios Traffic & Transport Study identified additional works to what was originally planned. Upon review, it is considered reasonable that the amount required to fund T4 by Planned Future Development should be apportioned. The amount reflects 54% of the cost, as recommended in the Bitzios Study (54% apportioned to new / “expected” development and 46% to existing / approved development). No other traffic and transport projects “double up”.</p> <ul style="list-style-type: none"> • A further review of usage of the proposed footpaths and cycleways has also been undertaken and these costs have been apportioned (at 54% for new development) as both the existing and future development will benefit from them. This is reflected in the revised Plan. • The Newcastle Link Road Corridor Strategy has not been released. The Strategy can be considered in future reviews of the Plan. Transport NSW were consulted in the preparation of the Plan. This Plan has been prepared to collect contributions for local infrastructure to fund local projects. • The formula does not include approved development. The formula which calculates the contribution amount for traffic and transport is based on the “estimated total cost of all the traffic and transport infrastructure required to meet the future development expected under the Plan” divided by the “estimated total number of peak hour vehicle trips that will be generated by the future development expected under this plan.” A total

	Summary of submissions	CN response
	<p>v) Further options analysis that acknowledges potential road linkages within the development sites, which further industry engagement would identify.</p> <p>vi) Modelling of a scenario with background growth only (i.e., no new development) to ascertain the extent of upgrades required without expected (planned future) development. The outcomes of a comparison between this scenario and a scenario including expected (planned future) development should be clearly stated within the report to assess nexus between upgrades and expected (planned future) development.</p> <ul style="list-style-type: none"> • <u>Update the social infrastructure recommendations, providing:</u> <ul style="list-style-type: none"> i) Updated background document with all planning tools and explanations of methodology used to determine social infrastructure requirements, including rates of provision and further information regarding how the cost estimates were determined. ii) Establishment of nexus between expected (planned future) development and the full list of identified infrastructure items. • Any increase in the contribution rate should be phased in so that any increase does not make development unfeasible or prejudice the industry's capacity to meet supply targets. • 	<p>of 2,470 additional trips are expected to be generated during the peak hours from the forecast 3,130 residential dwellings in the "Planned Future Development" areas.</p> <ul style="list-style-type: none"> • Roads within development sites would not be funded by the Plan and are currently unknown. • Timeframes for the traffic and transport component of this Plan are medium term (10 years) and the Plan can be reviewed as development / rezonings are approved. • The increase in development from the greenfield sites will result in a demand for additional infrastructure. In 2017, most of the intersections in the study area operated at a Level of Service (LoS) of 'D' or better in both the AM and the PM peak hours. LoS E/F is typically identified as the condition where an upgrade would ordinarily be warranted. This is discussed in the Traffic and Transport Study. • The Submissions Report has been updated to provide further detail on the proposed changes. CN's adopted desired provisions / benchmarks within the Parkland and Recreation Strategy and Community Asset and Open Space Policy have guided the required changes to the social infrastructure schedule to best support growth in the Western Corridor. • The \$30,000 contribution rate for Planned Future Development Sites will only apply to development

	Summary of submissions	CN response
<p>Submission Three – Property Owner</p>	<p>Recommend:</p> <ul style="list-style-type: none"> Remove completed development that has already been levied contributions under a separate plan from the Draft Plan. Utilise the \$12.2M held by Council to deliver the infrastructure identified in NCC Contributions Plans No. 1 and No. 4 for which it was levied and remove any overlap with this infrastructure from the Draft Plan. Update and revise the supporting information and Draft Plan to calculate need based only on the development being levied prior to re-exhibition of the revised draft plan and supporting information. Support the need for local infrastructure contribution plans and their ability to ensure that a sustainable level of service and amenity is provided to communities in urban release areas. Support Council's acknowledgement of the strategic merit of development of the site through the inclusion of the site in the Draft Plan and support the minimum yield estimate for the 	<ul style="list-style-type: none"> consents issued after the Minister's Direction is amended to include the sites. Until that time, the maximum contribution rate will be \$20,000. Projects which are not delivered yet still required will be funded when the demand is reached, and the funds are available. Noting there are identified social infrastructure projects (on greenfield sites) require land to be available to progress. CN appreciates the thorough review of the Plan. This guided further review and resulted in changes to the Plan. One item (T4) has been included in this Plan that was originally identified in Plan 4. The Bitzios Traffic & Transport Study identified additional works to what was originally planned. Upon review, it was considered reasonable that the amount required to fund T4 by Planned Future Development should be apportioned. The amount reflects 54% of the cost, as recommended in the Bitzios Study (54% apportioned to new / "expected" development and 46% to existing / approved development). No other traffic and transport projects "double up". The submission also triggered further review of usage of the proposed footpaths and cycleways. It was considered fair to also apportion these costs (at 54%) as both the existing and future development will benefit from them. This is reflected in the revised Plan.

	Summary of submissions	CN response
	<p>subject site. It is understood that yields greater than this may warrant the provision of further infrastructure.</p> <ul style="list-style-type: none"> Support the proactive, periodic and transparent review of local infrastructure contributions plans. The traffic and social infrastructure within the Draft Plan will need to integrate with infrastructure needs identified through the rezoning and development assessment process for The Site. <p>Concerns:</p> <ul style="list-style-type: none"> The Draft Plan increases Social Infrastructure Costs by \$24 Million (to \$58 Million from \$34 Million) without any exhibited justification. The Western Corridor Social Infrastructure (Updated Map) is not specific. The Traffic and Transport Study has not been coordinated with the Transport for NSW (Roads and Maritime Services [RMS]) Newcastle Link Road Corridor Study. There is double counting of Minmi Road Infrastructure. The traffic upgrades in the Draft Plan are driven by existing traffic and background growth rather than new development 	<ul style="list-style-type: none"> At the end of last financial year, there was less than \$1M in the account for local traffic and transport projects for the Western Corridor. There is \$11M for social infrastructure projects which will be expended when sites become available in the greenfield areas. The Submissions Report has been updated to provide further detail on the proposed changes. CN's adopted desired provisions / benchmarks within the Parkland and Recreation Strategy and Community Asset and Open Space Policy have guided the required changes to the social infrastructure schedule to best support growth in the Western Corridor. The map has been updated to clarify which sites are identified as potential greenfield sites. The RMS (Transport NSW) were involved in the preparation and finalisation of the updated Traffic and Transport Study. At this time the Newcastle Link Road Corridor Strategy has not been release. The Strategy can be considered in the next review to the Plan if available, noting the Plan is prepared to collect contributions for local infrastructure to fund local projects. The formula which calculates the contribution amount for traffic and transport is based on the "estimated total cost of all the traffic and transport infrastructure

	Summary of submissions	CN response
		<p>required to meet the future development expected under the Plan” divided by the “estimated total number of peak hour vehicle trips that will be generated by the future development expected under this plan.” The formula does not include approved development. A total of 2,470 additional trips are expected to be generated during the peak hours from the proposed 3,130 residential dwellings in the “Planned Future Development” areas.</p> <ul style="list-style-type: none"> • The increase in development from the greenfield sites will result in a demand for additional infrastructure. In 2017, most of the intersections in the study area operated at a Level of Service (LoS) of ‘D’ or better in both the AM and the PM peak hours. LoS E/F is typically identified as the condition where an upgrade would ordinarily be warranted. This is discussed in the Traffic and Transport Study. • Projects have only been included in the Plan that are expected to be delivered in the medium term (within 10 years). • It is proposed to have the Plan reviewed and updated within five years’ time.

**ORDINARY COUNCIL MEETING
25 February 2020**

**CCL 25/02/20
ADOPTION OF THE SECTION 7.11 WESTERN CORRIDOR LOCAL
INFRASTRUCTURE CONTRIBUTIONS PLAN**

Item 8 - Attachment C: Submissions Report

Attachment C - Submissions Report

Section 7.11 Western Corridor Local Infrastructure Contributions Plan 2013 (Update February 2020) Submissions Report

Purpose

The purpose of this Report is to:

- respond to issues raised during public exhibition of the draft Western Corridor Local Infrastructure Contributions Plan (the Plan) and
- document amendments made to the Plan in response to issues raised in submissions.

Introduction

A review of the Plan has been undertaken and the projects listed on the Schedule to the Plan have been updated to ensure adequate transport and social infrastructure can be provided to support anticipated future development. The contribution rate has been recalculated as a result and the rate is proposed to increase to the residential cap of \$20,000. A request has been made to the Minister for Planning and Public Spaces to increase the contribution rate to \$30,000 for the Planned Future Development Sites.

The revised Plan was placed on public exhibition and three submissions were received requesting additional information and clarification in relation to identified infrastructure projects and nexus with the planned future development.

The updates to the Plan are based on a new Traffic and Transport Study (the Study) prepared by Bitzios Consulting (finalised in 2019). This Study is available on City of Newcastle (CN) webpage. The social infrastructure projects have been updated to be in accordance with CN's adopted standards of provision / benchmarks and principles contained within the Parkland and Recreation Strategy 2014, Community Asset and Open Space Policy 2017 and Library Strategy 2019.

The Plan is based on the identified likely level of demand, required infrastructure to meet expected future demand and the estimated cost of the infrastructure and apportioning costs amongst those who will benefit. The Plan will be continually reviewed and updated to ensure appropriate infrastructure is identified and funded by the Plan. The next review of the Plan is scheduled for no more than 5 years after its adoption date.

Calculation of a reasonable development contribution

The formulas used to calculate the contribution rate per lot or dwelling have not changed from the previous Western Corridor Contributions Plan, as follows:

Traffic and transport infrastructure formula

Monetary contributions for traffic and transport infrastructure are calculated on a per peak hour trip basis, then factored up to a per lot or per dwelling amount.

The monetary contribution per peak hour trip in a development containing residential dwellings or lots is calculated as follows:

$$\text{Contribution per resident (\$)} = \frac{\$INF}{T}$$

Where:

\$INF = the estimated total cost of all the traffic and transport infrastructure required to meet the future development expected under this Plan

T = the estimated total number of peak hour vehicle trips that will be generated by the future development expected under this Plan. The per dwelling amount is determined by multiplying the per trip contribution by the estimated increase in peak hour vehicle trips as a result of the development, using the assumed trip generation rates.

The updated peak trips based on the Bitzios Traffic and Transport Study are:

Traffic Generation Summary (planned plus approved developments)

Development Stage	Expected Dwellings	Weekday Peak Hour Vehicle Trip Rate	Vehicle Trips/hour	Daily Vehicle Trip Rate	Vehicle Trips/day
Planned	3,130	Various	2,470	Various	26,075
Approved	2,634		2,110		22,220
TOTAL	5,764	-	4,580	-	48,295

Social infrastructure formula

Monetary contributions for social infrastructure are calculated on a per person or per resident basis, then factored up to a per lot or per dwelling amount.

