
ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

- ITEM-57 CCL 27/08/19 - WARD BOUNDARY PLAN AMENDMENTS ON PUBLIC EXHIBITION**
- Attachment A:** Proposed Ward boundary plan
Attachment B: Ward Boundary Community Discussion Paper
Attachment C: Ward Boundary Review Frequently Asked Questions
- ITEM-58 CCL 27/08/19 - ADOPTION OF REVISED INVESTMENT AND BORROWING POLICY**
- Attachment A:** Investment and Borrowing Policy
Attachment B: Investment and Borrowing Policy (tracked changes)
- ITEM-60 CCL 27/08/19 - ADOPTION OF PUBLIC VOICE AND PUBLIC BRIEFING POLICY**
- Attachment A:** Revised Public Voice and Public Briefing Policy
Attachment B: Revised Public Voice and Public Briefing Policy (tracked changes)
- ITEM-61 CCL 27/08/19 - SECTION 7.12 NEWCASTLE LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN**
- Attachment A:** Section 7.12 Local Infrastructure Contributions Plan 2019
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- ITEM-64 CCL 27/08/19 - ADOPTION OF SPECIAL BUSINESS RATE EXPENDITURE POLICY**
- Attachment A:** Special Business Rate Expenditure Policy
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- ITEM-67 CCL 27/08/19 - ADOPTION OF REVISED CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW POLICY**
- Attachment A:** Revised CEO Performance Review Policy
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- ITEM-68 CCL 27/08/19 - EXECUTIVE MONTHLY PERFORMANCE REPORT - JULY 2019**
- Attachment A:** Executive Monthly Performance Report - July 2019

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Ordinary Council Meeting
27 August 2019



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**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
WARD BOUNDARY PLAN AMENDMENTS ON PUBLIC EXHIBITION**

Item 57 Attachment A: Proposed Ward Boundary Plan

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City of Newcastle

Ward Boundary Plan

AUGUST 2019

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Background

This Ward Boundary Plan is prepared in accordance with Section 210A of the Local Government Act (the Act). It details the current ward boundaries for the City of Newcastle (CN) Local Government Area and the proposed revised ward boundaries. The Act requires that the difference in the number of electors between wards must not exceed 10%. As at July 2019 Wards 2 & 3 are over the 10% requirement (being

The following table indicates the current number of electors within the existing wards and the proposed number of electors within the proposed ward boundaries. As can be seen, under the current ward boundaries, there is a difference of greater than 10% between the number of electors in Ward 2 (being 11.90%) and Ward 3 (being 14.92%) with Ward 4.

	Current ¹ no of electors in each ward	% difference to Ward 4	Proposed no of electors in each ward	% difference to Ward 3
Ward 1	31,745	-2.27%	29,701	-6.48%
Ward 2	28,619	-11.90%	29,678	-6.55%
Ward 3	27,638	-14.92%	31,758	-
Ward 4	32,484	-	29,349	-7.59%
	120,486		120,486	

Note 1: Numbers as at July 2019, sourced from NSW Electoral Commission

As the variance between ward 4 and wards 2 & 3 is greater than 10%, CN is required by legislation to undertake this ward review. This review has been undertaken and a revised Ward Boundary Plan prepared which will reduce the differences in the number of electors between ward to under 10% as indicated in the table above.

Residents and businesses within the CN Local Government Area (LGA) are encouraged to review the Ward Boundary Plan and Community Discussion Paper and provide feedback on the option presented.

Copies of the Ward Boundary Plan, Discussion Paper and Frequently Asked Questions are available at CN's Administration Centre, 282 King Street Newcastle, libraries, and available electronically via the website: <http://newcastle.nsw.gov.au/Your-Say>

City of Newcastle welcomes comment on the Review of Ward Boundaries. Submissions must be in writing to:

Chief Executive Officer
City of Newcastle
Attention: Joe Vescio
Subject: Submission – Ward Boundary Review
wardreview@ncc.nsw.gov.au

or by post to:

Chief Executive Officer
City of Newcastle
Attention: Joe Vescio
PO Box 489
NEWCASTLE NSW 2300
Subject: Submission – Ward Boundary Review

or via the online form available at <https://www.newcastle.nsw.gov.au/YourSay>

Closing Date for Submissions

Submissions close at midnight on Thursday 10 October 2019.

Current Wards

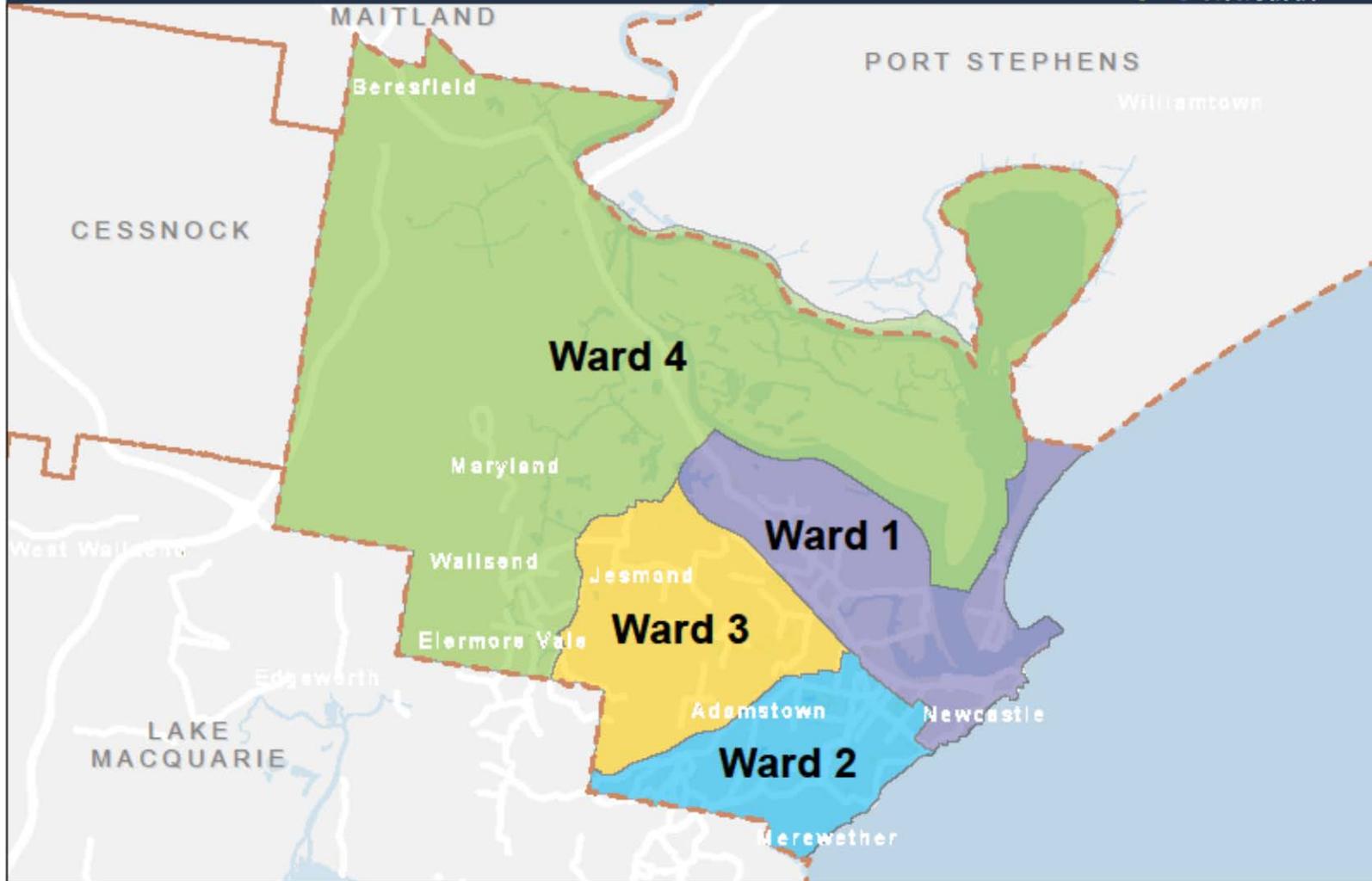


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Proposed Wards



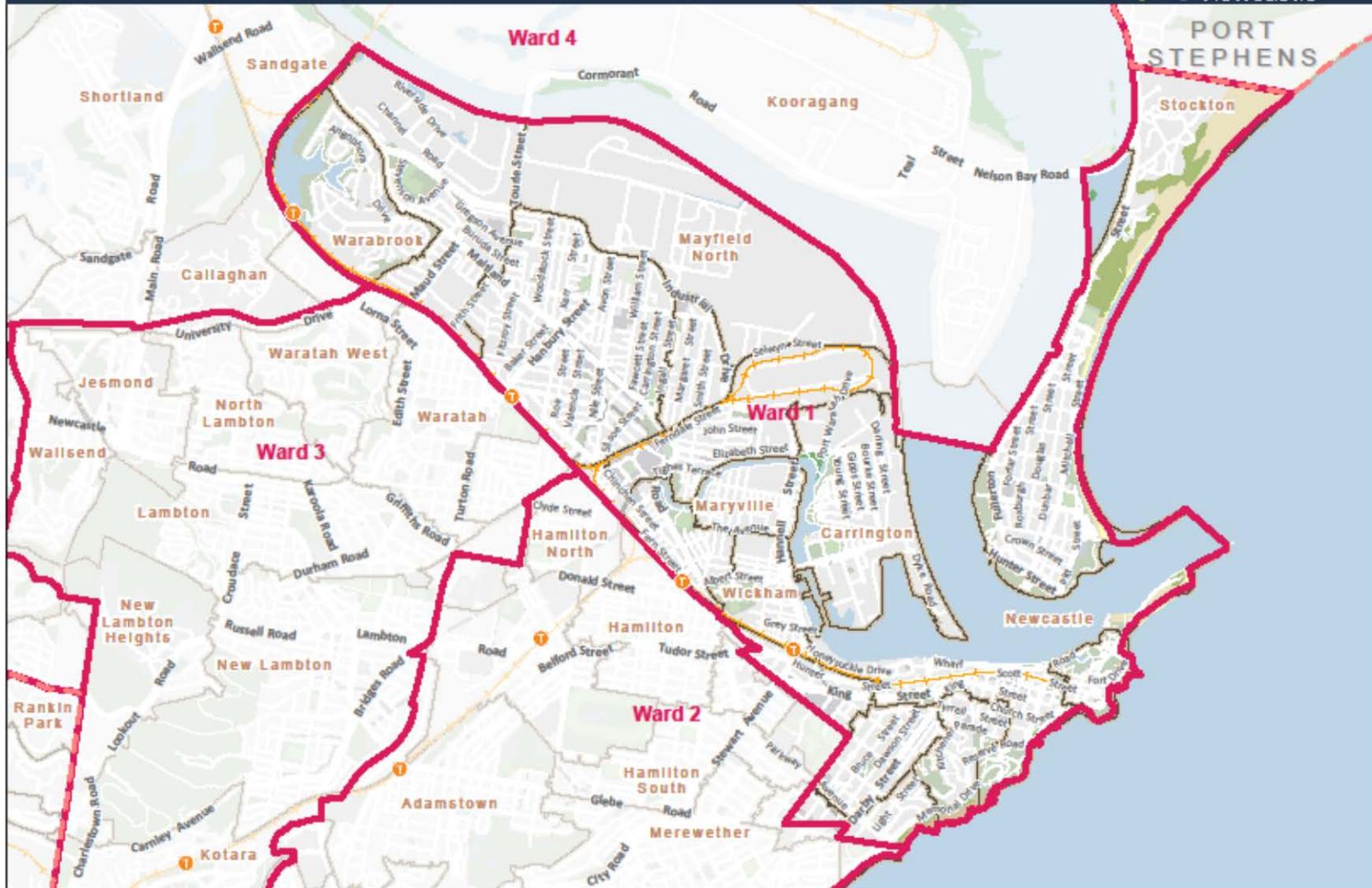
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Current Ward 1

Contains Carrington, Cooks Hill, Islington, Maryville, Mayfield, Mayfield East, Mayfield North, Mayfield West, Newcastle, Newcastle East, Stockton, The Hill, Tighe Hill, Warabrook, Wickham and parts of Bar Beach, Newcastle West and The Junction



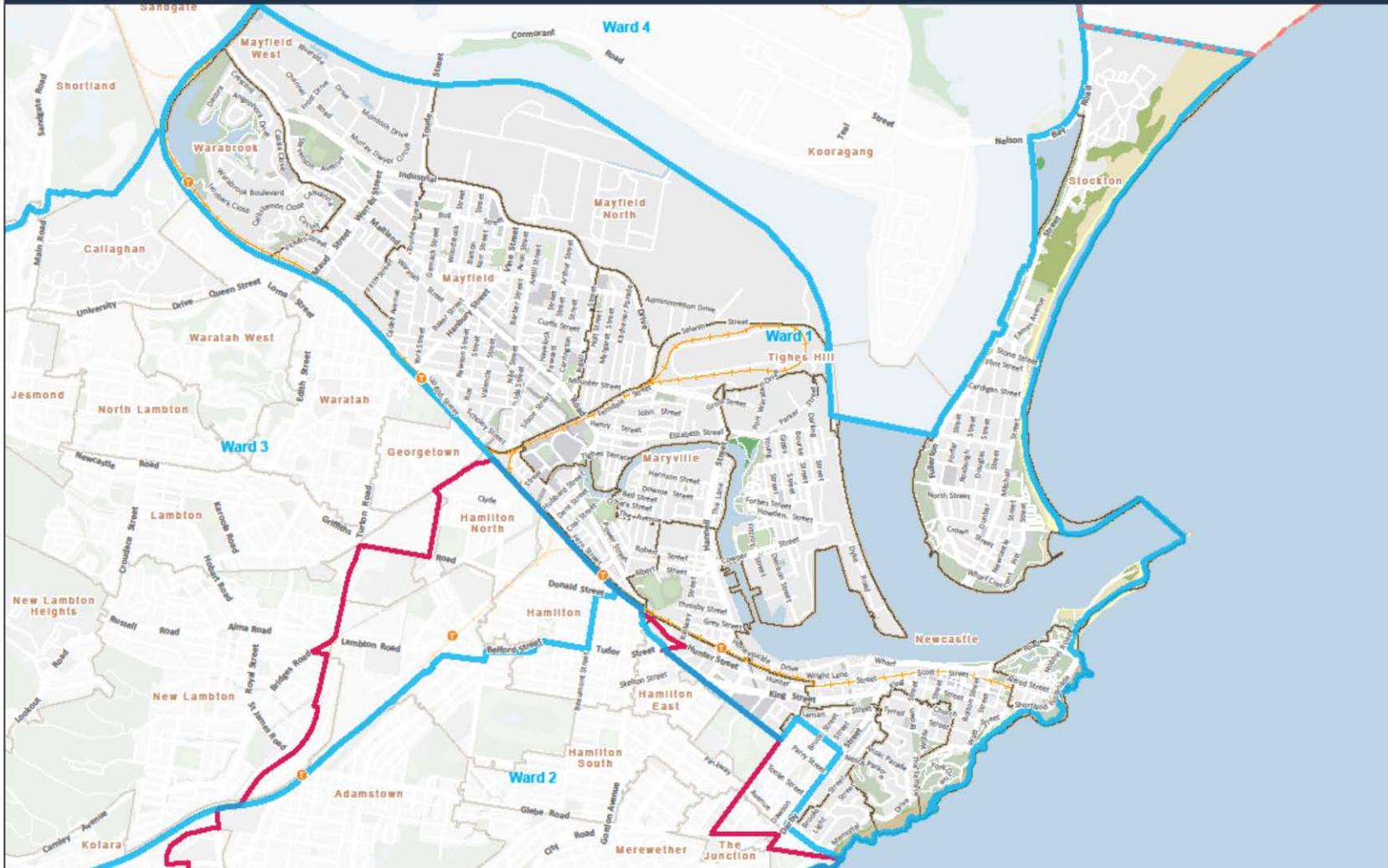
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Proposed Ward 1