The monetary contribution per person in a development containing residential dwellings or lots is calculated as follows:

$$\text{Contribution per resident} \quad \frac{\$INF}{P}$$

(\$)

Where:

\$INF = the estimated total cost of all the social infrastructure required to meet the future population in development expected under this Plan (i.e. \$50,349,174)

P = the estimated resident population that will require the social infrastructure included in this Plan (i.e. 8,943 persons)

Determination of required traffic and transport infrastructure for planned development sites

Bitzios Consulting was commissioned by CN to assess traffic infrastructure and pedestrian and cyclist infrastructure needed in the Western Corridor suburbs of Minmi, Fletcher and Maryland.

Existing traffic and transport conditions and Year 2017 Network Performance Modelling

A microsimulation traffic model was created to assess issues and network requirements to cater for expected traffic levels in 2021, 2026 and 2036.

A base model was created for the study area for the base year 2017 and intersection performance and travel times on Minmi Road were assessed. Origin and destination surveys of existing development and estimation of external traffic growth were included in the base model.

Future year traffic demands and assessment

Future year traffic demands were assessed, which included an estimation of future traffic volumes, forecast trip distribution throughout the road network and the increase in through (background) traffic within the study area. It also considered committed network improvements.

The analysis of traffic generation for planned future development found that 2,470 additional trips are expected to be generated during the peak hours from the expected 3,130 residential dwellings in the new development areas of Coal & Allied; Xstrata, 505 Minmi Road, Seniors Living – Elernmore Vale and the seniors living component of Coal & Allied.

The Study assessed traffic generation of approved developments (2,634 peak hour trips) to account for approved developments in future year modelling.

It is important to note that while the Study assessed both planned future development and approved development to determine overall road network needs, the Plan only uses the estimated total number of peak hour vehicle trips for planned future development in the calculation of the traffic and transport contribution in the Plan and the works schedule only includes new projects required as a result of the expected future development. Where the schedule contains items that benefit both future and approved development, the cost has been apportioned as discussed later in this report.

Newcastle Link Road Corridor

The Study considered key committed network improvements. In consultation with Transport for NSW and CN, a number of improvements were identified on both State and Local Roads as being committed or highly likely to be implemented. During the preparation of the study Transport for NSW was undertaking a parallel study to develop a corridor strategy for Newcastle Link Road and Thomas Street between M1 Pacific Motorway and Newcastle Road. No information on future infrastructure improvements for this corridor was available at the time of this study. However, Transport for NSW did indicate a potential upgrade of the existing roundabout at the intersection of Newcastle Link Road and Minmi Road to traffic signals. When the outcomes of the corridor strategy are known, the Plan will be reviewed and updated as required, noting that the Plan is prepared to collect local infrastructure contributions to fund local projects.

Traffic and Transport Infrastructure costs

Costing analysis has been undertaken of all intersection and road upgrades to determine the value of the suite of works. Pricing for each component was sourced from the Independent Pricing and Regulatory Tribunal (NSW) for each horizon year (2021, 2026 and 2036). The proposed suite of traffic infrastructure works to maintain an acceptable level of service across the study area is estimated to cost:

- \$36,480,260 in 2021

- \$28,670,551 in 2026

- \$152,533,002 in 2036 and

- additional footpaths are expected to cost \$7,069,819 by 2036 and additional cycling infrastructure is expected to cost \$1,096,621.

The Plan includes only new projects that can be delivered in the next 10 years and not all projects costed by the Study have been included. This has resulted in the total land and works cost to be met by development in the Plan to be \$25,167,560.

Determination of required social infrastructure for planned development sites

CN's adopted standards of provision / benchmarks within the Parkland and Recreation Strategy, Community Asset and Open Space Policy and Library Strategy have guided the required changes to the social infrastructure schedule to best support growth in the Western Corridor.

CN's adopted Parks and Recreation Strategy identifies a desired benchmark of 1:15,000 - 25,000 people for a district level recreation park. In line with current CN practices, sport specific infrastructure such as cricket nets is the responsibility of the individual sport to provide and has therefore been removed from the Plan. The Parkland and Recreation Strategy identifies a benchmark of one dog park per 5000 - 10000 people. There is also a known need for additional facilities to support juniors.

The Parkland and Recreation Strategy

The Parkland and Recreation Strategy has been developed to guide the provision of parkland and recreation facilities for current and future communities. The relevant information is below:

Proposed parkland standards of provision

Park Category	Role	Accessibility	Desirable Size	Characteristics likely to find	Desired Provision
Regional	Defined spaces that attract visitors from across the city and beyond due to their uniqueness, opportunity offered or the scale of events that may be staged.	Expectation is that people will drive to these spaces.	10 + hectares. Size will reflect location, natural setting and special features of individual sites.	Quality landscaping, public art, interpretative signage, appropriate supporting amenities and user facilities. Excellent access for people of all ages and abilities and excellent vehicles access with a substantial frontage to a major road. Highly visible and preferably adjacent to a local town centre.	One per 250,000 people.
District	A park area of substantial size, well developed, offering a broad range of quality recreation opportunities. Central to populations of approximately 15,000 – 25,000.	Not necessarily within walking distance. Expectation is that people will drive to these spaces	1.5 -10 hectares. It should be generally regular in shape, preferably not less than 50m wide.	A range of facilities to cater for a variety of users and recreational activities, including: quality landscaping, signage, playground equipment for toddlers, juniors and older children, seating, shade, paths, toilets, BBQ facilities, and lighting. May support community gardens and/or off leash dog exercise areas in larger sized parks.	One per 15,000 – 25,000 people.
Local	Defined spaces primarily serving a local population. Positioned in a visible location for safety.	300- 500 m/5-10 minutes walking time to majority of households. No busy road crossings to access.	0.5 – 1.5 hectares. Recommended minimum of 0.2 ha for existing parkland unless it adjoins other open space.	A limited range of facilities to support recreational activities including: minor landscaping reflecting existing vegetation, signage, some playground equipment, limited seating, shade and limited paths to enhance play opportunities. May support community gardens and/or off leash dog exercise areas in larger sized parks.	Ideally within 500 meters of residents.

Proposed recreation standards of provision

Recreation Infrastructure	Regional Facility	District Facility	Local Facility
Playgrounds	One per 150,000 people	One per 15,000 - 25,000 people	One per 1,500 people
Sports fields	In partnership with and in accordance with local and state sporting association facility guidelines.		One per 1,250 people
Specialised sports fields	In partnership with and in accordance with local and state sporting association facility guidelines.		-
Outdoor netball courts	In partnership with and in accordance with local and state sporting association facility guidelines.		One per 3,000 - 4,000 people
Outdoor basketball courts	-	-	One per 5,000 people
Tennis courts	One per 60,000 people	-	One per 3,000 - 4,000 people
Skate/BMX facilities	One per 150,000 people	One per 25,000 people	One per 10,000 - 15,000 people
Swimming pools	One per 150,000 people	One per 35,000 – 75,000 people	-
Indoor multi – purpose sport centres	One per 250,000 people	One per 50,000 – 100,000 people	-
Community gardens	-	-	In partnership with community and expressed demand.
Dog exercise areas	-	-	One per 5,000 - 10,000 people
Golf course	One per 30,000 people In partnership with commercial sector.		-
Service levels	Highest level of service	Second level of service	Third level of service

The Community Asset and Open Space Policy

This policy seeks to provide Council and the community of Newcastle with the following community asset and open space outcomes:

- encourage social connections, community participation, promote health and well being.
- multi-purpose, functional, safe and innovative places and spaces that are equitably distributed across the local government area.
- management of community assets and open space from a quadruple bottom line perspective.
- diverse places and spaces that accommodate a range of uses that are
- responsive to changing trends, aspirations and community needs.
- timely delivery of community assets and open space that is integrated with other assets provided by Council and partner agencies.
- co-location of community assets and open space to maximise the opportunity for long community connections and economies of scale.
- open and transparent governance and management of community assets and open space that provides the community with clear accountability of Council's actions.

Below are the standards that have also guided the updates:

Indicative Hierarchy for Community Assets and Open Space

Community Assets	Local Catchment Area	District Catchment Area	Regional Catchment Area
Open space	Parks < 2 hectares (ha) Outdoor sports area 5ha	Parks 2 to 5 ha Outdoor sports area 5 to 10ha	Parks > 5 ha Outdoor sports area >10 ha
Community facilities	Community Centre Floor area – 400 to 600 square metres (m ²)	Multipurpose Community Facility 600 to1000m ² Community Arts Centres	City Hall/Town Hall Performing Arts Centres Museums, Galleries
Libraries	Nil	Branch Library	City Library
Aquatic Centres	Nil	Outdoor aquatic centres	Indoor/outdoor recreation and aquatic centres

District means a number of neighbourhoods and may have a catchment extending beyond the local government area that hosts it. For community facilities, a district population catchment represents on average 20,000 people

Social infrastructure costs

Costs associated with delivering social infrastructure projects required to support the expected development have been applied based on standard industry rates, recent builds, better understanding of environmental constraints, and historical information.

Land Values

Land values have been independently reviewed and now reflect recommendations from an updated Land Valuation Report. They have increased from \$12.50 per sqm to \$15 per sqm to reflect current land values. This update is based on the original report prepared by Preston Rowe Paterson in 2013 and referenced in the current Background Report as the “Valuation Report on Indicative Land Values Various Lots within the Draft Western Corridor Development Contribution Plan”.

The Plan has been updated to reflect this rate. \$45,000 is now included for the cost of a 3,000 sqm site for the district multi-purpose community facility.

Multipurpose community hub

The Plan had included two community facilities (one local and one district level). The local facility has been completed at Fletcher. The Plan has been updated to include a multipurpose community hub that incorporates a library in accordance with the principles of CN’s Library Strategy in place of the district level community facility originally proposed.

Infrastructure costs and apportionment

Traffic infrastructure

The Study identified that when considering total traffic generation from planned and future development, that approved development generates 46% of peak vehicle trips/hour and future development contribute 54% of peak vehicle trips. The cost of most of the identified traffic and transport infrastructure has been fully apportioned to the future development sites as the schedule contains infrastructure items that are required due to expected traffic generation from future development. The exception is Item T4 – road widening and intersection upgrades (shown in the box below) and to new Pedestrian and Cycling Infrastructure on the basis that approved development will also benefit from the proposed infrastructure.

T4	Cowper Street/Cameron Street/Sandgate Road/Minmi Road – intersection upgrade works - add lanes (1 to 2 lanes) Cameron Street to Newcastle Road (SB) Longworth Avenue – road widening upgrade works	Road widening and intersection upgrades	\$3,185,205+ \$9,890,000 (-46%) = \$7,060,611	2021-2026
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The estimated costs contained in the Plan have been reduced from those contained in the Study where funding is available through other mechanisms. Some projects flagged for 2026 (and all beyond the medium term) were not considered to be deliverable within the medium term and were not included. Longer-term projects will be reviewed within the next update.

Social infrastructure

The cost of most facilities in the social infrastructure works schedule have been fully apportioned to yet-to-be approved development in the study area, except for the District Sports Fields and Multipurpose Community Hub.

The District Sports Fields had an apportioned rate determined in the original plan. As per the adopted benchmarks / provisions and supporting principles, a library is proposed to be co-located with the multipurpose community facility; this has significantly increased its cost. As the multipurpose community facility is a district level facility and district level facilities have been apportioned in the Plan to pay 33 % of the total cost, this rate has been applied to the multipurpose community hub.

Total value of works to be funded by the Plan

The total value of works to be funded by the plan is:

Traffic and Transport	\$25,167,560
Social Infrastructure	\$50,349,174
Total	\$75,515,734

Calculation of contribution rate

Traffic and transport infrastructure

The calculation for the traffic and transport contribution rate is:

Contribution per vehicle trip = $\frac{\$25,167,560}{2,470}$ (total cost of new traffic and transport projects on the schedule)
(total additional trips generated during peak hours from new dwellings in planned future development areas)

Contribution rate per dwelling (except seniors housing)	\$8,660.90
Seniors housing	\$2037.90

Social infrastructure

The calculation for the social infrastructure contribution is:

Contribution per resident (\$) = $\frac{\$50,349,174}{8,943}$ (total cost of social infrastructure)
(estimated future resident population)

Contribution rate per dwelling (except seniors housing)	\$16,890
Seniors housing	\$8,445

**A cap of \$20,000 applies to all residential lots/dwellings. CN has sought approval from the Minister for Planning and Public Spaces to increase this amount to the cap applied to greenfield development, which is \$30,000 per lot / dwelling in recognition of the additional infrastructure requirements for these types of development. The map within the Plan has been further refined to better clarify the intensions of the Plan and clearly identify the potential greenfield sites. The remaining areas (not hatched on the map) will be considered infill and is capped at \$20,000.*

**ORDINARY COUNCIL MEETING
25 FEBRUARY 2020**

**CCL 25/02/20
QUARTERLY BUDGET REVIEW STATEMENT**

Item 11 - Attachment A: Quarterly Budget Review Statement – December 2019

DISTRIBUTED UNDER SEPARATE COVER

Quarterly Budget Review Statement

December 2019



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City of
Newcastle

Income and Expenses Budget Review Statement

Result for the financial quarter ending 31 December, 2019

Full Year Adopted Budget \$'000	Changes			Projected year end result 2019/20 \$'000	Actual YTD \$'000
	Adopted September 2019 \$'000	Recommended December 2019 \$'000			
Income from Continuing Operations					
182,809				182,809	92,123
89,366	1,029	(769)		89,626	38,009
10,210	(156)			10,054	5,008
12,101	(828)	(379)		10,894	5,742
14,760	74	187		15,021	4,113
12,830				12,830	4,122
322,076	119	(961)		321,234	149,117
Expenses from Continuing Operations					
111,936	(1,417)			110,519	52,906
4,760	159	4		4,923	2,426
66,939	5,414	3,462		75,815	26,004
48,374	1	(541)		47,834	23,835
59,338	(47)	(64)		59,227	26,394
5,948				5,948	3,031
297,295	4,110	2,861		304,266	134,596
Total Operating result from continuing operations					
24,781	(3,991)	(3,822)		16,968	14,521
Net operating result before capital items					
11,951	(3,991)	(3,822)		4,138	10,399

Income Statement Variations

Result for the financial quarter ending 31 December, 2019

	Var (\$'000)	Issue	Explanation
Revenue			
Rates and charges	0		
User charges & fees	(769)	Parking - \$860k	Reduction in revenue derived from On-Street Parking Meter when compared to budget expectations
Interest	0		
Other operating revenues	(379)		
Grants & contributions - Operating	187	Emergency Services Levy - \$303k	CN has received grant revenue to offset increases in the NSW State Emergency Services Levy.
Grants & contributions - Capital	0		
Total Income from Continuing Operations	(961)		

Expenses			
Employee costs	0		
Borrowing costs	4		
Materials & contracts	3,462	Works Program \$2.5m	Budgeted contract spend has increased to support the delivery of an increased Works Program.
Depreciation & Amortisation	(541)		Savings in Lease costs under new Accounting Standard.
Other operating expenses	(64)		
Net Loss from disposal of assets	0		
Total Expenses from Continuing Operations	2,861		

Capital Statement

Result for the financial quarter ending 31 December, 2019

Full Year Adopted Budget \$'000	Adopted September 2019 \$'000	Recommended December 2019 \$'000	Projected year end result 2019/20 \$'000	Actual YTD \$'000
Capital funding				
48,422 General fund contribution to capital	(3,991)	(3,821)	40,610	31,814
7,326 2012 Special Rate Variation			7,326	3,663
1,990 Stormwater Management Service Charge			1,990	995
12,830 Capital Grants & Contributions			12,830	4,122
1,700 Proceeds from the sale of assets			1,700	793
(3,868) Net Loans Borrowings / (Repayments)			(3,868)	(1,934)
68,400 Funding available for capital expenditure	(3,991)	(3,821)	60,588	39,453
Capital Expenditure				
18,102 Asset Renewal	2,357	3,146	23,605	9,832
38,998 New / Upgrade	(1,697)	9,488	46,789	20,510
1,825 Priority Projects	267	(688)	1,404	647
58,925 Total capital expenditure	927	11,946	71,798	30,989
9,475 Transfer to or (Draw down on) reserves	(4,918)	(15,767)	(11,210)	8,464

Works Program Summary

Result for the financial quarter ending 31 December, 2019

Full Year Adopted Budget \$,000	Portfolio/Program	Projected year			Actual YTD (\$,000)
		Adopted September 2019 (\$,000)	Recommended December 2019 (\$,000)	end result 2019/20 (\$,000)	
14,221	Buildings, Structures and Places	7,195	5,979	27,395	11,828
150	Aquatic Centres		272	422	150
30	Blackbutt Reserve	20		50	
5,340	Buildings - Council Support Services Caravan Parks and Commercial Properties	3,266	2,461	11,067	7,157
50	Cemeteries	20		70	2
996	City Centre Revitalisation	64	1	1,061	305
2,375	Coastal Revitalisation	69	(1,498)	946	152
	Community Buildings	247	404	651	523
2,122	Cultural Facilities	2,343	90	4,555	1,311
603	Libraries	370	2,886	3,859	813
1,505	Recreation Parks and Sporting Facilities	741	1,175	3,421	1,218
50	Public Toilets		188	238	189
1,000	Retaining Walls	55		1,055	8
9,730	Roads	665	1,394	11,789	5,803
2,500	Bridges	7	775	3,282	1,211
350	Footpaths	218	(1)	567	433
730	Road Furniture	18	(229)	519	117
3,150	Road Rehabilitation	512	1,221	4,883	3,119
3,000	Road Resurfacing	(90)	(372)	2,538	923
4,035	Transport	722	448	5,205	1,785
1,110	Cycleways	(75)	169	1,204	192
1,085	Local Area Traffic Management	50	263	1,398	737
230	Parking Infrastructure	(20)		210	93
1,610	Pedestrian Access and Mobility Plan	767	16	2,393	763
5,440	Stormwater	1,483	582	7,505	3,566
75	Flood Planning	3	13	91	28
5,365	Stormwater System	1,480	569	7,414	3,538
35,831	Environment	(9,993)	2,324	28,162	9,634
1,210	Bushland and Watercourses	(215)	460	1,455	533
1,430	Coast, Estuary and Wetlands	1,860	1,890	5,180	400
950	Street and Park Trees	60	60	1,070	459
32,241	Waste Management	(11,698)	(86)	20,457	8,242
4,595	Information Technology	1,639	2,120	8,354	2,641
1,155	Implementation and Upgrade of Applications	349	247	1,751	616
3,170	Infrastructure Improvements	96	1,873	5,139	1,671
270	Strategic and Systems Analysis	1,194		1,464	354
2,095	Strategic	1,629	41	3,765	1,065
2,005	Smart City	1,359	41	3,405	1,006
90	Strategic Plans	270		360	59
5,000	Fleet Replacement	558	1,907	7,465	3,281
5,000	Fleet Replacement	558	1,907	7,465	3,281
80,947	Total Works Program	3,898	14,795	99,640	39,603

Cash and Investments Budget Review Statement

Result for the financial quarter ending 31 December 2019

	Opening Balance in Note 6c 1/07/2019 (000's)	Transfers to 2019/20 (000's)	Transfers from 2019/20 (000's)	Adopted September (000's)	Recommended December (000's)	Closing Balance in Note 6c 30/06/2020 (000's)
Unrestricted (Available Cash)	37,166	7,273		(2,012)	(12,569)	29,858
External Restrictions Included in Liabilities						
Security bonds, deposits and retentions	1,556					1,556
Other						
Developer contributions - general	28,626	5,269	(1,915)	(860)	(816)	30,304
Specific purpose unexpended grants	4,523	163	(2,196)	(58)		2,432
Domestic waste management	12,975		(11,850)	10,850		11,975
Art Gallery - bequests and donations	1,636		(95)			1,541
Special rates - business districts	1,343			(276)	(242)	825
Rawson Crown Land Reserve	2,912	1,243		(1,713)	(11)	2,431
Building better cities	3,195					3,195
Contributions to specific works programs	795	19	(107)			707
Total Externally restricted	57,561	6,694	(16,163)	7,943	(1,069)	54,966
Internal Restrictions						
Employee leave entitlement	17,559					17,559
Works program - new and upgrade	29,134	48,596	(29,134)	(10,850)		37,746
Works program - priority projects (2012 SRV)	4,241	4,186	(4,241)			4,186
Works program - infrastructure backlog	111,430					111,430
Works program - specific projects	23,338				(2,129)	21,209
Newcastle Airport	14,752	3,741				18,493
Self insurance claims	5,260					5,260
Section 355 committees and childcare	1,020					1,020
Superannuation - defined benefits	2,509		(1,255)			1,254
Waste management - remediation provision	64,148		(1,350)			62,798
Works carried forward	8,871		(8,871)			0
Total Internally restricted	282,262	56,523	(44,851)	(10,850)	(2,129)	280,955
Total Restricted	339,823	63,217	(61,014)	(2,907)	(3,198)	335,921
Total cash and investments	376,989					365,779