Contains Carrington, Islington, Maryville, Mayfield, Mayfield East, Mayfield North, Mayfield West, Newcastle, Newcastle East, Stockton, The Hill, Tighes Hill, Warabrook, Wickham and parts of Bar Beach, Cooks Hill and Newcastle West



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— Current Ward Boundary
— Proposed Ward Boundary

0 0.25 0.5 1 Kilometres
 Scale: 1:30,000 at A3

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Current Ward 2

Contains Adamstown, Broadmeadow, Hamilton, Hamilton East, Hamilton North, Hamilton South, Merewether, Merewether Heights and parts of New Lambton, Bar Beach, The Junction, Newcastle West, Adamstown Heights and Kotara



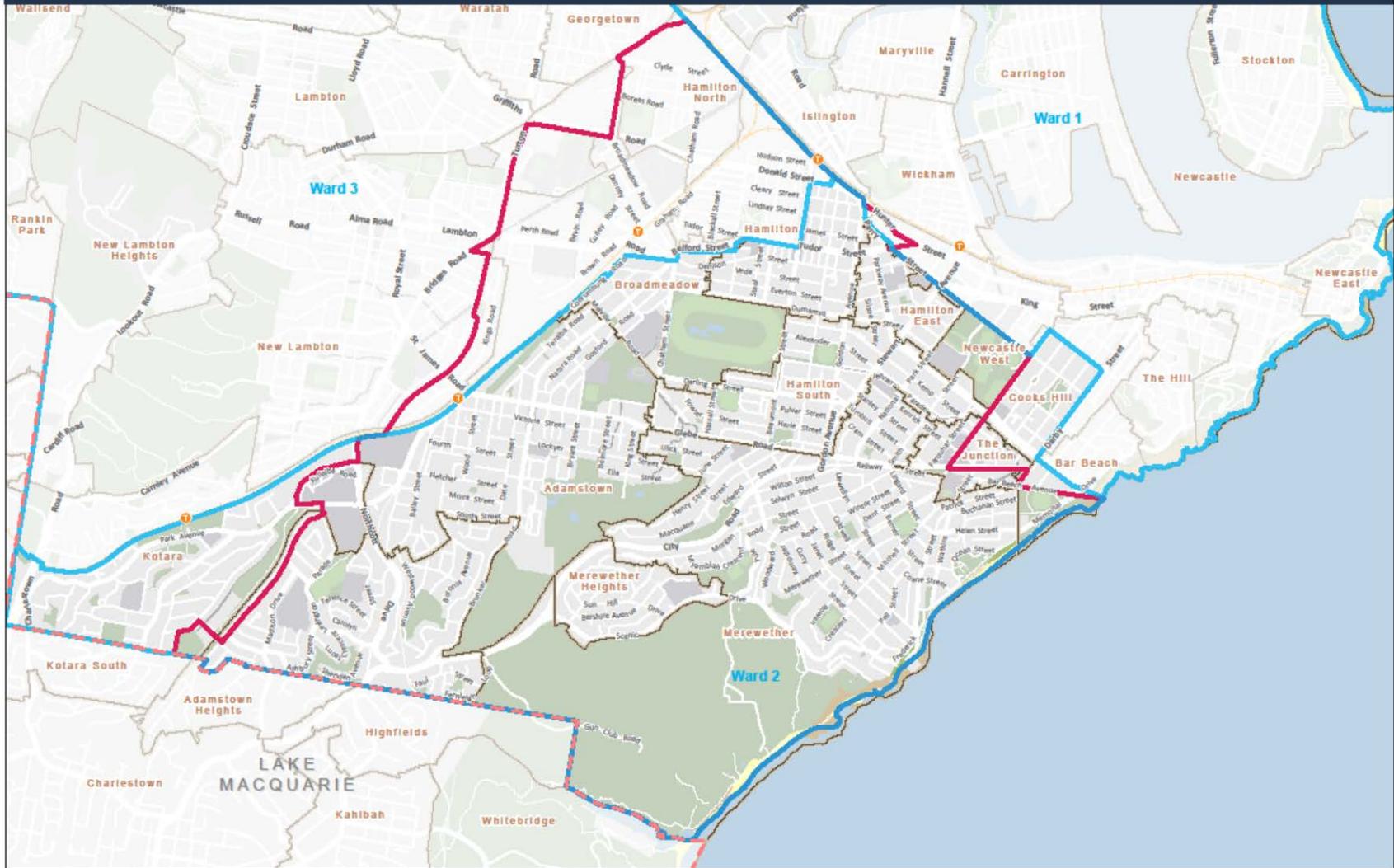
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Proposed Ward 2

Contains Adamstown, Adamstown Heights, Hamilton East, Hamilton South, Merewether, Merewether Heights, The Junction and parts of Bar Beach, Broadmeadow, Cooks Hill, Hamilton, Kotara and Newcastle West.



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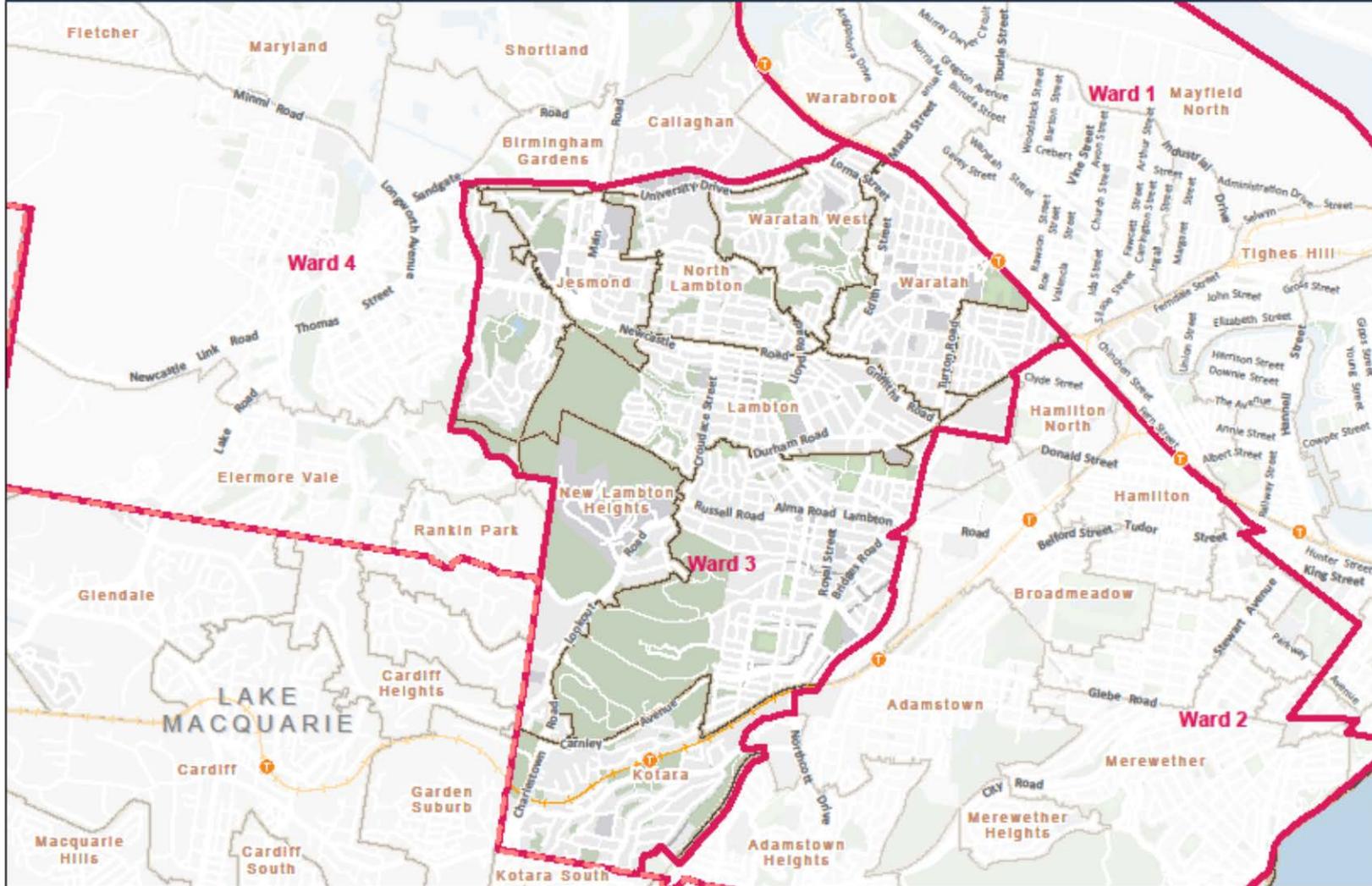
Current Ward Boundary
 Proposed Wards Boundary

0 0.25 0.5 1 Kilometres
 Scale: 1:25,000 at A3

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Current Ward 3

Contains Georgetown, Jesmond, Lambton, New Lambton, North Lambton, Waratah and parts of Broadmeadow, Adamstown Heights, Birmingham Gardens, Callaghan, Walkend, Elermore Vale, New Lambton Heights, Kotara and Waratah West.



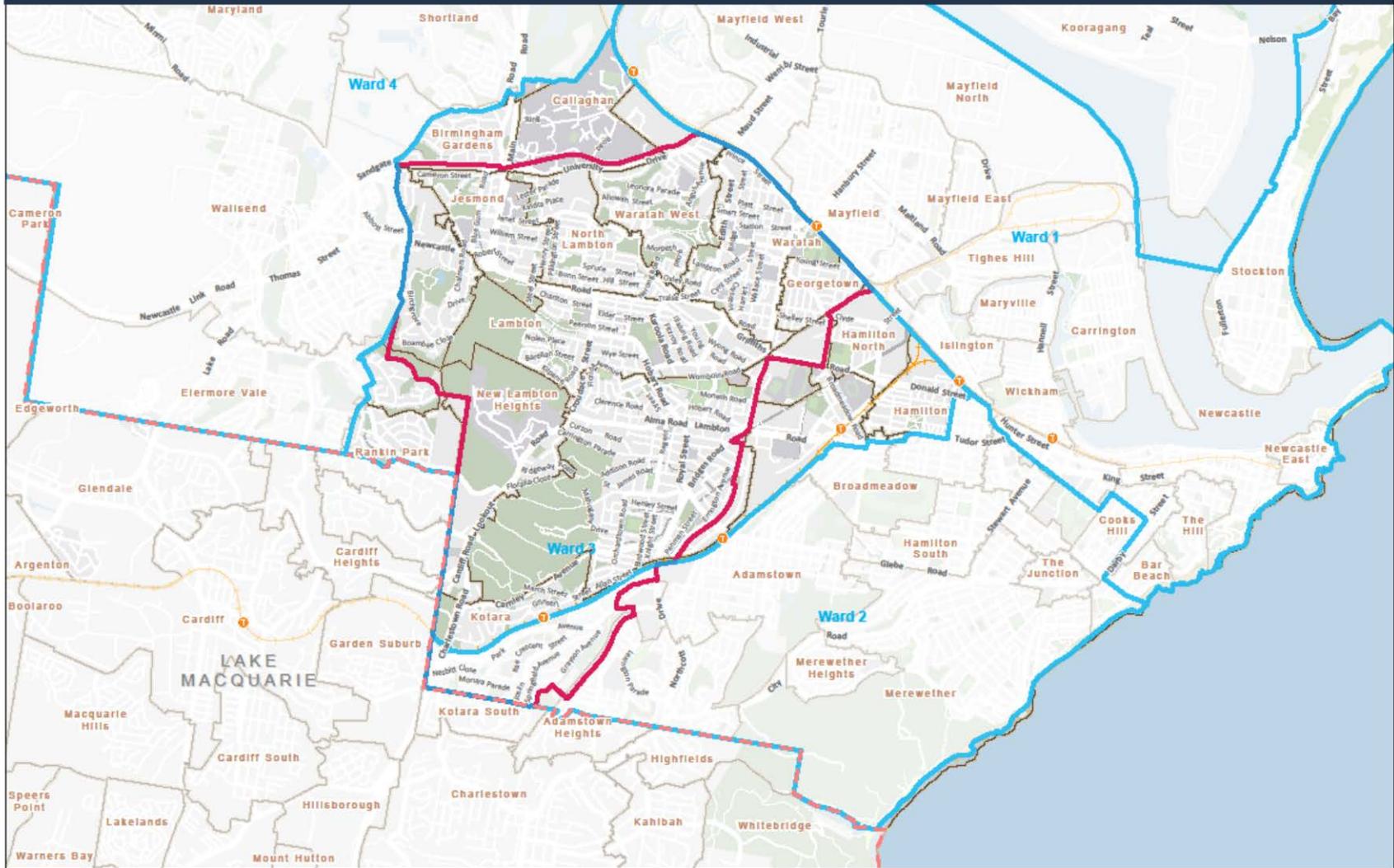
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Proposed Ward 3

Contains of Birmingham Gardens, Callaghan, Georgetown, Hamilton North, Jesmond, Kotara, Lambton, New Lambton, New Lambton Heights, North Lambton, Waratah, Waratah West and parts of Broadmeadow, Elmore Vale, Hamilton, Kotara, Rankin Park and Wallsend