Contracts
(quarter ended 31 December 2019)

<i>Contractor</i>	<i>Contract Detail</i>	<i>Contract Value</i>	<i>Commencement Date</i>	<i>Estimated Completion</i>	<i>Budgeted (Y/N)</i>
Flow Power	Electricity Supply - PPA for Streetlighting & Large Sites	\$12,000,000	1/12/2019	Dec-29	Y
ERM Power	Electricity Supply - Small Sites	\$4,075,057	1/12/2019	Dec-29	Y
NSW Electoral Commission	Administration of the 2020 Council Elections	\$1,105,896	12/12/2019	Oct-20	Y
Inter Chillers	Newcastle Art Gallery Air Conditioning Installation	\$448,147	22/10/2019	Feb-20	Y
NSW Soil Conservation Service	Ironbark Creek Rehabilitation - Construction - Stage 5a	\$431,100	17/10/2019	Jan-20	Y
Mothership Events	Event Management Services - New Year's Eve 2019 & Australia Day 2020	\$300,000	3/10/2019	Jan-20	Y
Moduplay Group Pty Ltd	Brickworks Park Playground Supply and Installation	\$176,451	19/12/2019	Apr-20	Y
Ivory Group Pty Ltd	IT Roles Recruitment Services (Ivory Group)	\$150,000	14/10/2019	Oct-20	Y
Hansen Pty Ltd t/a Forpark Australia (NSW)	Carrington Street Reserve - Playground Renewal - Supply & Install	\$131,504	2/12/2019	Mar-20	Y
HCB Solar (Hunter Solar Pty Ltd)	Operation & Maintenance of Summerhill Solar Farm (1 year)	\$105,264	30/10/2019	Oct-20	Y
Locomotive Consulting	Additional Blue Bus Training	\$99,000	19/11/2019	Jun-20	Y
Reitsma Constructions Pty Ltd	Construction - Museum Lift	\$88,664	21/11/2019	Jan-20	Y
Systems Construction Pty Ltd	Civic Theatre Electrical Room Slab Reinforcement	\$78,405	16/12/2019	Jan-20	Y
AECOM	Orchardtown Road Local Centre - Concept Design	\$72,450	21/11/2019	Dec-20	Y
Lawrence & Hanson	Pacific Park Security Lighting	\$67,866	4/11/2019	Feb-20	Y
Forepark Australia	Kurraka Oval Complex - Construction of Fitness Stations	\$55,066	19/12/2019	Apr-20	Y

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations or \$50,000 whichever is the lesser.
2. Contracts to be listed are those entered into during the quarter and have yet to be fully performed, excluding contractors that are on Council's preferred suppliers list.
3. Contracts for employment are not required to be included.
4. Where a contract for services etc was not included in the budget, an explanation is to be given (or reference made to an explanation in another Budget Review Statement).

Consultancy & Legal Expenses
(quarter ended 31 December 2019)

<i>Expense</i>	<i>Expenditure YTD \$</i>	<i>Budgeted</i>
Consultancies	\$2,062,411	Y
Legal	\$462,145	Y

Notes:

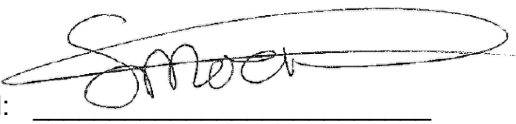
1. A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision-making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.
2. Where any expenses for consultancy or legal fees (including Code of Conduct expenses) have not been budgeted for, an explanation is to be given. Report on external expenses only (not internal expenses)

CITY OF NEWCASTLE

Report by Responsible Accounting Officer for the quarter ending 31 December 2019

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005.

It is my opinion that the Quarterly Budget Review Statement for Newcastle City Council for the quarter ended 31 December 2019 indicated that Council's projected financial position at 30 June 2020 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:  _____

Date: 04/02/2020

Name

Responsible Accounting Officer, City of Newcastle

Appendix - Works Program Projects

Row Labels

Buildings, Structures and Places

Aquatic Centres

- Inland Pool Investigation & Design
- Newcastle Ocean Baths Upgrade Project

Blackbutt Reserve

- Blackbutt Planning and Design

Buildings - Council Support Services

- Business Case Development and Feasibility Studies
- City Change - Building Fitout
- Civic Substation
- Council Chamber Relocation
- Engineering Advice General
- Local Emergency Operations Centre, Newcastle West
- Museum Lift and Change
- Resource Transportation
- Rooftop Solar Upgrade program
- Store Refurbishment Project
- Structures- Survey
- Various Buildings - renew air conditioning systems.
- Various Council Buildings - assess hazardous materials.
- Workplace Strategy

Cemeteries

- NCC Cemetery Strategy & Masterplans
- Wallsend Cemetery Lawn Beam Installation

City Centre Revitalisation

- HSR - Civic PDP
- HSR - East End PDP - Stage 2 (Foreshore)
- HSR - East End PDP (Hunter St Mall)
- HSR - Hunter/Scott St - Streetscape upgrade
- HSR - Place Activation Initiatives (Signage)
- HSR - Project Management and Admin
- HSR - West End PDP - Stage 1 (Birdwood Park)
- HSR - West End PDP - Stage 2 (Cycleway)

Coastal Revitalisation

- Bathers Way - Bar Beach & Memorial Drive
- Bathers Way - King Edward Park
- Bathers Way - Shower Rectifications
- Bathers Way - South Newcastle
- Nobbys Beach Accessibility Improvements
- South Newcastle Sea Wall Rehabilitation

Community Buildings

- Demolition of Stockton Childcare Centre
- Dixon Park Refurbishment
- Henderson Park Hall Structural Integrity Upgrade
- Life without Barriers Building Demolition
- Newcastle Beach Kiosk Roller Shutter Upgrade

Appendix - Works Program Projects

Cultural Facilities

901500 - Art Gallery Works of Art
Art Gallery - cultural asset preservation.
Art Gallery - Expansion
Art Gallery - Replace / Reline Box Gutter
Art Gallery - security upgrade
Art Gallery- banner winch design
Art Gallery- internal wall renewal
Art Gallery- lighting design
Art Gallery Replace HVAC plant
City Hall - Accessibility Improvements
City Hall - Clock Tower & Fountain lighting control renewal
City Hall - Southern Facade Works
City Hall - Stage 3 - West and North Facades
City Hall - Upgrade Security System
City Hall -carpet purchase
City Hall- lift renewal preparation design
City Hall Passanger Lift Refurbishment
City Hall- Replace function and events furniture
Civic Station remodelling to Visitor Information Centre
Civic Theatre - Renew Projectors
Civic Theatre - renew stage crane / hoist
Civic Theatre - Upgrade Air Conditioning
Civic Theatre - upgrade Security System
Civic Theatre & Playhouse - Replace drapes & curtains
Civic Theatre Playhouse - replace roof guttering
Civic Theatre- reupholster 50 seats in Stalls & Dress
Civic Theatre Safe Handling Loading Dock
Fort Scratchley - replace security system
Historic Fort Scratchley - replace guttering to awning
Historic Fort Scratchley - Retaining wall renewal - Fort Wall on South Eastern corner
Replace Civic Theatre Stage Floor

Libraries

901600 - Library Resources
Digital Library, Newcastle West
Heritage Collections Digitisation Lab
Lambton Library, Storybook Cottage and Early Childhood Literacy Centre
Library Strategic Infrastructure Plan
Lovett Gallery Exhibition Lighting
Monitor software and Hardware Rollout post Newcastle Library Pilot
New exterior and wayfinding signage for all library branches

Public Toilets

Corroba Oval Provision of Amenities & Ground Condition
Lambton Park-toilet demolish and upgrade

Recreation Parks, Sporting Facilities and Open Spaces

101019 - Tennis Club Capital Works
Basketball court facilities
Camp Shortland Event Rectification
Carrington Parklands Landscape Concept Plan

Appendix - Works Program Projects

Clarke Stand - renew amenities building/ demolition of old green room
Concept Masterplan - Foreshore Park
CR - South Stockton Reserves - Playground Design
Ecofit Outdoor Exercise Program
Fenced Off Leash Dog areas
Fencing - Sports Grounds
Floodlight Renewal Program
Harry Edwards Oval - sporting field renewal
Islington Park - Disabled Access/Pathway
Matching Grant Funding Program
Mitchell Park, Merewether - Clark Stand Upgrade Works
National Park Number 1 Redevelopment
Nesbitt Park - Renew existing storage
No. 2 Sports Ground Upgrades
Pacific Park Security Lighting
Parks -public address system renewal
Plans of Management Review
Playground Asset Condition and Data Audit Project
Playground replacement programme
Shepherds Hill Cottage Restoration
Sports Strategy and Facility Improvement Plan
Sportsgrounds - Design & Build
Sportsgrounds - Floodlighting renewal
Sportsgrounds - Inspect & replace steel floodlighting poles.
Sportsgrounds - Renew sub surface drainage/irrigation systems
Sportsgrounds - Renewal of lighting poles
Various Parks - upgrade public access power.

Retaining walls

Bond Street Retaining Wall - Renewal
Curzon Rd New Lambton Retaining Wall- renewal
Retaining Wall - Perkins Street Newcastle

Environment

Bushland and Watercourses

Aries Way Reserve - creek rehabilitation
Community Education at environment rehabilitation worksites
Condition and Investigation - Natural Assets
Environmental Management System (EMS) – Develop and Implement a corporate system
Environmental Project Delivery Support
Ironbark Ck Rehabilitation - St 5 - 7
Ironbark Ck Reserve Stage 1-7 - revegetation works
Jesmond Bushland Complex Rehabilitation
Kotara Park - Creek rehabilitation Stage 1 & 2
Maryland Creek - Rehabilitation
Natural Connection - Newcastle's Healthy Catchments Program
Sygna Cl Elermore Vale- Kaiyutibbin Ck Design & Construct
Various Creeks - rehabilitation
Various Reserves - bushland regeneration
Wentworth Creek Rehabilitation - Stage 1 of 2

Coast, Estuary and Wetlands

Appendix - Works Program Projects

Astra St EEC Action Plan
Bar Beach Seawall, Cliff and Promenade
Coastal Cliffline Rehabilitation Monitoring
Coastal Cliff line Rehab Stabilisation- Kilgour and Nobbys
Coastline - dune preservation and restoration
Hunter River Foreshore Stockton - revegetation
Jersey Road Sandgate - Wetland Rehabilitation
Lloyd St Res Merewether-Littoral Rainforest Restoration
Market Swamp Wetland- rehabilitation design and construct
Mitchell St Sea Wall repair Stockton
Newcastle Coastal Management Program Investigation and Preparation
Newcastle Sth Cliffline (North of skate park)
Shortland Esp- rewire the rock catch fence
Stockton Beach Nourishment
Stockton Coastal Works
Stockton Riverwall - Stage 6 - 9 Design & Construct - Stage 7
Various Sites - coastal revegetation
Wetland Connection

Street and Park Trees

Citywide - Community Urban Forest Program
Citywide - tree audit for all attributes
Citywide Tree - inspection and monitoring
Living Streets Campaign
Park and Street Tree - Life extension program
SAPTRP - Street Tree Planting
Street Verge Gardens
Successional Large Tree Planting

Waste Management

Asset Identification & Condition assessment report
Astra St Remediation
CCTV and Wireless network refurbishment/upgrade
Cell 09 Landfill Design and Construction (Stage 2)
Connect Leachate Tanks to Leachate System & Water Quality Sensors
Development and Design of Long-Term Recycling (Yellow Bin) Solution
Domestic Bins (Repair, Replacement, New Deliveries and Upgrades)
Implement an Environmental Management System (EMS) at Summerhill
Litter Fencing
Organics Facility
Public Place Bins (Replacement and Upgrades)
Small Vehicle Recieveal Centre (SVRC)
Stormwater and Leachate Management - Design & Review of Existing Pond Integrity
Weighbridge refurbishment

Fleet

Fleet Replacement

Fleet Replacement Program 2019
Fleet Replacement Program 2020

Information Technology

Implementation and Upgrade of Applications

Business Paper Software Implementation (Minutes Manager)

Appendix - Works Program Projects

- Citrix Upgrade
- Desktop SOE Upgrade
- Digitise Paper Based Operations
- GIS - Foundation 3D City Model Stage 2
- Improving online user experience
- In-Vehicle Management and Tracking Softw
- OneCouncil - eServices (Phase 2)
- OneCouncil - Fleet (Phase 2)
- OneCouncil - Natural Assets
- OneCouncil Ci Anywhere Implementation - Stage 1
- OneCouncil to the Cloud
- Online Corporate Inductions
- Optimise Document and Records Management
- Optimised ICT Operations
- TechnologyOne Implementation - Milestones
- Transition to Office 365
- Venue Management system - Stage 2

IT Infrastructure Improvements

- Customer and Visitor Kiosk Technology
- IT Equipment Refresh
- MFD replacement 2018
- PC Replacement
- Transformative ICT Capability
- Transition to Target Infrastructure

IT Strategic and Systems Analysis

- Business Critical Hardware and Application Review
- Contracts Management Software
- Email Domain Change Impact Assessment
- EMS Software Implementation
- Establish Integration Framework
- IT Operating Model Implementation
- Transition to Modern Workforce

Roads

Bridges

- Cottage Creek Bridge replacement
- Pedestrian Bridge Handrail replacement
- Tyrrell St Bridge - Construction

Footpaths

- 100634 - Hunter Stadium Shared Pathway Upgrade
- Cardiff Rd Elernmore Vale - footpath retaining wall
- Citywide - Minor Footpath Renewal
- Hunter St Newcastle - footpath and kerb renewal
- Jackson St Broadmeadow footpath renewal
- Lloyd St Merewether footpath and kerb renewal
- Throsby Creek Shared Pathway Renewal Wickham to Maryville
- Tramway Track Shared Pathway Shoulder Reconstruction
- Various cycleways - linemarking and signage program
- Wharf Rd Newcastle footpath and tree renewal
- William St Tighes Hill - footpath rehabilitation

Appendix - Works Program Projects

Road Rehabilitation

Allowah St Waratah - road reconstruction
Anderson Drv Tarro - road rehabilitation
Boundary St Kotara - road reconstruction
City Road HW10 Merewether
Citywide - Laneway Renewal
Corona St Hamilton East reconstruction
Croudace Road Elernmore Vale - Garsdale Ave to Cardiff Road - Road Rehabilitation
Design&Project Mgt Resources Build Pipeline Renewal Projects
Fern St Islington road reconstruction
Frederick St Merewether - road rehabilitation Stage 4
Harriet St Waratah reconstruction
Howell St Kotara - road reconstruction
Kinross Ave Adamstown Hts - Road embankment
Lambton Road New Lambton - Alma Rd to Avondale Rd - Road Rehabilitation
Local and Neighbourhood Centres Facade Improvement Scheme
Longworth Ave Wallsend - road renewal design
Mathieson St Carrington - road renewal design
Merewether Street Newcastle
Minmi Rd Wallsend - road widening
Neighbourhood Renewal Joslin St Kotara
Neighbourhood Renewal Orchardtown Rd Kotara
Park Ave Kotara - road renewal design
Pride Ave Lambton - road renewal design
Samdon St Hamilton - road renewal design
Shortland Local Centre Public Domain Upgrade
Station St Wickham Road Works - WTI
Tyrone Road New Lambton reconstruction
Village Centres renewal - Beresfield
Village Centres renewal - Merewether Design & Construct
Village Centres renewal - Stockton
Village Centres renewal - Wallsend Concept Design
Village Centres- renewal feasibility
Watermains replacement - Design
Watt St Newcastle - road renewal
Workshop Way Newcastle Road Renewal and Upgrade
Young St Carrington - Rehabilitation Construction

Road Resurfacing

979800 - Road Resurfacing Citywide
Road Resurfacing - pavement and road roughness testing
Road Resurfacing - site preparation
Road Resurfacing Citywide

Roadside Furniture

City Wide - Lighting Renewal
City Wide - street lighting assessment
Road Furniture - renewal
Roadside Furniture - renewal
Street lighting upgrade
Transport Stop Upgrade

Appendix - Works Program Projects

Young Street Georgetown - Turton Rd to Parkview St - Transport Stop Upgrade

Stormwater

Flood Planning

Flash Flood Alert Service - Operation & Maintenance
Flood Education Campaign
Maintenance of Flood Detection Equipment
Minmi Rd Detention Basin Fletcher Dam Safety Works and Monitoring.
Sea & Groundwater Level Monitoring
Wallsend Flood Plan Property Acquisition

Stormwater System

Auckland St Newcastle Design and Construct
Beaumont St Islington- Drainage design and construct
Brookfield Ave Fletcher - Drainage Rehabilitation
Chaucer St Hamilton- Drainage Design & Construction
Citywide - stormwater quantity and quality modeling
Citywide - trenchless drainage rehab Implementation
Cleary St Hamilton - Stormwater Design and construct
Coorumbung Road Broadmeadow Drainage Rehabilitation
Council Street, Cooks Hill - Drainage Rehabilitation
Creeks and Waterways - inspect erosion and sediment control
Croudace Rd Elmore Vale- Stormwater design & construction
Drainage Management and Condition Survey
Fairfield Avenue New Lambton - Stormwater Design & Construction
Frederick St Merewether - Drainage Design and Construction
Grandview Pde Elmore Vale- Sediment basin and culvert design & construction
Gross St Tighes Hill - GPT construction
Howell St Kotara- Drainage rehabilitation
Kinross Avenue - Stormwater Rehabilitation
Low Lying Suburbs- Tide gate rehabilitation
Mayfield East Drainage Design
Nesca Park Cooks Hill- detention design & construction
Patrick St Construction and Kilgour, Buchanan St Merwether Design
Power St Islington- Stormwater construct - Stage 2
Power St Islington- Stormwater design and construct
Sanctuary Estate Fletcher - rehabilitate biofiltration
Smith Street Merewether - Drainage Design
Stockton Laneways - Infiltration and unrelieved sags
Stormwater Drainage - Construct Access
Stormwater Drainage - Replace Grates
Stormwater Drainage- Renewal
Stormwater Drainage- Technical advice
Swan Street, Cooks Hill - Drainage Construction
Throsby and Cottage Creek 1D/2D Modelling
Throsby Creek Catchment Sediment Study Delivery Wo
University Dr Waratah West - catchment rehabilitation
Various Headwall & Outlet Rehabilitation
Water Quality Devices- Rehabilitation
Water Sensitive City Implementation

Strategic

Appendix - Works Program Projects

Economic Development

Newcastle After Dark

Smart City

City Digital and Data Platforms

City West Smart Lighting Upgrade

Electric Vehicle Trial - Pool Car replacement

Energy Savings Projects

Hunter Innovation Project

Large Scale Solar

Newcastle Living Lab

Smart City Infrastructure

Smart City Initiative

Smart Moves Newcastle

Strange Futures Technology Innovation Festival

Strategic Plans

2020 CWMAP review and update

Corporate Brand Review

Social Infrastructure Strategy

Transport

Cycleways

CP - Broadmeadow Station to Donald Street Bridge

CP - Broadmeadow to Newcastle West Cycleway

CP - Chatham Road and Clyde Street, Hamilton North

CP - Chinchin St Islington - Scholey St to Maitland Rd (Islington Park)

CP - Cycleway Signposting

CP - Cycleways Education and Promotion

CP - Cycleways Investigation & Development

CP - Glebe Rd Adamstown to Newcastle West

CP - Lambton Park to Croudace St

CP - Maud Street - University to City Centre Cycleway

CP - Mayfield Precinct - Traffic Study and Feasibility Investigation

CP - Merewether to Newcastle City Centre

CP - Minmi Road, Fletcher - Shared Path

CP - Richmond Vale Rail Trail

CP - Shortland to Tarro Cycleway

Cycleways - JHH to Wallsend off-road pathway design

Cycleways Program Management

National Park Shared Paths

University Dr - Blue Gum Road to Regal Cinema

Local Area Traffic Management (LATM)

LATM - Albert Street, Wickham - Speed Cushions

LATM - Albert, Greenway, Church and Grey Streets, Wickham - Entry Realignment

LATM - Chinchin St, Islington - Traffic Control Signals

LATM - Croudace Road at Garsdale Avenue - Intersection Upgrade

LATM - Design and Construction of Traffic Calming Devices - Cooks Hill

LATM - Design and Construction of Traffic Calming Devices - Tighes Hill

LATM - Design and Construction Traffic Control Devices - Priority Projects

LATM - Glebe Road and Park Avenue, Adamstown - Traffic Control Signals

LATM - Joslin St, Kotara - Design thresholds and p

Appendix - Works Program Projects

LATM - National Park Street, Merewether - Raised Pedestrian Crossing

LATM - Park Avenue and Joslin Street, Kotara - Traffic Control Signals

LATM - Parry Street and National Park Street Intersection, Newcastle West - Raised Crossings and Kerb Exte