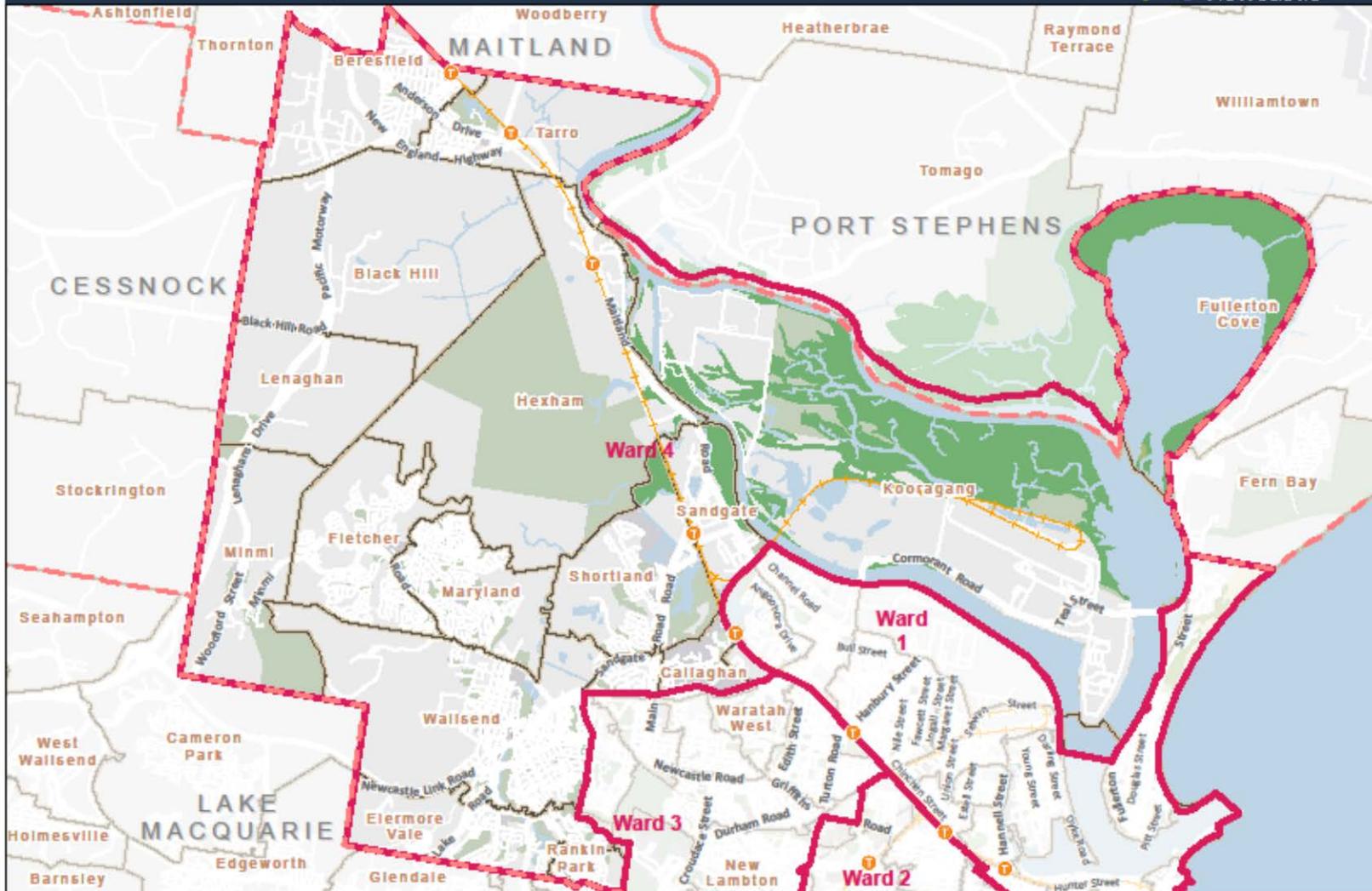
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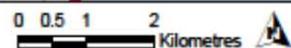
Current Ward 4

Contains Beresfield, Elmore Vale, Fletcher, Hexham, Kooragang, Lenaghan, Maryland, Minmi, Sandgate, Shortland, Tarro and parts of Birmingham Gardens, Callaghan, Waratah West, Wallsend, Rankin Park and Black Hill.



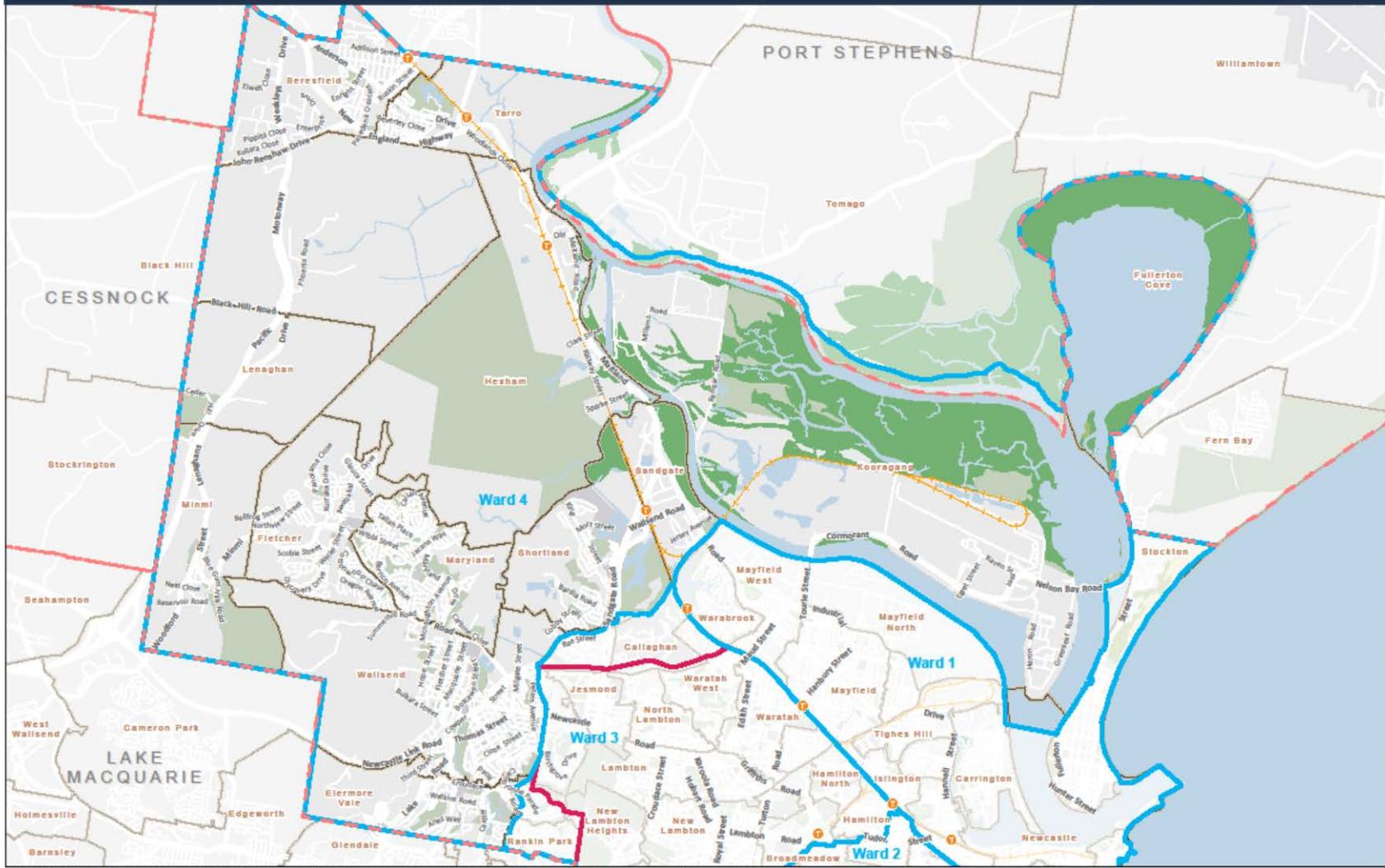
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Proposed Ward 4

Contains Beresfield, Black Hill, Fletcher, Hexham, Kooragang, Lenaghan, Maryland, Minmi, Sandgate, Shortland, Tarro and parts of Elermors Vale and Wallsend



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Current Ward Boundary
 Proposed Ward Boundary



Scale: 1:80,000 at A3



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**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
WARD BOUNDARY PLAN AMENDMENTS ON PUBLIC EXHIBITION**

Item 57 Attachment B: Ward Boundary Community Discussion Paper

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City of Newcastle
Review of Ward Boundaries
Community Discussion Paper

AUGUST 2019

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Submission Form

Message from the Acting Chief Executive Officer

As required under the Local Government Act 1993 (the Act), the City of Newcastle (CN) has reviewed its ward boundaries. The review has found that the difference between the number of electors in each Ward is greater than 10%. Under the Act, CN must amend those Ward Boundaries so that the difference in the number of electors between the Wards is less than 10%.

This Discussion Paper has been developed to assist the community in considering proposed boundary changes which effectively reduce the difference in the number of electors between Wards to less than 10%.

Residents and businesses within the City of Newcastle Local Government Area (LGA) are encouraged to review the Ward Boundary Plan and Discussion Paper and provide feedback on the option presented.

The City of Newcastle will consider all submissions received and then make a determination on Ward Boundaries. The revised Ward Boundary Plan will then be forwarded to the NSW Electoral Commissioner for use at the next local government elections in September 2020.

Public submissions will close at midnight on Thursday 10 October 2019. How to make a submission information is available on pages 14/15.

Notice of the public exhibitions and period for lodging of submissions will be advertised via the local newspapers, the CN's website, social media and relevant notice boards.

Copies of the Ward Boundary Plan, Discussion Paper and Frequently Asked Questions are available at CN's Administration Centre, 282 King Street Newcastle, libraries, and available electronically via the website: <http://newcastle.nsw.gov.au/Your-Say>

If you have any queries, please don't hesitate to contact CN on 02 4974 2000 or email to wardreview@ncc.nsw.gov.au

BACKGROUND

At its meeting held 27 August 2019 the City of Newcastle (CN) resolved to place on public exhibition proposed amendments to the ward boundaries to comply with the requirements of the *Local Government Act 1993* (the Act).

CN currently has four (4) wards which elect three (3) Councillors each plus a popularly elected Lord Mayor resulting in 13 Councillors. Section 211 of the Act requires that CN review the ward boundaries. If during its term of office it becomes aware that the number of electors in one ward differs by more than 10% from the number of electors in any other ward for a 12 month period it must as soon as practicable alter the ward boundaries to ensure that any discrepancy in the number of electors between each Ward is less than 10%.

CN has become aware that the current electors in its wards have a variance of more than 10% (see Table 1). As such is required (under the Act) to amend the ward boundaries so that the resultant number of electors in each ward differ by less than 10%.

REVIEW PROCESS

Section 210A of the Act deals with the process for proposals to amend ward boundaries. The review process involves a number of steps:

Prior to Exhibition

CN must consult with the Electoral Commissioner and the Australian Bureau of Statistics to ensure that as far as practical the proposed amendments to the ward boundaries correspond to the boundaries of the appropriate districts under the NSW Electoral Act 2017 and the Australian Bureau of Statistics Statistical Area Boundaries (census districts). In addition, the proposed boundaries must comply with Section 210 (7) of the Act.

Public Consultation

The proposed Ward Boundary Plan (WBP) plus any other documents it considers appropriate or necessary to better understand the WBP and its implications must be placed on public exhibition for a minimum of 28 days. Local public notice is to be given advertising that the proposed WBP is available for review, indicate where the WBP may be viewed and inviting submissions. The submission period is a minimum of six weeks from the initial notice.

Consideration

Once the public submission period closes CN considers all submissions and relevant factors and makes a decision.

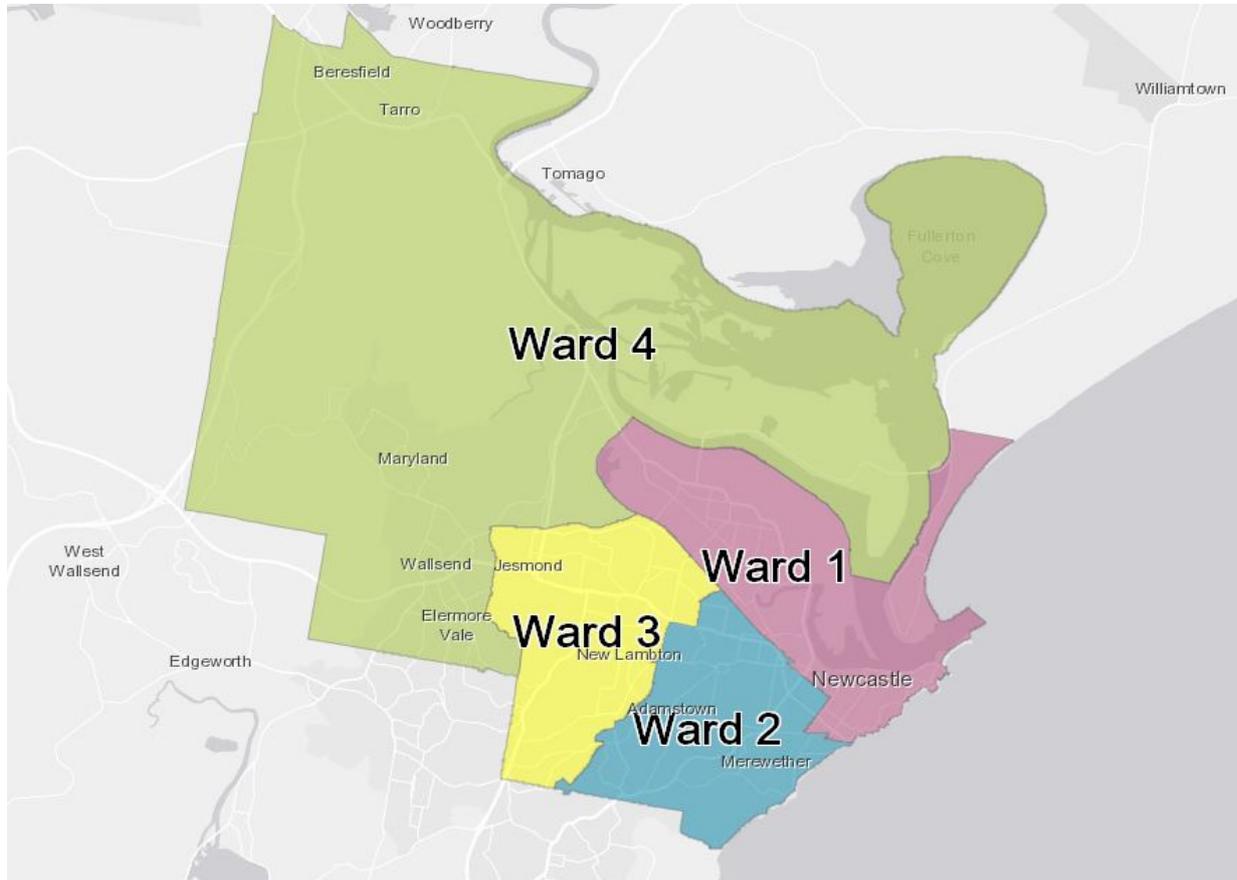
Decision & Implementation

CN then forwards a copy of the amended WBP to the Electoral Commissioner and the Office of Local Government. The revised WBP is then applicable for the next Local Government elections (due in September 2020).