LATM - Traffic Modelling, Local Area Traffic Management Studies and Program Support

LATM - Vista Parade, Kotara - Raised Pedestrian Crossing

Parking Infrastructure

600901 - Parking Meter Replacement

Mall Car Park - Internal Facilities Maintenance and Renewal

Stockton Ferry Terminal car park expansion

Pedestrian Access and Mobility Plan (PAMP)

PAMP - Allowah St, Waratah West - Footpath constru

PAMP - Anderson Dr, Tarro - Footpath construction

PAMP - Beech Close to Weller Street Shared Path

PAMP - Bruncker Rd, Adamstown - Design crossing and

PAMP - Cardiff Road, Elernmore Vale - Construct ped

PAMP - Croudace Rd at EVPS - Construct kerb extens

PAMP - Croudace Road, Elernmore Vale - Jubilee Road to Cardiff Road - Footpath

PAMP - Cynthia Street, Adamstown Heights - Footpath

PAMP - Denison Street, Hamilton - Kerb Ramps

PAMP - Gordon Avenue, Hamilton South - Pedestrian Refuge

PAMP - Harriet St at High St, Waratah - Pedestrian

PAMP - High Street, The Hill - Pedestrian Refuge

PAMP - Industrial Drive at Vine Street, Mayfield - Footway Access Ramps

PAMP - Janet Street, North Lambton - Footpath

PAMP - Jubilee Road, Elernmore Vale - Footpath

PAMP - Maitland Rd, Mayfield - Design of kerb ramp

PAMP - Mandalong Road, Adamstown - Kerb Ramps (Narara Road and Gosford Road)

PAMP - Maryland Drive near Grange Avenue, Maryland - Pedestrian Refuge

PAMP - Minmi Road, Maryland - Footpath

PAMP - Morehead Street, Lambton - Raised Pedestrian Crossing

PAMP - Program Support and Development of Principal Pedestrian Network

PAMP - Samdon St, Hamilton - Design refuges & spee

PAMP - Samdon, Belford Sts, Hamilton - Ped leg at

PAMP - Section St, Mayfield - Kerb extension and r

PAMP - Tourle Street at Maitland Road, Mayfield - Raised Pedestrian Crossing

PAMP - Union St, The Junction - Kerb extensions an

PAMP - Union, Laman and Bull Streets, Cooks Hill - Raised Pedestrian Crossings

PAMP - Woodstock Street at Maitland Road, Mayfield - Pedestrian Refuge

PAMP - Young Road, Lambton - Pedestrian Refuges, Intersection Realignment and Kerb Ramps

PAMP - Young St, Carrington - Raised pedestrian cr

PAMP/LATM Minor Works

**ORDINARY COUNCIL MEETING
25 FEBRUARY 2020**

**CCL 25/02/20
EXECUTIVE MONTHLY PERFORMANCE REPORT**

**Item 12 - Attachment A:- Executive Monthly Performance Report –
January 2020**

DISTRIBUTED UNDER SEPARATE COVER

Monthly Performance Report

January 2020



newcastle.nsw.gov.au



City of
Newcastle

Income Statement

Result for the financial period ending 31 January 2020

Full Year Budget	YTD Budget	YTD Actual Result	Variance (\$)	Variance (%)	
\$'000	\$'000	\$'000	\$'000	\$'000	
Income from Continuing Operations					
182,809	Rates & charges	107,238	107,238	0%	
90,395	User charges & fees	46,073	45,059	(1,014)	-2%
10,054	Interest	5,831	6,211	380	7%
11,273	Other operating revenues	6,640	7,518	878	13%
14,834	Grants & contributions - Operating	5,134	5,114	(20)	0%
12,830	Grants & contributions - Capital	6,123	6,123		0%
	Net Gain from disposal of assets				0%
322,195	Total Income from Continuing Operations	177,039	177,263	224	0%
Expenses from Continuing Operations					
110,519	Employee costs	63,229	61,809	(1,420)	-2%
4,919	Borrowing costs	2,745	2,932	187	7%
72,353	Materials & contracts	36,717	32,878	(3,839)	-10%
48,375	Depreciation & amortisation	28,062	27,716	(346)	-1%
59,291	Other operating expenses	31,632	30,826	(806)	-3%
5,948	Net Loss from disposal of assets	3,469	4,126	657	19%
301,405	Total Expenses from Continuing Operations	165,854	160,287	(5,567)	-3%
20,790	Total Operating result from continuing operations	11,185	16,976	5,791	52%
7,960	Net operating result before capital items	5,062	10,853	5,791	114%

Operating Analysis as at 31 January 2020

Over budget by more than 5%



Over budget by 5% or less



Result within budget



Department / Service Unit	Indicator	Var (\$'000)	Var(%)	Issue	Explanation
Operating Revenue					
Rates and charges	✓	0	0%		
User charges & fees	!	(1,014)	-2%	Parking - (\$1.3m)	Decrease in On-Street parking utilisation and increase in EasyPark uptake compared with budget.
Interest	✓	380	7%	Interest revenue	Significant outperformance of TCorp long term growth fund occurred in January.
Other operating revenues	✓	878	13%		Higher than expected revenue from rental properties \$0.27M and Fire Safety fines \$0.2M.
Grants & contributions - Operating	✓	(20)	0%		
Grants & contributions - Capital	✓	0	0%		
Net Gain from disposal of assets	✓	0	0%		
Operating Expenses					
Employee costs	✓	(1,420)	-2%	Staff costs	
Borrowing costs	✗	187	7%		
Materials & Contracts	✓	(3,839)	-10%	Works program OPEX - \$2.1m	Operational expenditure generated through delivery of the works program is below the forecast by approx. \$2.1m.
Depreciation & Amortisation	✓	(346)	-1%		
Other operating expenses	✓	(806)	-3%	Street Lighting - \$0.5m	\$509k saving in expenditure on Street Lighting.

Capital Statement

Result for the financial period ending 31 January 2020

Full Year Budget \$'000	YTD Budget \$'000	YTD Actual Result \$'000	Variance (\$) \$'000	Variance (%) \$'000
Capital funding				
44,431 General fund contribution to capital	30,167	36,405	6,238	17%
7,326 2012 Special Rate Variation	4,274	4,274		0%
1,990 Stormwater Management Service Charge	1,161	1,161		0%
12,830 Capital Grants & Contributions	6,123	6,123		0%
1,700 Proceeds from the sale of assets	992	856	(136)	-16%
(3,868) Net Loans Borrowings / (Repayments)	(2,256)	(2,256)		0%
64,409 Funding available for capital expenditure	40,460	46,562	6,102	13%
Capital Expenditure				
20,459 Asset Renewal	10,992	9,651	(1,341)	-14%
37,301 New / Upgrade	22,675	24,865	2,190	9%
2,092 Priority Projects	974	562	(412)	-73%
59,852 Total capital expenditure	34,641	35,078	437	1%
4,557 Transfer to or (Draw down on) reserves	5,819	11,484	5,665	49%

Commentary on capital spend

Council's total capital spend at the end of January is \$35.0m. This result is \$0.4m above the YTD budget of \$34.6m. The total project spend inclusive of operational and capital expenditure is \$47m compared with a YTD budget of \$48.2m.

Debtors Report as at 31 January 2020

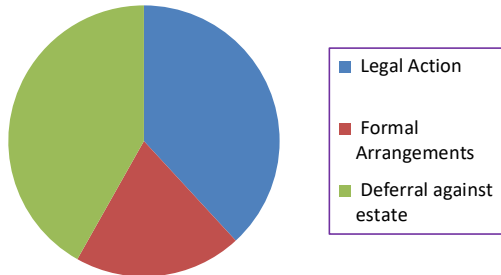
Outstanding Rates

Debt Recovery Action	No. of Properties	\$ Amount
Legal Action	146	616,332
Formal Arrangements	169	323,859
Deferral against estate	36	676,177
Total	351	1,616,368

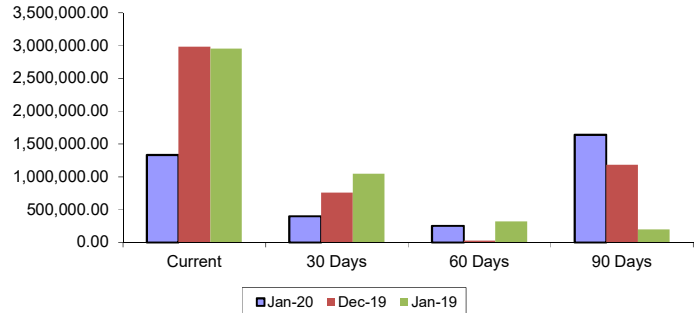
Aged Debtors Report (Major Debtors Report)

Period	Jan-20 \$	Dec-19 \$	Jan-19 \$
Current	1,334,295	2,981,853	2,956,412
30 Days	398,103	757,967	1,047,793
60 Days	250,378	29,850	322,571
90 Days	1,641,727	1,184,987	200,634
Total	3,624,503	4,954,657	4,527,410

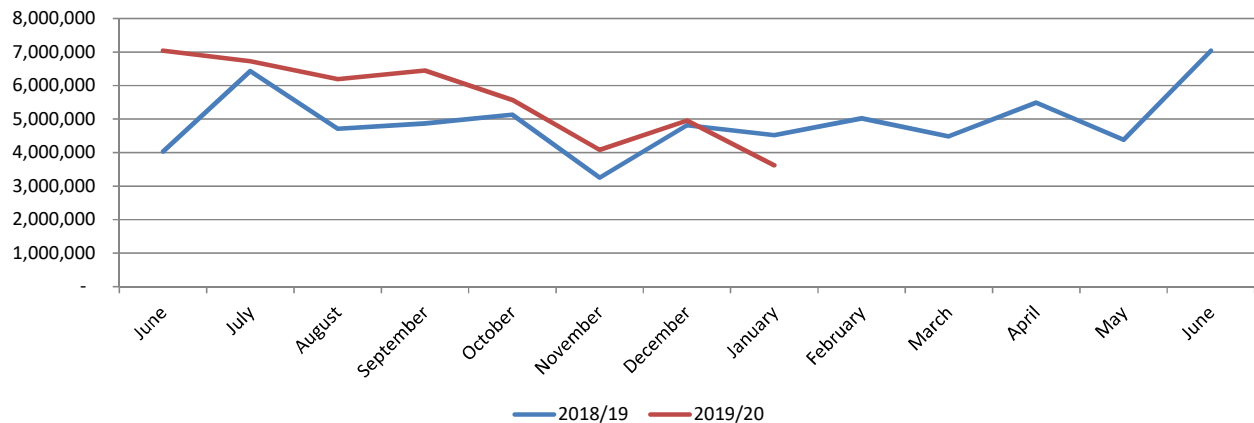
Outstanding Rates (\$)