PRESENT SITUATION

The City of Newcastle currently has 12 Councillors, with three Councillors representing each of the four wards. The Lord Mayor is popularly elected by all electors of the City. As at July 2019 there are approximately 120,487 electors in the City of Newcastle LGA.

The map below indicates the current ward boundaries:



WARDS AND REPRESENTATION

Table 1 below indicates:

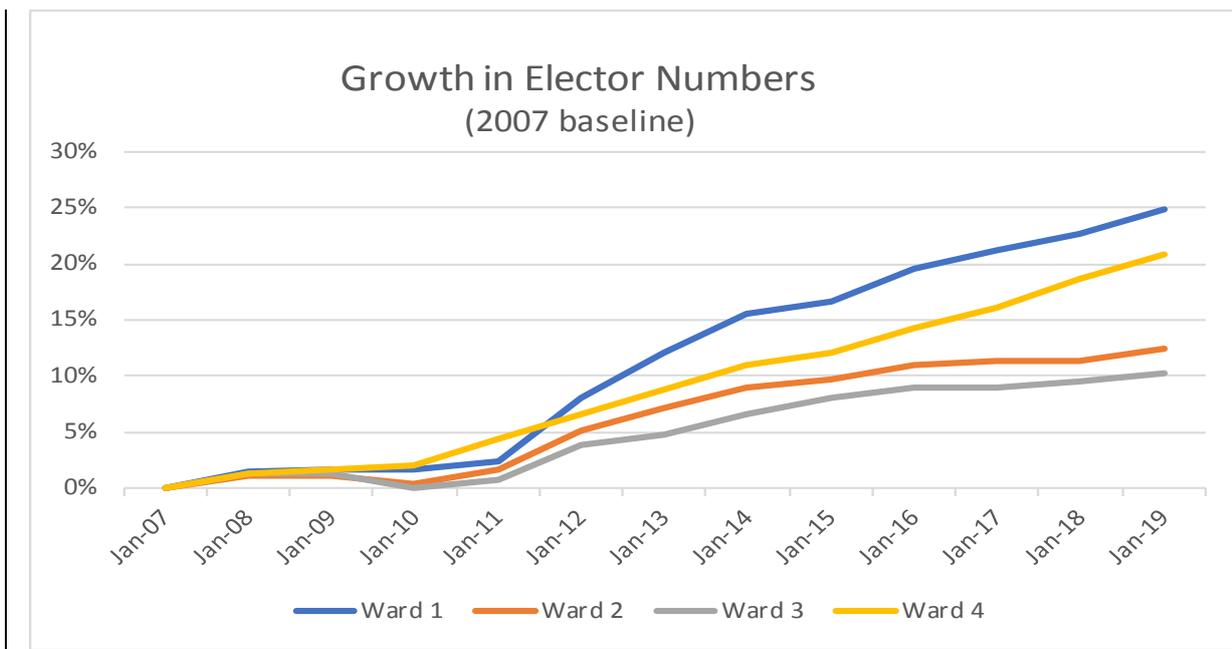
- the current electors within each ward as advised by the NSW Electoral Commissioner as at July 2019 compared to July 2007 and July 2013.
- the variance percentage between electors in each ward when compared to the ward with the highest number of electors as at July 2019.
- the number of Councillors per ward.
- the Councillor to Elector ratio indicating how the average number of electors per Councillor in each ward as at July 2019.

Table 1: Comparison of Enrolled Electors in Each Ward

Ward	Enrolments July 2007	Enrolments July 2013	Enrolments July 2019	Variance To Ward 4	Number of Councillors	Councillor Elector Ratio
1	25,428	28,473	31,745	-2.27%	3	10,582
2	24,466	27,265	28,619	-11.90%	3	9,540
3	25,077	26,267	27,638	-14.92%	3	9,213
4	26,888	29,261	32,484		3	10,828
TOTAL	102,859	111,266	120,486		12	10,040

As can be seen from Table 1 above, the numbers of enrolled electors in Wards 1 & 4 has increased at a greater rate than Wards 2 & 3.

This is better illustrated in Figure 1 below, which shows the percentage growth in enrolled electors per ward since 2007. As Figure 1 shows, over the 12-year period, the percentage growth rate in Wards 1 & 4 is more than double that of Ward 3.



Points of note since October 2007 include:

- Since July 2007, the overall the number of electors has increased by 17,628.
- In 2007 the difference between the largest ward (4) and the lowest ward (2) was 9%.
- In 2013 the difference between the largest ward (4) and lowest ward (3) was 10.23%.
- In 2019 the difference between the largest ward (4) and lowest ward (3) is 14.92%
- Between 2007 and 2019 the number of electors in Ward 1 has increased by 24.85%
- Between 2007 and 2019 the number of electors in Ward 2 has increased by 16.97%
- Between 2007 and 2019 the number of electors in Ward 3 has increased by 10.21%
- Between 2007 and 2019 the number of electors in Ward 4 has increased by 20.81%
- The higher growth rate in Ward 1 is likely to continue, with the projected further development in high density apartments within Ward 1.
- Ward 4 is also likely to continue with a higher growth rate, due to further subdivisions being developed along the western corridor of Ward 4.

METHODOLOGY FOR DETERMINING REVISED WARD BOUNDARIES

In arriving at the proposed ward boundaries, the following guidelines were used

- Natural boundaries – wherever possible natural boundaries such as main roads, rail lines etc were used to arrive at a ward boundary
- Statistical Area Boundaries – wherever possible whole Statistical Area Level 1 Boundaries as used by the Australian Bureau of Statistics were transferred from one ward to another.
- Future Growth – as the higher growth in Wards 1 & 4 is expected to continue it was necessary to reduce both these wards and increase Wards 2 & 3 to ensure that the new boundaries are able to be used for more than one election cycle.
- Suburb boundaries – wherever possible suburbs remain wholly within a ward

Notes Regarding Information Provided Regarding Wards

- The source for the forecast data is <https://forecast.id.com.au/newcastle>

Proposed Ward Boundary Amendments

Following the review of the Ward Boundaries, it is proposed to amend the boundary of each ward which will result in reducing the differences in electors between wards to less than 10%. The proposed amendments will result in Ward 3 becoming the largest ward and Ward 4 becoming the lowest. The reason for this is the expected growth in Ward 4 over the next decade whereas Ward 3 will continue to maintain population with a low-level increase over the next decade. Table 2 below indicates the resultant number of electors in each ward if the proposed amendments are adopted.

- **Table 2: Comparison of Enrolled Electors in Proposed New Ward Boundary**

Ward	Enrolments July 2019	Variance To Ward 3	Number of Councillors	Councillor Elector Ratio
1	29,701	-6.48%	3	9,900
2	29,678	-6.55%	3	9,892
3	31,758		3	10,586
4	29,349	-7.59%	3	9,783
TOTAL	120,486		12	10,040

Further detail on the proposed boundary changes for each Ward are detailed on the following pages. As can be seen the proposed changes will ensure that the proposed ward boundaries would not require amending for at least 2 election cycles

WARD 1

Description of suggested boundary change

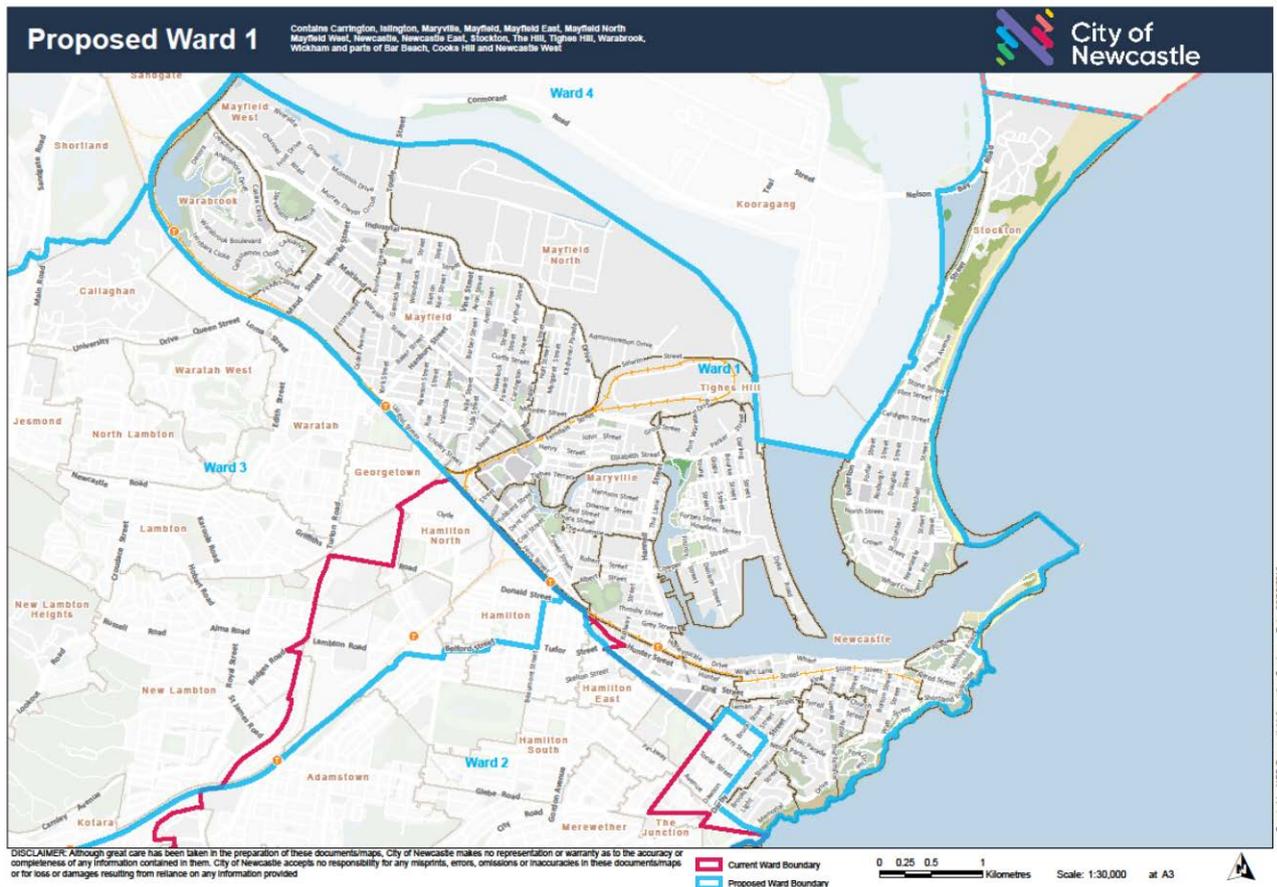
Currently Ward 1 contains the suburbs of Carrington, Cooks Hill, Islington, Maryville, Mayfield, Mayfield East, Mayfield North, Mayfield West, Newcastle, Newcastle East, Stockton, The Hill, Tighes Hill, Warabrook, Wickham and parts of Bar Beach, Newcastle West and The Junction

Under the proposed boundary changes Ward 1 would contain Carrington, Islington, Maryville, Mayfield, Mayfield East, Mayfield North, Mayfield West, Newcastle, Newcastle East, Stockton, The Hill, Tighes Hill, Warabrook, Wickham and parts of Bar Beach, Cooks Hill and Newcastle West

The major change proposed is the removal of The Junction

Map

The proposed boundary for Ward 1 is shown on the following map by a blue line. Where the current boundary differs from the proposed boundary this is indicated by a red line.



Projected Future Growth - Strategic Planning Influences

Greater Newcastle Metropolitan Plan 2036 (GNMP) identifies the Newcastle City Centre as a major catalyst area. The recent addition of increased higher density dwellings continues to grow the city centre population. A urban renewal corridor has been identified along Maitland road from Newcastle West to Mayfield

Projected Future Growth – Population Trends

The city centre (Newcastle-Newcastle East-Newcastle West) is forecast to increase from 5,354 persons in 2019 aged 19 years and older to 7,791 persons aged 19 years and older by 2029.

- This is an increase of 2,437 persons in the city centre over the next decade.

The forecast increase in people over 19 years over the next decade in other key locations across the ward is:

- Islington - Tighes – 252 persons
- Maryville -Wickham – 1,324 persons
- Mayfield – Mayfield East – 990 persons
- Mayfield West – Warabrook – 71 persons
- Cooks Hill will be static in population growth

The expected forecast increase of people aged 19 years + is at least 5,074 people in the next decade.

Projected Future Growth – Impacts on Proposed Ward Boundary

The population trends indicated above show that without amending the Ward boundary, Ward 1 will increase by 15.98%. The proposed changes will reduce the current number of electors by 6.44% for the 2020 Local Government Elections. However, given the projected growth expected in Ward 1 over the next decade it should grow by a minimum of 17.08% becoming the largest ward. As such the proposed ward boundaries for Ward 1 would not require amending for at least 2 election cycles.

WARD 2

Description of suggested boundary change

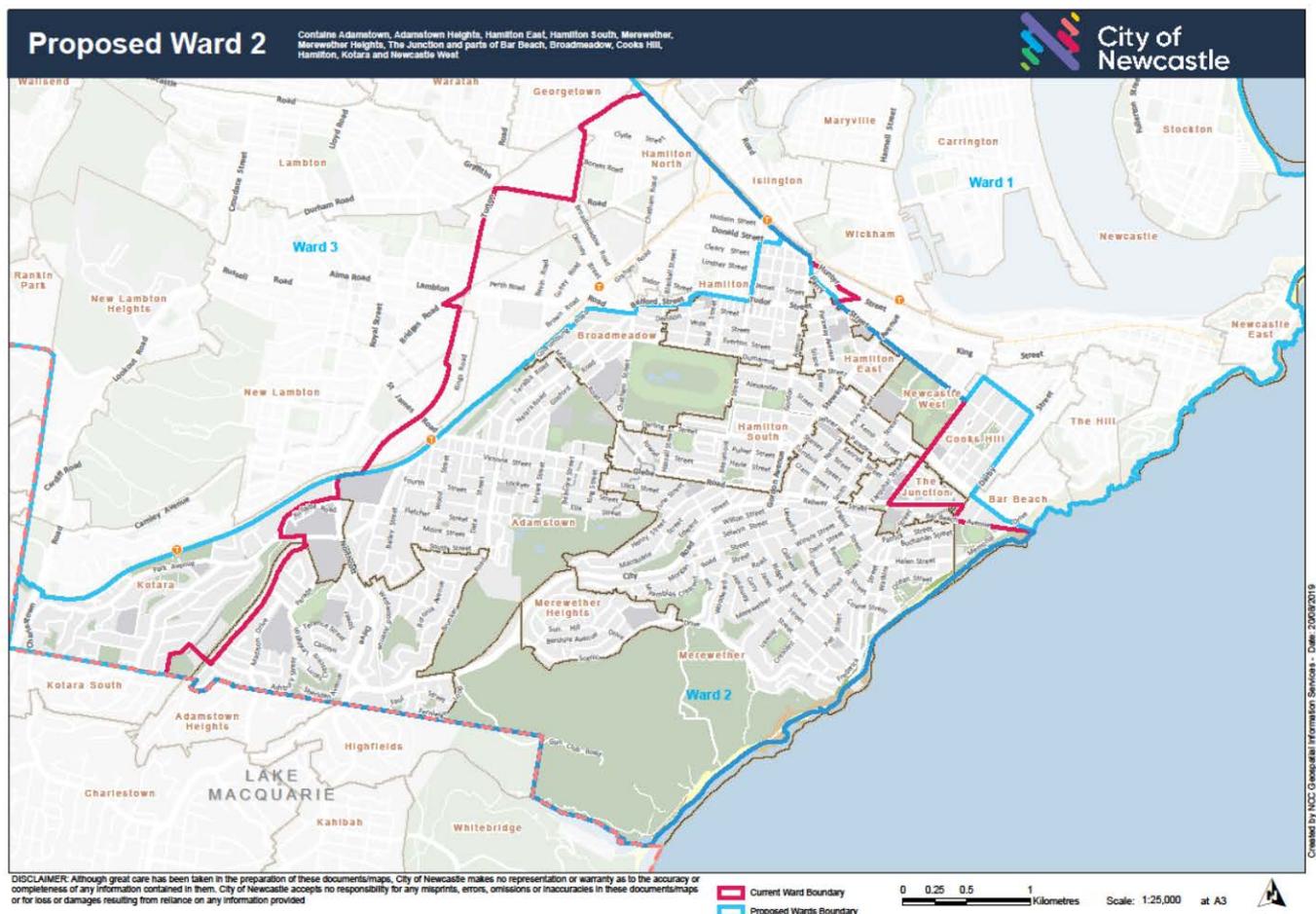
Ward 2 currently contains the suburbs of Adamstown, Adamstown Heights, Broadmeadow, Hamilton, Hamilton East, Hamilton South, Hamilton North, Merewether, Merewether Heights and parts of The Junction

Under the proposed boundary changes Ward 2 would contain the suburbs of Adamstown, Adamstown Heights, Hamilton East, Hamilton South, Merewether, Merewether Heights, The Junction and parts of Bar Beach, Broadmeadow, Cooks Hill, Hamilton, Kotara and Newcastle West

The major changes proposed involve the removal of Hamilton North and the addition of parts of The Junction and Kotara

Map

The proposed boundary for Ward 2 is shown on the following map by a blue line. Where the current boundary differs from the proposed boundary this is indicated by a red line.



Projected Future Growth - Strategic Planning Influences

The GNMP 2030 identifies Kotara as a future catalyst area with mixed use and high density residential. Bruncker Road Adamstown is an urban renewal corridor with some higher density residential already either built or in progress

Projected Future Growth – Population Trends

The forecast increase in people over 19 years over the next decade in other key locations across the ward is:

- Bar Beach – The Junction – 128 persons
- Merewether – Merewether Hs – 180 persons
- Hamilton South Hamilton East – 181 persons
- Adamstown – 612 persons
- Kotara – 142 persons

The expected forecast increase of people aged 19 years + is at least 1,225 people over the next decade.

Projected Future Growth – Impacts on Proposed Ward Boundary

The population trends indicated above show that without amending the Ward boundary, Ward 2 will increase by a minimum of 4.39%. The proposed changes will increase the current number of electors by 3.70% for the 2020 Local Government Elections. However, given the projected growth expected in Ward 2 over the next decade it should grow by a minimum of 4.23%. This would be a concern except as growth corridors have been added to Ward 2 it is expected that the boundaries will not require amending for at least 2 election cycles.

WARD 3

Description of suggested boundary change

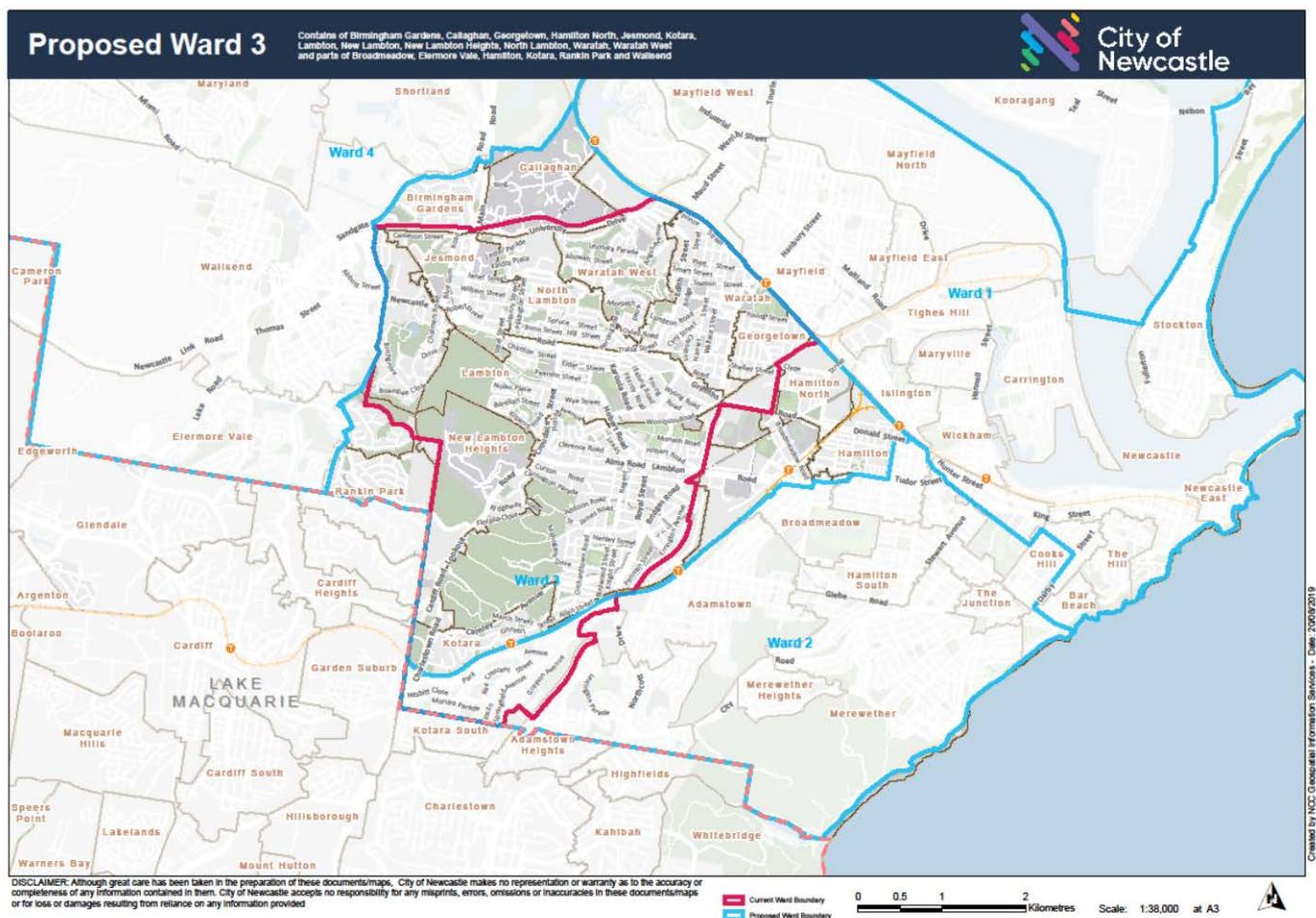
Ward 3 currently contains the suburbs of Georgetown, Jesmond, Lambton, New Lambton, North Lambton, Waratah and parts of Broadmeadow, Adamstown Heights, Birmingham Gardens, Callaghan, Wallsend, Elmore Vale, New Lambton Heights, Kotara and Waratah West.

Under the proposed boundary changes Ward 3 would contain the suburbs of Birmingham Gardens, Callaghan, Georgetown, Hamilton North, Jesmond, Kotara, Lambton, New Lambton, New Lambton Heights, North Lambton, Waratah, Waratah West and parts of Broadmeadow, Elmore Vale, Hamilton, Kotara, Rankin Park and Wallsend

The major changes proposed involve the addition of Hamilton North, Birmingham Gardens and Callaghan as well as parts of Rankin Park and Elmore Vale

Map

The proposed boundary for Ward 3 is shown on the following map by a blue line. Where the current boundary differs from the proposed boundary this is indicated by a red line.



Projected Future Growth - Strategic Planning Influences

Ward 3 will continue to maintain population with a low-level increase over the next decade. Ward will include:

- Broadmeadow, a GNMP 2030 catalyst area which will include increased future medium density housing opportunities. Includes the northern side of Tudor St, an urban renewal corridor

Projected Future Growth – Population Trends

The forecast increase in people over 19 years over the next decade in other key locations across the ward is:

- Broadmeadow – Hamilton North – 534 persons
- Georgetown- Waratah – 311 persons

The expected forecast increase of people aged 19 years + is at least 845 people over the next decade.

Projected Future Growth – Impacts on Proposed Ward Boundary

The population trends indicated above show that without amending the Ward boundary, Ward 3 will increase by a minimum of 3.06%. The proposed changes will increase the current number of electors by 14.91 resulting in Ward 3 being the largest Ward for the 2020 Local Government Elections. However, given the projected growth expected in Ward 3 over the next decade it should grow by a minimum of 2.66%. By making Ward 3 the largest Ward to counter the impact of this low growth it is expected that the boundaries will not require amending for at least 2 election cycles.

WARD 4

Description of suggested boundary change

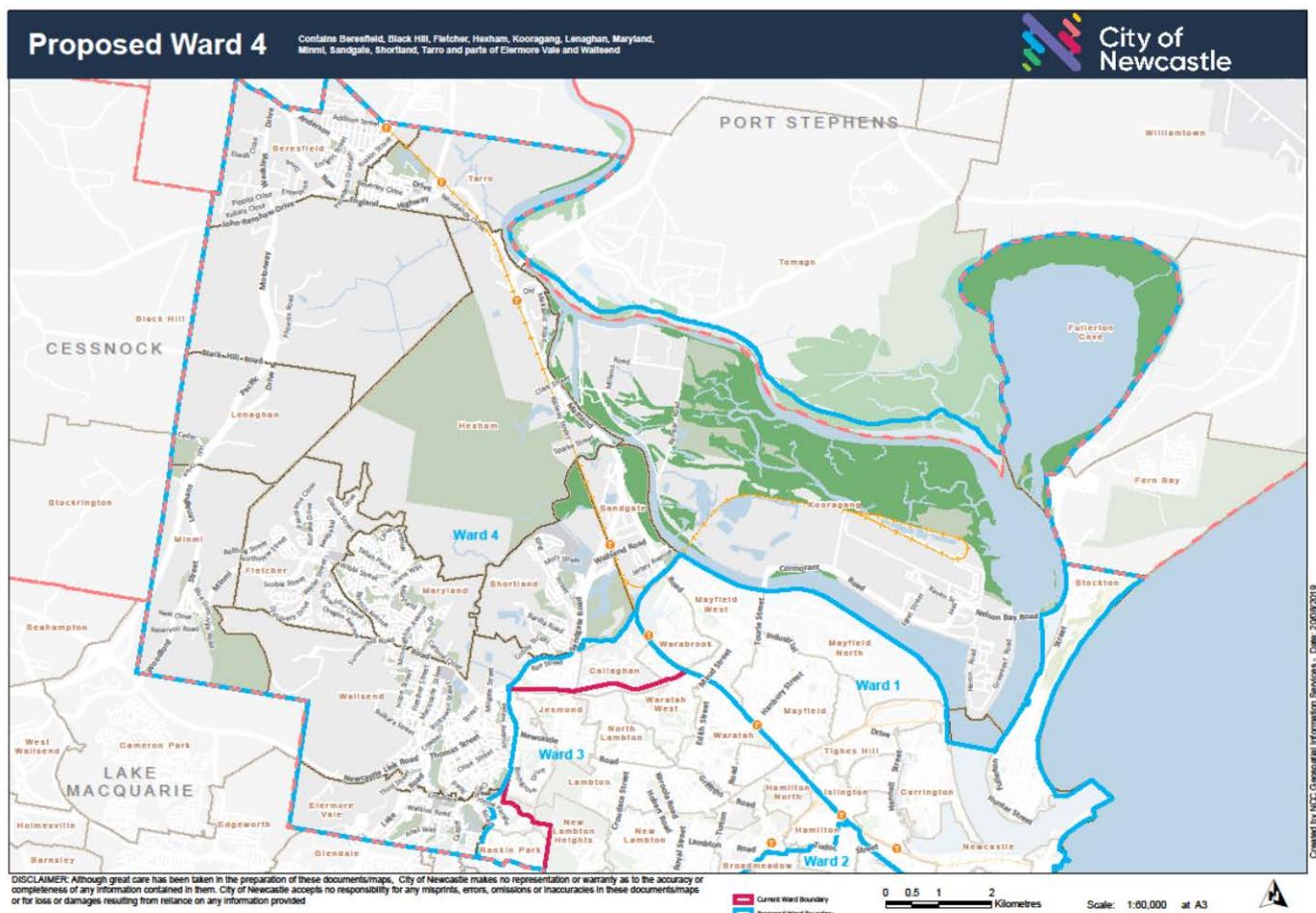
Ward 4 currently contains the suburbs of Beresfield, Elmore Vale, Fletcher, Hexham, Kooragang, Lenaghan, Maryland, Minmi, Sandgate, Shortland, Tarro and parts of Birmingham Gardens, Callaghan, Waratah West, Wallsend, Rankin Park and Black Hill.