Debtors balances



Trend of Debtors Balance (\$)



Breakdown of Material Debtors greater than \$100,000

Debtor	Business Unit	Total \$	Current \$	30 Days \$	60 Days \$	90 Days \$
Veolia Environmental	Waste Management	\$ 1,279,767	471,242	-	-	808,525
Enviroacific Services	Waste Management	\$ 100,445	17,380	83,065	-	-
Central Waste Station	Waste Management	\$ 108,942	108,942	-	-	-
Subsidence Advisory NSW	Parks & Recreation	\$ 148,454	-	-	148,454	-
Daracon	Waste Management	\$ 380,832	183,618	197,214	-	-
Jemena	Civil Construction &	\$ 120,903	37,086	-	2,953	80,864
Volvo Commercial Vehicles	Fleet Management	\$ 402,600	-	-	-	402,600
Anambah Electrical Services	Strategy & Engagement	\$ 164,043	-	-	-	164,043

Commentary on Material Debtors greater than 90 days

Veolia Environmental - Debt relates to Waste tipping fees. Discussions regarding payment are ongoing. CN expects to fully receive this amount.
 Jemena - Customer has disputed invoice. Discussions are ongoing.
 Volvo Commercial Services - Debt relates to trade-in of Vehicles. CN expects to fully receive this amount.
 Anambah Electrical Services - Debtor has been referred to debt collection agency.

Works Program Summary

For the month ending 31 January 2020

Full Year Revised Budget \$,000	Portfolio/Program	YTD Revised Budget \$,000	YTD Actual Result \$,000	Variance to YTD budget (%)	% of FY Budget Spent
21,417	Buildings, Structures and Places	12,653	13,531	7%	63%
150	Aquatic Centres	69	176	155%	117%
50	Blackbutt Reserve	22		-100%	0%
8,606	Buildings - Council Support Services	6,104	8,112	33%	94%
	Caravan Parks and Commercial Properties			0%	0%
70	Cemeteries	31	2	-94%	3%
1,061	City Centre Revitalisation	522	325	-38%	31%
2,444	Coastal Revitalisation	1,127	158	-86%	6%
247	Community Buildings	129	555	330%	225%
4,465	Cultural Facilities	2,290	1,368	-40%	31%
973	Libraries	533	1,322	148%	136%
2,246	Recreation Parks and Sporting Facilities	1,259	1,315	4%	59%
50	Public Toilets	93	189	103%	378%
1,055	Retaining Walls	474	9	-98%	1%
10,395	Roads	5,824	6,729	16%	65%
2,507	Bridges	1,130	1,832	62%	73%
568	Footpaths	338	466	38%	82%
748	Road Furniture	355	128	-64%	17%
3,662	Road Rehabilitation	2,501	3,245	30%	89%
2,910	Road Resurfacing	1,500	1,058	-29%	36%
4,756	Transport	2,524	2,066	-18%	43%
1,035	Cycleways	484	225	-54%	22%
1,135	Local Area Traffic Management	694	784	13%	69%
210	Parking Infrastructure	96	95	-1%	45%
2,376	Pedestrian Access and Mobility Plan	1,250	962	-23%	40%
6,923	Stormwater	4,173	3,830	-8%	55%
78	Flood Planning	42	29	-31%	37%
6,845	Stormwater System	4,131	3,801	-8%	56%
25,838	Environment	15,217	12,697	-17%	49%
995	Bushland and Watercourses	543	549	1%	55%
3,290	Coast, Estuary and Wetlands	1,590	718	-55%	22%
1,010	Street and Park Trees	583	515	-12%	51%
20,543	Waste Management	12,501	10,915	-13%	53%
6,234	Information Technology	3,141	3,145	0%	50%
1,504	Implementation and Upgrade of Applications	949	654	-31%	43%
3,266	Infrastructure Improvements	1,501	1,990	33%	61%
1,464	Strategic and Systems Analysis	691	501	-27%	34%
3,724	Strategic	1,865	1,539	-17%	41%
3,364	Smart City	1,673	1,480	-12%	44%
360	Strategic Plans	192	59	-69%	16%
5,558	Fleet Replacement	2,805	3,442	23%	62%
5,558	Fleet Replacement	2,805	3,442	23%	62%
84,845	Total Works Program	48,202	46,979	-3%	55%

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

Councillors' Expense Register 2019/2020

	OFFICIAL BUSINESS	ACCOMPANYING PERSON (Official Business)	OVERSEAS TRAVEL	PROFESSIONAL DEVELOPMENT	AICD COURSE FEES	LGNSW / NGA ANNUAL CONFERENCE	COMMUNICATION DEVICES	COMMUNICATION EXPENSES	CARER EXPENSES	STATIONARY and OFFICE SUPPLIES	TOTAL EXPENDITURE
LORD MAYOR	\$4,000	\$1,000		\$5,000	\$4,000		\$4,000	\$3,000	\$6,000	\$500	
Policy Provision	Annual (per year)	Annual (per year)	In accordance with a Council resolution	Annual (per year)	Once only (per term) (may be combined with Professional Development expenses in the year undertaken)	(see below)	Once only (per term)	Annual (per year)	Annual (per year)	Annual (per year)	
NELMES Nuatali	1,304.71	-	-	-		863.09	2,769.98	846.30	-	378.18	6,162.26
ALL COUNCILLORS	\$2,000	\$500		\$5,000	\$4,000	\$20,000	\$4,000	\$3,000	\$6,000	\$500	
Policy Provision	Annual (per year)	Annual (per year)	In accordance with a Council resolution	Annual (per year)	Once only (per term) (may be combined with Professional Development expenses in the year undertaken)	Annual (per year) (shared among elected representatives inclusive of both events)	Once only (per term)	Annual (per year)	Annual (per year)	Annual (per year)	
BYRNE Matthew	272.50	-	-	-		-	3,586.53	731.78	-	177.13	4,767.94
CHURCH John	482.52	-	-	-		-	-	420.00	-	449.09	1,351.61
CLAUSEN Declan	912.55	-	-	-		-	3,821.53	731.78	-	98.93	5,564.79
DUNCAN Carol	803.09	-	21,060.34	-		-	3,586.53	731.78	-	-	26,181.74
DUNN Jason	-	-	-	-		-	3,586.53	731.78	-	-	4,318.31
ELLIOTT Kath	1,404.67	-	-	409.09		-	3,586.53	731.78	-	177.13	6,309.20
LUKE Brad	204.32	-	-	-		-	3,586.53	731.78	-	-	4,522.63
MACKENZIE John	204.32	-	-	-		-	3,586.53	731.78	-	449.09	4,971.72
ROBINSON Allan	-	-	-	-		-	3,586.53	731.78	-	300.00	4,618.31
RUFO Andrea	37.07	-	-	-		-	3,586.53	731.78	-	-	4,355.38
WHITE Emma	-	-	-	-		-	3,586.53	731.78	-	177.13	4,495.44
WINNEY-BAARTZ Peta	717.95	-	-	-	8,918.00	-	3,586.53	731.78	-	13.64	13,967.90
TOTAL (exc LM)	5,038.99	-	21,060.34	409.09	8,918.00	-	39,686.83	8,469.58	-	1,842.14	85,424.97
TOTAL (inc LM)	6,343.70	-	21,060.34	409.09	8,918.00	863.09	42,456.81	9,315.88	-	2,220.32	91,587.23

CEO and Lord Mayor Offices Expenses

	YTD Budget \$'000	YTD Actual \$'000
Employee costs	742	747
Materials & contracts	202	96
Depreciation & amortisation	1	1
Other operating expenses	130	99
Total Operating Expenses	1,075	943



WARD 4 CAPITAL WORKS UPDATE AS AT 31 JANUARY 2020

(i) Wallsend Bridge replacement/upgrade

Item	Actual Date	Reason for delay/Status of works
Tyrrell St Bridge - construction	Expected April 2020	Construction commenced 16 September with contract completion due by June 2020. Construction is progressing ahead of contract program and is currently planned for completion early April subject to weather.
Boscawen St Bridge detailed design		Scheduled for 2020/2021 financial year.
Cowper St Bridge		Works to be included within the detailed design for Stage 2 – Kokera St/Cowper St intersection.
Channel Naturalisation		<p>Case study research is underway by the consultant Haskoning Australia to identify potential naturalisation treatments. This is being examined in conjunction with the development of the Local Centre Upgrade for consistency.</p> <p>Due to coordination with Local Centre work and Iron Bark Creek Stage 7 design work, this may extend in to early 2020.</p>

(ii) Wallsend and Beresfield Local Centre Public Domain Plans

Item	Actual Date	Reason for delay/Status of works
Wallsend Public Domain Plan was broken into stages for preliminary costing and budgeted for in CN's forward program	2018	<p>Integration with Ironbark Creek, Wallsend Flooding Assessment and Wallsend Drainage design underway to ensure strategic consistency throughout the precinct.</p> <p>A draft schedule has been prepared for timing of stages.</p>
Stage 1 – Bunn St bus stop relocation (outside childcare centre) accelerated	Q2 2019/20	The final permeable footpath area has been completed with tree planting to be undertaken when cooler weather allows. CN will work with the Merindah Childcare Centre on a painted wall mural over the coming months.
Stage 2 – Kokera St/Cowper St intersection		<p>Draft schedule splits detailed design into sections over the next three financial years:</p> <ul style="list-style-type: none">• Detail design tender has been awarded and will commence January 2020;• Construction tender by end of 2019/2020 financial year, ready for construction 2021/2022.
Detailed design and implementation Nelson St/Cowper St Intersection		Detailed design tenders to be prepared for release to market in early 2020.
Newcastle Rd/Cowper St Intersection		Construction scheduled 2021/22 and 2022/23 subject to funding.



WARD 4 CAPITAL WORKS UPDATE AS AT 31 JANUARY 2020

Item	Actual Date	Reason for delay/Status of works
Beresfield Local Centre Public Domain and Traffic Plan	Completed August 2019	Beresfield Local Centre officially opened on 20 September 2019. A community placemaking project is being run for the new public space created on the corner of Beresford and Lawson Avenues. Three landscape and art mural concepts were exhibited online in December for community voting. The community's favourite concept will be delivered on ground in early to mid 2020. This site is part of a joint CN and University of Newcastle urban heat island monitoring and mitigation project which has been grant funded by Local Government NSW. The final design will reduce urban heat island effect through shade provision and heat reducing materials.
Shortland Local Centre		Project planning for improvement works is budgeted for the 2019/20 financial year. Project Manager assigned and project charter being finalised.