Under the proposed boundary changes Ward 2 would contain the suburbs of Beresfield, Black Hill, Fletcher, Hexham, Kooragang, Lenaghan, Maryland, Minmi, Sandgate, Shortland, Tarro and parts of Elmore Vale and Wallsend

The major changes proposed involve the removal of Birmingham Gardens and Callaghan

Map

The proposed boundary for Ward 4 is shown on the following map by a blue line. Where the current boundary differs from the proposed boundary this is indicated by a red line.



Projected Future Growth - Strategic Planning Influences

The Northern Estates (Coal & Allied) Concept Plan as approved identified the potential for 3,300 dwellings and an anticipated population of over 10,000 people. Development approval processes have commenced for residential subdivisions. The GNMP 2030 identifies Beresfield as a catalyst area for freight and logistics

Projected Future Growth – Population Trends

Residential areas continue to develop, particularly in the Fletcher – Minmi area greenfield area and infill areas around Wallsend and Elmore Vale. The forecast increase in people over 19 years over the next decade in other key locations across the ward is:

- Fletcher – Minmi – 2,116 persons
- Wallsend – 1,213 persons
- Elmore Vale- Rankin Park – 1,397 persons (predominantly in Elmore Vale)

The expected forecast increase of people aged 19 years + is at least 4,726 people over the next decade.

Projected Future Growth – Impacts on Proposed Ward Boundary

The population trends indicated above show that without amending the Ward boundary, Ward 4 will increase by a minimum of 14.55%. The proposed changes will reduce the current number of electors by 9.65% resulting in Ward 4 being the smallest Ward for the 2020 Local Government Elections. However, given the projected growth expected in Ward 4 is expected to grow by a minimum of 16.10% it should become the second largest ward over the decade. By making Ward 4 the smallest Ward it allows the large growth to be absorbed and ensure that the boundaries will not require amending for at least 2 election cycles.

Public Consultation

Under the Act CN must undertake public consultation before amending its ward boundaries. Below are details of the key dates, the period of public exhibition and for public submissions, the places where the Ward Boundary Plan and any supporting documents may be inspected and contact details

Key Dates

27 August 2019 - Council resolves to place the revised Ward Boundary Plan on public exhibition.

29 August 2019 - Public exhibition and submission period commences.

10 October 2019 - Public exhibition and submission period closes 42 days later.

23 October 2019 - Submissions assessed and report prepared for Council consideration.

26 November 2019 - Council considers submissions; makes final decision and submits revised Ward Boundary Plan to Electoral Commissioner.

Contacts

If you have any questions regarding the Ward Boundary Review please contact Joe Vescio on **02 4974 2000** or email wardreview@ncc.nsw.gov.au

Availability of Ward Boundary Plan and Supporting Documentation

Copies of all documents relating to the Ward Boundary Review are available on Councils website:

<http://newcastle.nsw.gov.au/Your-Say>

In addition, hard copies are available for inspection at the City of Newcastle Administration Centre, 282 King Street Newcastle and the Libraries.

The web site also has an interactive map allowing people to enter their address and it will indicate the ward they are currently in and whether it is proposed to move them to another ward.

Making a Submission

City of Newcastle welcomes comment on the Review of Ward Boundaries. Submissions must be in writing to:

Chief Executive Officer
City of Newcastle
Attention: Joe Vescio
Subject: Submission – Ward Boundary Review
wardreview@ncc.nsw.gov.au

or by post to:

Chief Executive Officer
City of Newcastle
Attention: Joe Vescio

PO Box 489
NEWCASTLE NSW 2300
Subject: Submission – Ward Boundary Review

or via the online form available at <https://www.newcastle.nsw.gov.au/YourSay>

Closing Date for Submissions

Submissions close at midnight on Thursday 10 October 2019.

Closing Date for Submission

Submissions must be addressed to the Chief Executive Officer and close at **midnight on Thursday 10 October 2019.**

Appendix 1 Relevant Sections of Local Government Act 1993

210 Division of areas into wards

- (1) The council may divide its area into divisions, called "wards".
- (2) The council may abolish all wards.
- (3) The council may alter ward boundaries.
- (4) The council may name or rename a ward.
- (5) A council must not divide an area into wards or abolish all wards unless it has obtained approval to do so at a constitutional referendum.
- (6) A by-election held after an alteration of ward boundaries and before the next ordinary election is to be held as if the boundaries had not been altered.
- (7) The division of a council's area into wards, or a change to the boundaries of a ward, must not result in a variation of more than 10 per cent between the number of electors in each ward in the area.

210A Consultation, public notice and exhibition of proposals regarding ward boundaries

- (1) Before dividing a council's area into wards or altering a council's ward boundaries, the council must:
 - (a) consult the Electoral Commissioner and the Australian Bureau of Statistics to ensure that, as far as practicable, the proposed boundaries of its wards correspond to the boundaries of appropriate districts (within the meaning of the Electoral Act 2017) and census districts, and to ensure that the proposed boundaries comply with section 210 (7), and
 - (b) prepare and publicly exhibit a plan detailing the proposed division or alteration (the "ward boundary plan").
- (2) The council must give public notice of the following:
 - (a) the place at which the ward boundary plan may be inspected,
 - (b) the period for which the plan will be exhibited (being a period of not less than 28 days),
 - (c) the period during which submissions regarding the ward boundary plan may be made to the council (being a period of not less than 42 days after the date on which the ward boundary plan is placed on public exhibition).
- (3) The council must, in accordance with its notice, publicly exhibit the ward boundary plan together with any other matter that it considers appropriate or necessary to better enable the plan and its implications to be understood.
- (4) Any person may make a submission to the council regarding the ward boundary plan within the period referred to in subsection (2) (c).
- (5) The council must consider submissions made in accordance with this section.

211 Ward boundaries

- (1) The council of an area divided into wards must keep the ward boundaries under review.
- (2) If:
 - (a) during a council's term of office, the council becomes aware that the number of electors in one ward in its area differs by more than 10 per cent from the number of electors in any other ward in its area, and
 - (b) that difference remains at the end of the first year of the following term of office of the council,

the council must, as soon as practicable, alter the ward boundaries in a manner that will result in each ward containing a number of electors that does not differ by more than 10 per cent from the number of electors in each other ward in the area.

- (3) Nothing in subsection (2) prevents a council that has become aware of the discrepancy referred to in subsection (2) (a) from altering its ward boundaries before the end of the first year of the following term of office of the council.

SUBMISSION FORM

Ward Boundary Review

Feedback Submission Form

Name:

Suburb

Ward:

Do you support the proposed Boundary Changes as detailed in the Ward Boundary Plan: Yes/No

If no, please provide your reasons

Other Comments

**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
WARD BOUNDARY PLAN AMENDMENTS ON PUBLIC EXHIBITION**

Item 57 Attachment C: Ward Boundary Review Frequently Asked Questions

DISTRIBUTED UNDER SEPARATE COVER

FAQ Sheet

How are local government area boundaries defined?

Councils may be either:

- a) undivided - where the whole council electorate elects all the councillors for the council; or
- b) divided into wards - where each ward electorate elects an equal number of councillors to make up the whole council.

The City of Newcastle is divided into four Wards.

Visit the [NSW Electoral Commission](#) website for more information on Local Government wards and areas.

What is the current electoral boundary structure for the City of Newcastle?

Currently, City of Newcastle has four (4) wards which each elect three Councillors, plus a popularly elected Lord Mayor resulting in 13 Councillors. See the Ward Boundary Plan for the current and proposed map of the wards, or view it online at www.newcastle.nsw.gov.au/Council/About-Council/Ward-maps

Why is the City of Newcastle undertaking a ward review?

Section 211 of the Local Government Act 1993 requires that where there is a greater than 10% variation in the number of electors between wards, a council must review and adjust the ward boundaries so that the variance is less than 10% between any ward.

The following table indicates the current number of electors within the existing wards and the proposed number of electors within the proposed ward boundaries. As can be seen, under the current ward boundaries, there is a difference of greater than 10% between the number of electors in Ward 2 (being 11.90%) and Ward 3 (being 14.92%) with Ward 4.

	Current ¹ no of electors in each ward	% difference to Ward 4	Proposed no of electors in each ward	% difference to Ward 3
Ward 1	31,745	-2.27%	29,701	-6.48%
Ward 2	28,619	-11.90%	29,678	-6.55%
Ward 3	27,638	-14.92%	31,758	-
Ward 4	32,484	-	29,349	-7.59%
	120,486		120,486	

Note 1: Numbers as at July 2019, sourced from NSW Electoral Commission

As the variance between ward 4 and wards 2 & 3 is greater than 10%, CN is required by legislation to undertake this ward review. This review has been undertaken and a revised Ward Boundary Plan prepared which will reduce the differences in the number of electors between ward to under 10% as indicated in the table above.

When were the boundaries last reviewed?

Records indicate that the Ward Boundaries were ratified by City of Newcastle in 1993/94 following the proclamation of the Local Government Act 1993.

What is the process for Council to consider a ward boundary alignment?

1. Once Council is aware that a discrepancy in the number of electors between Wards is greater than 10% then it must alter the Ward boundaries.
2. Before altering the Ward boundaries, Council must consult the NSW Electoral Commissioner and the Australian Statistician to ensure the new proposed ward boundaries, as far as practicable, correspond to electoral districts and statistical area boundaries.
3. Council prepares a Ward Boundary Plan showing the existing ward boundaries and the proposed changes to the ward boundaries and resolves to place the Ward Boundary Plan on public exhibition.
4. Following public exhibition (42 days) of the Proposed Ward Boundary Plan, Council must consider all submissions received during the public consultation period (42 days) and make its decision on the proposed Ward Boundary Plan.
5. The revised Ward Boundary Plan then applies for the next Local Government Elections.

What's changing?

The Ward Boundary Plan provides detail regarding the changes with the proposed boundaries of Ward indicated by a blue line and where the proposed boundary differs from the current boundary it is indicated by a red line.

Under the proposed boundary changes Ward 1 would contain Carrington, Islington, Maryville, Mayfield, Mayfield East, Mayfield North, Mayfield West, Newcastle, Newcastle East, Stockton, The Hill, Tighes Hill, Warabrook, Wickham and parts of Bar Beach, Cooks Hill and Newcastle West

The major change proposed is the removal of The Junction

Under the proposed boundary changes Ward 2 would contain the suburbs of Adamstown, Adamstown Heights, Hamilton East, Hamilton South, Merewether, Merewether Heights, The Junction and parts of Bar Beach, Broadmeadow, Cooks Hill, Hamilton, Kotara and Newcastle West

The major changes proposed involve the removal of Hamilton North and the addition of parts of The Junction and Kotara

Under the proposed boundary changes Ward 3 would contain the suburbs of Birmingham Gardens, Callaghan, Georgetown, Hamilton North, Jesmond, Kotara, Lambton, New Lambton, New Lambton Heights, North Lambton, Waratah, Waratah West and parts of Broadmeadow, Elmore Vale, Hamilton, Kotara, Rankin Park and Wallsend

The major changes proposed involve the addition of Hamilton North, Birmingham Gardens and Callaghan as well as parts of Rankin Park and Elernore Vale

Under the proposed boundary changes Ward 2 would contain the suburbs of Beresfield, Black Hill, Fletcher, Hexham, Kooragang, Lenaghan, Maryland, Minmi, Sandgate, Shortland, Tarro and parts of Elernore Vale and Wallsend

The major changes proposed involve the removal of Birmingham Gardens and Callaghan

For more information regarding the proposed changes refer to the Ward Boundary Community Discussion Paper.

When will the new structure start?

Once the revised Ward Boundary Plan is adopted it will apply for the Local Government Elections in the City of Newcastle Local Government Area to be held in September 2020.

Can I present another option for consideration?

You may submit an alternative proposal. However, any alternate proposal before it can be considered by Council must not result in the difference in the number of electors between wards being greater than 10% and must also have been referred to the Electoral Commissioner and Australian Statistician for review.

If Council agree to amend my ward boundary will it affect how I vote in State or Federal elections?

No, the ward boundaries only affect the local government elections.

Will changing my ward boundary affect my rates?

No, the ward boundaries only affect the City of Newcastle local government elections.

When do submissions close?

Submissions close at **midnight on Thursday 10 October 2019**.

How can I find out more about the proposed revised Ward Boundaries?

Detailed information about each option is contained in the **Ward Boundary Plan 2019** and **Review of Ward Boundaries Community Discussion Paper** which can be found in the online project document library. Alternatively, hard copies are available for inspection at the City of Newcastle Administration Centre, 282 King Street Newcastle and the Libraries.

What is the proposed timeline for this review?

27 August 2019 - Council resolves to place the revised Ward Boundary Plan on public exhibition.

29 August 2019 - Public submission period commences.

10 October 2019 - Public submission period closes 42 days later.

23 October 2019 - Submissions assessed and report prepared for Council consideration.

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Who can I contact for more information?

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How do I make a submission?

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Chief Executive Officer
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Attention: Joe Vescio
Subject: Submission – Ward Boundary Review
wardreview@ncc.nsw.gov.au

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Attention: Joe Vescio
PO Box 489
NEWCASTLE NSW 2300
Subject: Submission – Ward Boundary Review

or via the online form available at <https://www.newcastle.nsw.gov.au/YourSay>

Closing Date for Submissions

Submissions close at midnight on Thursday 10 October 2019.

**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
ADOPTION OF REVISED INVESTMENT AND BORROWING POLICY**

Item 58 - Attachment A: Revised Investment and Borrowing Policy

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Policy

Investment and Borrowing Policy

City of Newcastle

August 2019

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Part A Preliminary

1 Purpose

- 1.1 The purpose of the Policy is to provide a framework for the investing and borrowing functions of Council.
- 1.2 The Policy framework will ensure that management of Council's capital is carried out in a manner that provides due consideration to:
 - 1.2.1 Legislative requirements;
 - 1.2.2 Prudent financial management and governance principals;
 - 1.2.3 Council's strategic objectives; and
 - 1.2.4 Risk management and mitigation.

Part B Investments

2 Purpose

- 2.1 The purpose of the Investments subsection of the Policy is to provide a framework for the investment function of Council.

3 Scope

3.1 Delegation of authority

- 3.1.1 The Chief Executive Officer, Director Governance, Chief Financial Officer, Manager Corporate Finance, and Manager Business Partnering are responsible for the day-to-day management of Council's investments in accordance with this Policy, Council's Investment Strategy, the Ministerial Investment Order and section 625 of the Local Government Act 1993.
- 3.1.2 Officers' delegated authority to manage Council's investments shall be recorded and required to acknowledge they have received a copy of this Policy and understand their obligations in this role.
- 3.1.3 Any new capital contribution or withdrawal made by Council to or from a TCorpIM Growth Fund will require written authority from any two of the Council officers with delegated authority (refer 4.1.1).

3.2 Prudent Person standard

- 3.2.1 The investment portfolio will be managed with the care, diligence and skill that a Prudent Person would exercise. As trustees of public monies, officers are to manage Council's investment portfolio to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

3.3 Ethics and conflicts of interest

- 3.3.1 Delegated Officers shall refrain from decision making activities that could be perceived as being in conflict with proper management and decision making in relation to the investment portfolio.
- 3.3.2 Disclosure of any conflict of interest should be made in accordance with Council's Code of Conduct Policy.
- 3.3.3 Independent advisors are required to declare, prior to engagement or as circumstances arise, any actual or perceived conflict of interest.

4 Principles

- 4.1 To provide a framework for the investing of Council's funds at the most favourable rate of interest available to it at the time whilst having due consideration of risk and security for that investment type and ensuring that its liquidity requirements are being met.
- 4.2 While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity and the return of investment.
- 4.3 Preservation of capital is the principal objective of the investment portfolio. Investments are to be placed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.
- 4.4 Investments should be allocated to ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment.
- 4.5 Investments are expected to achieve a market average rate of return in line with Council's risk tolerance. Risk tolerance thresholds are identified within clause 7
- 4.6 Delegated Officers are to manage all the investments with a contracted term and maturity date as a hold to maturity investor. Deviation from this method of operation (ie sale of an investment prior to maturity) is permissible for either risk management purposes, to meet unforeseen liquidity requirements, or if deemed advantageous to do so.
- 4.7 All investments are to comply with the following:
 - 4.7.1 *Local Government Act 1993* (NSW) - Section 625
 - 4.7.2 *Local Government (General) Regulation 2005* (NSW)
 - 4.7.3 Prevailing Ministerial Investment Order
 - 4.7.4 Local Government Code of Accounting Practice and Financial Reporting
 - 4.7.5 Office of Local Government Investment Circulars; and
 - 4.7.6 Australian Accounting Standards.

5 Investment Types and Restrictions

5.1 Authorised investments

- 5.1.1 Investments are limited to those allowed by the most current Ministerial Investment Order that has been issued by the NSW Minister for Local Government.
- 5.1.2 When placing a new investment a minimum of three quotations are to be obtained on comparable investments. If three comparable quotations are unavailable documentary evidence must be recorded justifying how a fair market price was determined and obtained.

5.2 Prohibited investments

- 5.2.1 In accordance with the Ministerial Investment Order, this investment policy prohibits but is not limited to any investment carried out for speculative purposes including:
 - 5.2.1.1 Derivative Based Instruments. Examples: structured debt obligations, swaps, futures, options, caps, floors, collars, forwards;
 - 5.2.1.2 Principal only investments, or securities, that provide potentially nil or negative cash flow. Example: Principal Protected Notes, and
 - 5.2.1.3 Stand-alone securities issued that have underlying futures, options, forward contracts and swaps of any kind.
- 5.2.2 This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

5.3 Grandfathering

- 5.3.1 Grandfathering means a situation in which an old rule continues to apply to some existing situations, while a new rule will apply to all future situations.
- 5.3.2 In situations where compliant investments change to fall outside of either Council's Investment and Borrowing Policy and/or the prevailing Ministerial Investment Order the Delegated Officers may continue to hold to maturity (I.e. Grandfather the investment so long as Grandfathering is permitted under the Ministerial Investment Order), redeem or sell the investment. Such occurrences will be reported to the Elected Council in the monthly report.

5.4 Legal title

- 5.4.1 When entering into a financial instrument, it is required that Council clearly demonstrate the financial instrument is held in the registered name of Council.

6 Risk Management Framework

- 6.1 The Risk Management Framework mandates minimum and maximum exposure limits applicable to the daily management of CN's unconsolidated cash and investment portfolio.
- 6.2 The purpose of the Risk Management Framework is to manage CN's risk tolerance in alignment with its Investment Principles (Section 4).
- 6.3 Overarching risk management exposure limits are as per the following table:

Investment Category	Minimum Exposure	Maximum exposure
Income producing / Defensive	80%	100%
Capital Growth	0%	20%

6.4 Income producing / Defensive Category

- 6.4.1 The Income producing / Defensive category includes all interest-bearing deposits, debentures, bonds, bills of exchange, and TCorpIM Funds (mandating investment solely in the previously stated financial assets) permissible as per the prevailing Ministerial Investment Order.
- 6.4.2 Income producing /defensive financial assets tend to carry lower risk levels, and therefore generate a lower average return over the long term in comparison to Capital Growth Financial assets.
- 6.4.3 Generally, defensive assets are expected to provide returns in the form of income.
- 6.4.4 Mandated risk limits apply to this category as per the Credit and Market risk framework; and maturity risk framework.
- 6.4.5 Credit and Market risk framework
- 6.4.5.1 Credit Risk means the risk that an investor fails to receive the entire principal and/or interest associated with that investment when it falls due.
- 6.4.5.2 Market Risk means the risk of an investor experiencing losses due to factors that affect the overall performance of the financial markets.
- 6.4.5.3 To control the credit quality of the investments contained within this category the following credit framework limits apply:

Long Term Credit Rating (Standard and Poors)	Maximum exposure	Maximum exposure to any one counterparty
AAA	100%	30%
AA band or Major Banks	100%	30%
A band (and ratings below)	60%	15%
BBB+ to BBB (and below)	50%	10%
Non Rated, BBB- or below	10%	5%

6.4.5.4 New Investments are to be placed in accordance with the credit risk limits at the time of entering into the transaction.

6.4.5.5 In the event that an entity is unrated by Standard and Poor's but rated by Moody's and/or Fitch the Standard and Poor's equivalent to the lowest Fitch/Moody's credit rating is to be utilised in the above framework.

6.4.5.6 Investments in Non Rated Category ADIs are restricted to those institutions with a minimum total asset size of \$500m.

6.4.6 Maturity risk framework

6.4.6.1 The Maturity risk framework specifies the Minimum and Maximum percentages of Council's total investment portfolio that can be held within the various Term to Maturity bands.

6.4.6.2 The thresholds are established in order to manage Maturity Risk and limit Liquidity Risk, whilst also allowing for Diversification of the portfolio and recognising the need to facilitate matching of investment duration with long term liabilities

Term to Maturity	Minimum	Maximum	Minimum rating of Investment at purchase
<1 Year	25%	100%	
>1 Year	0%	70% (maximum of 30% to BBB)	BBB
>3 Years	0%	50%	BBB
>5 Years	0%	20%	AA- (or major bank)

6.5 Capital Growth Category

6.5.1 The Capital Growth category encompasses all TCorpIM Growth Funds permissible as per the prevailing Ministerial Investment Order.

6.5.2 Capital Growth financial assets are designed to grow the capital value of the asset. They tend to carry higher levels of risk with returns strongly influenced by market fluctuations and can therefore vary considerably over shorter time frames. Although Capital Growth assets carry higher levels of risk, they have the potential to deliver higher returns over longer investment time frames.

6.5.3 Should the prevailing Ministerial Investment Order be amended to permit additional Capital Growth assets they are not permissible investments to CN until explicitly specified within Annexure A – Definitions of the Policy.

6.6 Liquidity guidelines

6.6.1 Delegated Officers are to ensure that combined sufficient funds are retained within Council's general fund and high interest at call account to meet foreseen creditor payments as they fall due with a buffer for reasonable unforeseen payments.

6.7 Diversification guidelines

- 6.7.1 Delegated Officers are responsible for the continual maintenance of a well-diversified portfolio with respect to institution, term to maturity and product.
- 6.7.2 The management and monitoring of diversification is via adherence to the specified Risk management frameworks identified within this section of the Policy.

7 Environmentally and Socially Responsible Investments (SRI)

7.1 Environmental and SRI guidelines

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

7.1.1.1 The investment is compliant with legislation and Investment and Borrowing Policy objectives and parameters; and

7.1.1.2 The rate of return is at least equal to comparable investments on offer to Council at the time of investment.

7.1.2 SRI status may be in respect of the individual investment product, the issuer of the investment, or both and should be endorsed by an accredited environmentally and socially responsible industry body or institution where possible.

7.1.3 Council's criteria to an SRI are those which direct investment towards the socially and/or environmentally productive activities listed below:

Environmentally productive activities are considered to be:	Socially productive activities are considered to be:
<ul style="list-style-type: none"> • resource efficiency-especially water and energy • renewable energy • production of environmentally friendly products • recycling, and waste and emissions reduction 	<ul style="list-style-type: none"> • fair trade and provision of a living wage • human health and aged care • equal opportunity employers, and those that support the values of communities, indigenous peoples and minorities • provision of housing, especially affordable housing

7.1.4 Avoid investment in the socially and/or environmentally harmful activities listed below:

Environmentally harmful activities are considered to be:	Socially harmful activities are considered to be:
<ul style="list-style-type: none"> • production of pollutants, toxins and greenhouse gases (either in Australia or abroad) • habitat destruction, especially destruction of forests and marine eco-systems. • nuclear power • uranium mining 	<ul style="list-style-type: none"> • abuse of Human Rights and Labour Rights • involvement in bribery/corruption • production or supply of armaments • manufacture of alcohol, tobacco or gambling products

8 Investment Advisor

8.1 Investment advisor selection

- 8.1.1 Council's investment advisor must be licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the Investment and Borrowings Policy.
- 8.1.2 The investment advisor is required to provide written confirmation that they do not have any actual or potential conflicts of interest in relation to the investments that they are recommending or reviewing, including that they are not receiving any commissions or other benefits in relation to the investments being recommended or reviewed. This confirmation is required prior to entering into a contract with the advisor.

9 Measurement

9.1 Performance measurement

- 9.1.1 The Key Performance Indicator (KPI) for the Income producing / Defensive category is benchmarked at 0.50% above the 12month rolling Bloomberg AusBond Bank Bill Index or its successor or equivalent index.
- 9.1.2 Actual performance is measured using the weighted average return of the investment portfolio over a historical 12 month period. This is measured on a rolling monthly basis to coincide with monthly reporting.
- 9.1.3 The Key Performance Indicator (KPI) for the Capital Growth category is benchmarked at a rate equal to the long term performance objective, set by TCorp, for each separately identifiable TCorpIM Growth Fund. These are set at a margin above Inflation (Inflation being the Consumer Price Index (CPI)).
- 9.1.4 The returns generated on Grandfathered Investments will be regularly reviewed by an independent financial advisor by benchmarking and assessing their market value. The market value is to be assessed once a month to coincide with monthly reporting.

10 Reporting of Investments

10.1 General reporting

10.1.1 Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.

10.1.2 The documentary evidence must provide Council legal title to the investment.

10.1.3 All investments are to be appropriately recorded in Council's financial records and reconciled on at least a monthly basis.

10.2 Monthly reporting

10.2.1 Council must comply with clause 212 of the Local Government (General) Regulation 2005.

10.2.2 Clause 212 of the Regulation requires that the delegated officer:

10.2.2.1 Provide the elected council with a written report (setting out details of all money that council has invested under section 625 of the Act) to be presented in one ordinary meeting of the elected council held in the month.

10.2.2.2 Include in the report a certificate as to whether or not investments have been made in accordance with the Act, the regulations and the Council's Investment and Borrowing Policy.

10.2.2.3 The report must be made up to the last day of the month immediately preceding the meeting.

10.2.3 In addition, the monthly report will detail actual performance of the investment portfolio in comparison to budgeted interest return and KPI, and key data summarising compliance with the risk management framework outlined within this Policy.

10.3 Annual reporting

10.3.1 Certificates must be obtained from the financial institutions confirming the amounts of investments held on Council's behalf as at 30 June each year and reconciled to the Investment Register.

10.3.2 As at 30 June each year an independent financial assessment of the value of all investments classified as being available for sale is to be received.

Part C Borrowing

11 Purpose

11.1 To provide a framework and procedures for:

11.1.1 Determination and funding of Council's Annual Loan Borrowing Program;

11.1.2 Determination of an appropriate debt service level;

11.1.3 Borrowing by way of overdraft limit; and

11.1.4 Internal loans.

12 Scope

12.1 Council's external borrowing is subject to the Local Government Act 1993, the Local Government (General) Regulation 2005 and the approval of the Minister for Local Government.

13 Principles

13.1 Council commits itself to the following principles:

13.1.1 New borrowing for capital works purposes should only occur when Council deems the annual debt service expense to be affordable in the context of the annual management planning process and Council's long term financial capacity.

13.1.2 It is considered that a Debt service cover ratio of no greater than 4.0% is appropriate within current budget constraints and allows for current service levels to be maintained.

14 Process

14.1 Legislative Requirements

14.1.1 The borrowing of loan funds by Local Government authorities is regulated under Section 621-624 of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

14.1.2 Section 377 of the Local Government Act 1993 empowers only the elected Council with the power to approve the borrowing of loan funds. This function of Council cannot be delegated.

14.1.3 Council is required to advise the Chief Executive Officer, Office of Local Government, of amounts borrowed at the time loans are taken out in accordance with clause 230 of the *Local Government (General) Regulation 2005*.

14.1.4 The Minister for Local Government has issued a Ministers Borrowing Order imposing restrictions on borrowings by councils.

14.2 Annual Loan Borrowing Program

- 14.2.1 As part of the annual Operational Plan process Council shall initially determine its proposed loan borrowing program and disclose any proposed new money borrowings.
- 14.2.2 Subsequent to this approval the Council Chief Executive Officer shall negotiate and raise loan funds on the most financially attractive terms and conditions for Council.
- 14.2.3 Where there is a requirement to increase borrowings during the financial year, not included in the annual Operational Plan, council should advise TCorp by resubmitting the Borrowing Return with an additional comment on the purpose of the increased borrowings. The additional borrowings are to be resolved by Council prior to resubmitting.

14.3 Borrowing by way of Overdraft Limit

- 14.3.1 Section 622 of the Local Government Act 1993 allows Council to borrow by way of an overdraft or loan or by any other means approved by the Minister.
- 14.3.2 As at the date of Policy approval Council does not have an Overdraft facility in place nor does it have any intention to pursue one. Should the requirement for an Overdraft facility arise approval will be sought in accordance with the guidelines established within this Policy.