Tyrrell Street Bridge - Eastern road approach to the bridge nearing completion

Investment Policy compliance report

January 2020

Executive summary:

1 **Socially Responsible Investment:**

Application of the investment function has remained consistent with requirements outlined within Part E of CN's Investment Policy, "*Environmentally and Socially Responsible Investments (SRI)*".

2 **Portfolio holdings:**

CN's overall investment portfolio holdings are \$348.0million, with \$23.9million of these monies invested in the Capital Growth focused Long Term Growth Fund.

3 **Performance:**

CN has a mandated separate Key Performance Indicators (KPIs) for income producing/defensive investments and Capital Growth investments. Both categories continue to perform strongly in comparison to their respective KPIs as demonstrated later in this report.

4 **Risk management compliance:**

CN's temporary surplus funds are invested consistent with its adopted Investment and Borrowing Policy and The Local Government Act and Regulations.

Actual performance against CN's Policy limits is disclosed later in this report.

5 **New and matured investments:**

New investments placed during January 2020 continued to focus on meeting the objectives outlined in CN's Investment and Borrowing Policy.

Further disclosure of investment portfolio composition and details of investment placements performed during the reporting period are detailed later in this report.

6 **Interest Income Year To Date:**

Cumulative 2019/20 interest income from CN's cash and investments was \$5.92million (excluding Newcastle Airport and non-investment portfolio sources of interest). This result is 8% above the revised budgeted year to date estimate of \$5.50million.

7 **Interest Income 2019/20:**

At the September quarterly review the adopted budget for 2019/20 was revised downwards from \$9.64million to \$9.48million (excluding Newcastle Airport and non-investment portfolio sources of interest income).

In the time since the construction of the 2019/20 adopted budget several underlying assumptions, derived from financial markets, are no longer reasonable. Resultantly, a downward revision to the budget was made.

Year to date performance of the Long Term Growth Fund has been extremely strong, performing well in excess of its objective on the back of extremely strong global equity market returns. This has offset the negative impacts of continual reductions to benchmark interest rates as well a credit risk premiums on the defensive investment category.

Analysis of the revised 2019/20 budget remains ongoing and further budget adjustments are probable.

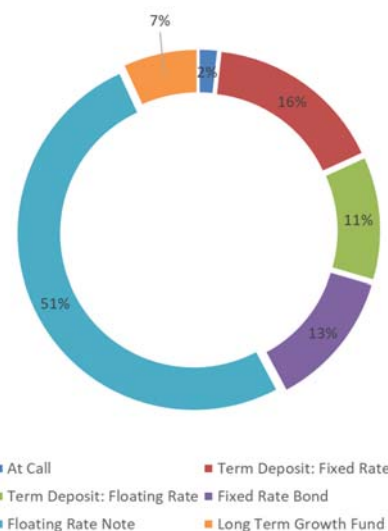
8 **In accordance with Council's resolution of 30 May 1995, the schedules of investments (new placements and maturities) from the two previous meetings of Council are provided in detail at the conclusion of this report.**

Investment Policy compliance report

January 2020

Portfolio holdings:

Asset Class allocation		
Investment Category	Investment type	CN exposure (\$'000)
Income producing / Defensive	Cash At Call	6,005
	Term Deposit: Fixed rate	57,279
	Term Deposit: Floating rate	39,500
	Floating Rate Note	177,332
	Fixed Rate Bond	44,032
Capital Growth	Long Term Growth Fund	23,870
Total		348,018



Performance:

Income producing/defensive category*:

	3 year (% p.a.)	1 year %	3 months %	FYTD %	1 month %	1 month annualised (% p.a.)
CN's return	2.85%	2.59%	0.54%	1.35%	0.18%	2.13%
Performance objective [^]	2.22%	2.00%	0.36%	0.89%	0.12%	1.48%
Excess return	0.63%	0.59%	0.18%	0.46%	0.06%	0.65%

*Exclusive of Capital Growth (disclosed separately below).

[^] CN's Performance objective is set at the Ausbond Bank Bill Index + 0.50%.

Capital Growth category*:

	3 year (% p.a.)	1 year %	3 months %	FYTD %	1 month %	1 month annualised (%p.a.)
CN's return	n/a	13.27%	4.59%	7.25%	2.65%	31.22%
Performance objective [^]	5.31%	5.23%	1.44%	3.38%	0.51%	6.29%
Excess return	n/a	8.04%	3.15%	3.87%	2.14%	24.93%

	Since Inception [#]
CN's return	13.27%
Performance objective [^]	5.23%
Excess return	8.04%

* Capital Growth category consists solely of CN's exposure to TCorp Individually Managed Growth Funds.

[^] CN's Performance objective is set at CPI + 3.5% p.a. (over a rolling 10yrs)

[#] Initial investment into the Capital Growth category occurred in February 2019

Investment Policy compliance report

January 2020

Risk Management compliance:

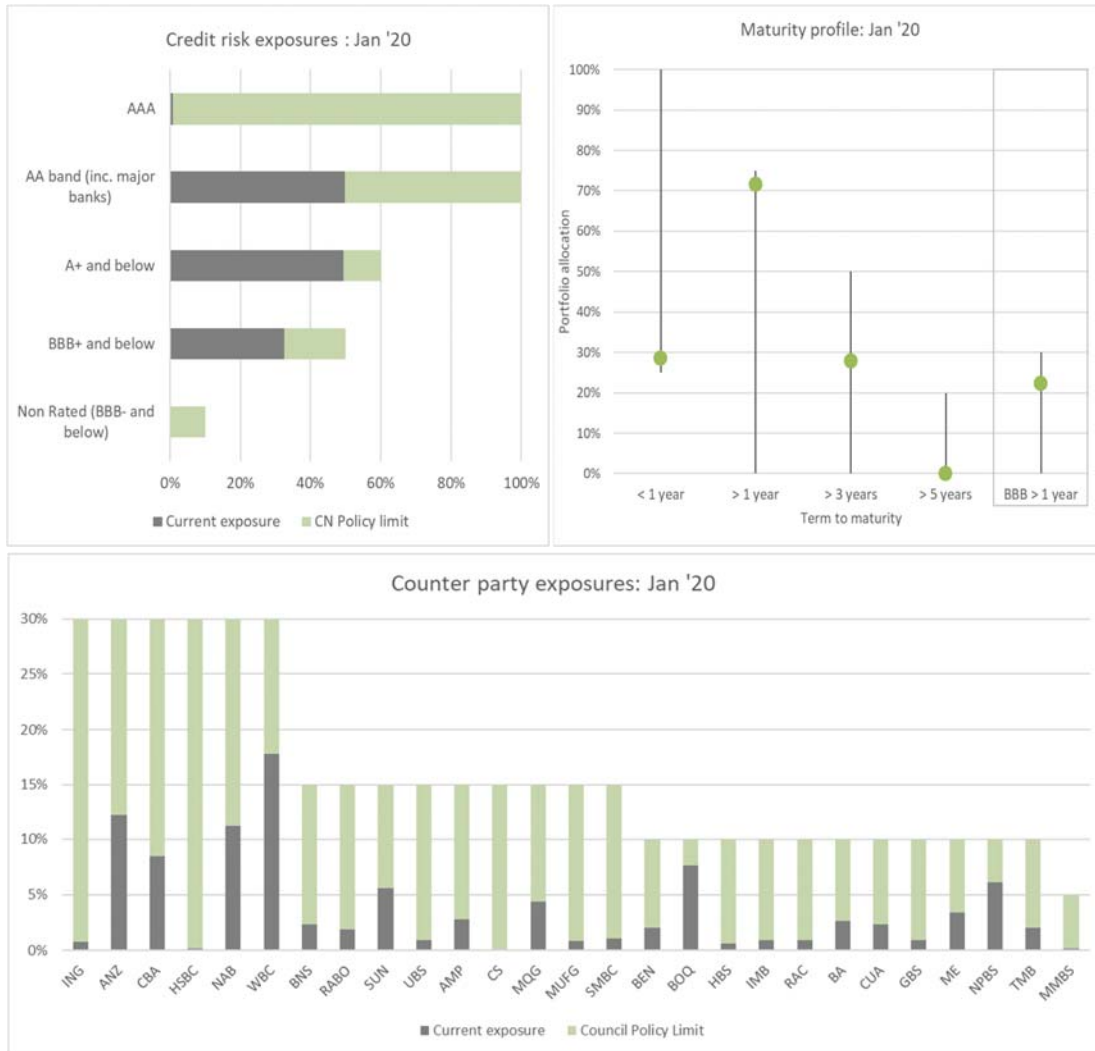
Portfolio exposure:

Investment category	Minimum exposure	Maximum exposure	CN exposure
Income producing / Defensive	80%	100%	93%
Capital Growth^	0%	20%	7%

^ Capital Growth category consists solely of CN's exposure to TCorp Individually Managed Growth Funds.

Income producing / Defensive risk limits:

The below risk limits apply only to the income producing / Defensive category of CN's investment portfolio.



ING = ING Bank (Australia) maintains a long term credit rating with S&P of "A". However, CN's sole ING investment is assigned a "AAA" rating due to additional credit support of the investment class.

Investment Policy compliance report

January 2020

New and matured Investments:

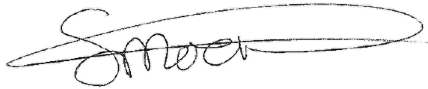
New Investments:

Contract date	Settlement date	Institution	Asset Class	Principal value	Rate of Return	Term	Maturity date
7 Jan 2020	16 Jan 2020	ANZ	Fixed rate Bond	\$2,994,990	1.685%	5 years	16 Jan 2025
21 Jan 2020	4 Feb 2020	Newcastle Permanent	Floating Rate Note	\$2,100,000	90d bbsw + 1.12%	5 years	4 Feb 2025

Matured Investments:

Date matured	Institution	Asset Class	Principal value	Rate of Return	Original Term	Original date invested
7 Jan 2020	NAB	Term Deposit: Fixed rate rate	\$5,000,000	1.72%	123 days	6 Sept 2019
14 Jan 2020	Bendigo Bank	Term Deposit: Fixed rate	\$3,000,000	3.00%	3.4 years	31 Aug 2016
23 Jan 2020	NAB	Term Deposit: Floating rate	\$2,000,000	90d bbsw + 1.05%	5 years	23 Jan 2015

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



Scott Moore
Responsible Accounting Officer