14.4 Internal loans

- 14.4.1 An internal loan from reserve funds is a funding option that can be considered by Council to finance projects in lieu of borrowing externally.
- 14.4.2 In accordance with Council's Reserve Funds Policy internal borrowing should only be considered where:
 - 14.4.2.1 The cash funds in reserve are not required over the period of the loan; and
 - 14.4.2.2 The rate of interest is market competitive and a disciplined repayment plan is established by agreed loan instalments.
- 14.4.3 In accordance with Section 410 of the Local Government Act 1993 money raised by special rates or charges that is not yet required for the purpose for which it was received may be lent (by way of internal loan) for use for any other purpose if, and only if, its use for that purpose is approved by the Minister. This requirement is not imposed for internal loans from any other source of funds.

Part D Policy Review

- 14.5 This Policy will be reviewed at least once a year or as required in the event of legislative changes.
- 14.6 The Policy may also be changed as a result of other amendments that are to the advantage of Council and in the spirit of this Policy.
- 14.7 Any amendment to the Policy must be by way of Council resolution.

Annexure A - Definitions

Authorised Deposit Taking Institution (ADI) means a corporation authorised under the Australian Banking Act 1959. ADIs include banks, building societies and credit unions.

CEO means Chief Executive Officer of the City of Newcastle and includes their delegate or authorised representative.

References to the Chief Executive Officer are references to the General Manager appointed under the *Local Government Act 1993* (NSW).

City of Newcastle (CN) means Newcastle City Council.

Council means the elected Council.

Debt Service cover ratio is calculated in accordance with the prevailing Local Government Code of Accounting Practice and Financial Reporting.

Delegated Officer means the officers listed at clause 4.1.1.

Derivative Based Instruments means investments whose value is derived from the performance of underlying market factors, such as interest rates, currency exchange rates, and commodity, credit and equity prices. Derivative investments include structured debt obligations, swaps, futures, options, caps, floors, collars, forwards and a various combination thereof.

Diversification means setting of limits for investing funds with ADIs and Australian Federal, State and Local Governments and any other investments permissible under the Policy.

Internal Loans refers to those monies transferred within Council to cover identified projects, where the money is to be repaid to the restricted fund from a specified source.

Investment Risk means the value of investments may go up or down - sometimes rapidly and unpredictably - which may result in a capital loss upon redemption, or a lower than expected return.

Liquidity Risk means the risk an investor is unable to redeem the investment at a fair price within a timely period.

Long Term Credit Rating means a guide or standard for an investor, which indicates the ability of a debt issuer or debt issue to meet the obligations of repayment of interest and principal over a period greater than one year.

Major Banks means ANZ, CBA, NAB and Westpac or any of their wholly owned and guaranteed subsidiary banks carrying the same credit rating as the major bank.

Maturity Risk means the risk relating to the duration of an investment. The longer the investment term to maturity, the greater the length of exposure and risk to market volatilities.

New money borrowings are broadly defined to include the entire range of financing arrangements available to Council. These include conventional loans, deferred payment arrangements, finance leases and any other forms of raising new capital funds.

Non Rated Category means an Australian Prudential Regulation Authority defined Authorised Deposit Taking Institution (ADI) that does not currently have a credit rating from a major recognised credit ratings agency (currently, Standard & Poors, Moody's or Fitch).

Prudent Person means someone who will manage the investment portfolio in a wise, skilful, diligent and careful manner. They always exercise due care in making decisions and act in moderation.

Reserve funds refers to those funds which have either an external restriction (legislative or otherwise) or an internal restriction (Council adopted resolution to hold monies for a specific purpose) governing the management and future application of these funds.

TCorp means New South Wales Treasury Corporation (as part of the New South Wales Government) and is the central financing authority for the New South Wales public sector. Its principal objective is to provide financial service for, or for the benefit of, the New South Wales Government, public authorities and other public bodies.

TCorpIM Growth Funds means both the Medium Term Growth Fund and Long Term Growth Fund which are diversified funds that invest in a blend of growth and defensive asset classes. These funds are designed for investors with longer term time horizons and are able to take additional investment risk in order to generate higher potential returns.

Unless stated otherwise, a reference to a section or clause is a reference to a section or clause of this Policy.

Annexure B - Policy Authorisations

Function	Position Number / Title
Invest funds on behalf of CN	Chief Executive Officer
Invest funds on behalf of CN	Director Governance
Invest funds on behalf of CN	Chief Financial Officer
Invest funds on behalf of CN	Manager Corporate Finance
Invest funds on behalf of CN	Manager Business Partnering

Document Control

Policy title	Investment and Borrowing Policy
Policy owner	Director Governance / Chief Financial Officer
Policy expert/writer	Treasury Accountant
Associated Procedure Title (if applicable)	N/A
Procedure owner (if applicable)	N/A
Prepared by	Finance
Approved by	Council
Date approved	To be completed by Legal
Policy approval form reference	ECM#
Commencement Date	To be completed by Legal
Next revision date (date policy will be revised)	12months from date of approval
Termination date	To be completed by Legal (one year post revision date)
Version	3
Category	Financial
Keywords	Investments, Risk Management, Interest Rates, Surplus Funds, Legislation, Cash Flow, Borrowings, Loans
Details of previous versions	Investment and Borrowing Policy (2017, ECM#5289317) Investment and Borrowing Policy (2018, ECM#6514597)
Legislative amendments	N/A
Relevant strategic direction	Open and Collaborative Leadership
Relevant strategy	List any related CN strategy
Relevant legislation/codes (reference specific sections)	Local Government Act 1993 (NSW) Local Government (General) regulation 2005 Ministerial Investment Order Ministerial Borrowing Order Local Government Code of Accounting Practice and Financial Reporting Australian Accounting Standards Division of Local Government - Investment Policy Guidelines - May 2010

Other related policies/ documents/ strategies	Code of Conduct Register of Delegations Restricted Cash Policy
Related forms	N/A
Required on website	Yes
Authorisations	Functions authorised under this Policy at Annexure B

**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
ADOPTION OF REVISED INVESTMENT AND BORROWING POLICY**

**Item 58 - Attachment B: Revised Investment and Borrowing Policy
(tracked changes)**

DISTRIBUTED UNDER SEPARATE COVER

Policy

Investment and Borrowing Policy

DRAFT

City of Newcastle

August 2019

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Part A Preliminary

1 Purpose

- 1.1 The purpose of the Policy is to provide a framework for the investing and borrowing functions of Council.
- 1.2 The Policy framework will ensure that management of Council's capital is carried out in a manner that provides due consideration to:
 - 1.2.1 Legislative requirements;
 - 1.2.2 Prudent financial management and governance principals;
 - 1.2.3 Council's strategic objectives; and
 - 1.2.4 Risk management and mitigation.

Part B Investments

2 Purpose

~~2.1~~ The purpose of the Investments subsection of the Policy is to provide a framework for the investment function of Council.

~~2.1~~

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3 Scope

3.1 Delegation of authority

3.1.1 The Chief Executive Officer, Director Governance, Chief Financial Officer, Manager Corporate Finance, ~~and Manager Business Partnering~~ are responsible for the day-to-day management of Council's investments in accordance with this Policy, Council's Investment Strategy, the Ministerial Investment Order and section 625 of the Local Government Act 1993.

3.1.2 Officers' delegated authority to manage Council's investments shall be recorded and required to acknowledge they have received a copy of this Policy and understand their obligations in this role.

3.1.3 Any new capital contribution or withdrawal made by Council to or from a TCorpIM Growth Fund will require written authority from any two of the Council officers with delegated authority (refer 4.1.1).

3.2 Prudent Person standard

3.2.1 The investment portfolio will be managed with the care, diligence and skill that a Prudent Person would exercise. As trustees of public monies, officers are to manage Council's investment portfolio to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

3.3 Ethics and conflicts of interest

3.3.1 Delegated Officers shall refrain from decision making activities that could be perceived as being in conflict with proper management and decision making in relation to the investment portfolio.

3.3.2 Disclosure of any conflict of interest should be made in accordance with Council's Code of Conduct Policy.

~~3.3.3~~ Independent advisors are required to declare, prior to engagement or as circumstances arise, any actual or perceived conflict of interest.

~~3.3.3~~

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4 Principles

- 4.1 To provide a framework for the investing of Council's funds at the most favourable rate of interest available to it at the time whilst having due consideration of risk and security for that investment type and ensuring that its liquidity requirements are being met.
- 4.2 While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity and the return of investment.
- 4.3 Preservation of capital is the principal objective of the investment portfolio. Investments are to be placed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.
- 4.4 Investments should be allocated to ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment.
- 4.5 Investments are expected to achieve a market average rate of return in line with Council's risk tolerance. Risk tolerance thresholds are identified within clause 7
- 4.6 Delegated Officers are to manage all the investments with a contracted term and maturity date as a hold to maturity investor. Deviation from this method of operation (ie sale of an investment prior to maturity) is permissible for either risk management purposes, to meet unforeseen liquidity requirements, or if deemed advantageous to do so.
- 4.7 All investments are to comply with the following:
 - 4.7.1 *Local Government Act 1993* (NSW) - Section 625
 - 4.7.2 *Local Government (General) Regulation 2005* (NSW)
 - 4.7.3 Prevailing Ministerial Investment Order
 - 4.7.4 Local Government Code of Accounting Practice and Financial Reporting
 - 4.7.5 Office of Local Government Investment Circulars; and
 - ~~4.7.6 Australian Accounting Standards.~~

4.7.6

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5 Investment Types and Restrictions

5

5.1 Authorised investments

5.1.1 Investments are limited to those allowed by the most current Ministerial Investment Order that has been issued by the NSW Minister for Local Government.

~~5.1.2~~ When placing a new investment a minimum of three quotations are to be obtained on comparable investments. If three comparable quotations are unavailable documentary evidence must be recorded justifying how a fair market price was determined and obtained.

~~5.1.2~~

5.2 Prohibited investments

5.2.1 In accordance with the Ministerial Investment Order, this investment policy prohibits but is not limited to any investment carried out for speculative purposes including:

- 5.2.1.1 Derivative Based Instruments. Examples: structured debt obligations, swaps, futures, options, caps, floors, collars, forwards;
- 5.2.1.2 Principal only investments, or securities, that provide potentially nil or negative cash flow. Example: Principal Protected Notes, and
- 5.2.1.3 Stand-alone securities issued that have underlying futures, options, forward contracts and swaps of any kind.

~~5.2.2~~ This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

~~5.2.2~~

5.3 Grandfathering

5.3.1 Grandfathering means a situation in which an old rule continues to apply to some existing situations, while a new rule will apply to all future situations.

~~5.3.2~~ In situations where compliant investments change to fall outside of either Council's Investment and Borrowing Policy and/or the prevailing Ministerial Investment Order the Delegated Officers may continue to hold to maturity (i.e. Grandfather the investment so long as Grandfathering is permitted under the Ministerial Investment Order), redeem or sell the investment. Such occurrences will be reported to the Elected Council in the monthly report.

~~5.3.2~~

5.4 Legal title

~~5.4.1~~ When entering into a financial instrument, it is required that Council clearly demonstrate the financial instrument is held in the registered name of Council.

~~5.4.1~~

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6 Risk Management Framework

6.1 The Risk Management Framework mandates minimum and maximum exposure limits applicable to the daily management of CN's unconsolidated cash and investment portfolio.

6.2 The purpose of the Risk Management Framework is to manage CN's risk tolerance in alignment with its Investment Principles (Section 4).

6.3 Overarching risk management exposure limits are as per the following table:

<u>Investment Category</u>	<u>Minimum Exposure</u>	<u>Maximum exposure</u>
<u>Income producing / Defensive</u>	<u>80%</u>	<u>100%</u>
<u>Capital Growth</u>	<u>0%</u>	<u>20%</u>

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6.4 Income producing / Defensive Category

6.4.1 The Income producing / Defensive category includes all interest-bearing deposits, debentures, bonds, bills of exchange, and TCorpIM Funds (mandating investment solely in the previously stated financial assets) permissible as per the prevailing Ministerial Investment Order.

6.4.2 Income producing /defensive financial assets tend to carry lower risk levels, and therefore generate a lower average return over the long term in comparison to Capital Growth Financial assets.

6.4.3 Generally, defensive assets are expected to provide returns in the form of income.

6.4.4 Mandated risk limits apply to this category as per the Credit and Market risk framework; and maturity risk framework.

6.4.4.5 Credit and Market risk framework

~~6.4.16.4.5.1~~ Credit Risk means the risk that an investor fails to receive the entire principal and/or interest associated with that investment when it falls due.

~~6.4.26.4.5.2~~ Market Risk means the risk of an investor experiencing losses due to factors that affect the overall performance of the financial markets.

~~6.4.5.3~~ To control the credit quality of the ~~entire portfolio and exposure to individual investments contained within this category ADIs, Commonwealth, State of the Commonwealth or Territory or Commonwealth council~~ the following credit framework limits apply:

~~6.1.3~~

<u>Long Term Credit Rating (Standard and Poors)</u>	<u>Maximum exposure of entire portfolio</u>	<u>Maximum exposure to any one counterparty institution</u>
<u>AAA</u>	<u>100%</u>	<u>30%</u>
<u>AA band+ to AA- or Major Banks</u>	<u>100%</u>	<u>30%</u>
<u>A + to A-band (and ratings below)</u>	<u>60%</u>	<u>15%</u>
<u>BBB+ to BBB (and ratings below)</u>	<u>50%</u>	<u>10%</u>

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Non Rated Category and BBB rated or below	10%	5%
Government	100%	100%

~~6.1.46.4.5.4~~ New Investments are to be placed in accordance with the credit risk limits at the time of entering into the transaction.

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~~6.1.56.4.5.5~~ In the event that an entity is unrated by Standard and Poor's but rated by Moody's and/or Fitch the Standard and Poor's equivalent to the lowest Fitch/Moody's credit rating is to be utilised in the above framework.

~~6.4.5.6~~ Investments in Non Rated Category ADIs are restricted to those institutions with a minimum total asset size of \$500m.

~~6.1.6~~

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~~6.1.7~~ In addition to the credit framework limits, a separate limit applicable to TCorpIM Growth Funds will also apply:

Investment class	Maximum exposure of the entire portfolio	Maximum exposure to any one institution
TCorpIM Growth Funds	20%	n/a

~~6.1.8~~ The TCorpIM Growth Fund limits are to be considered completely separate to the credit framework limits disclosed in 7.1.3.

~~6.26.4.6~~ Maturity risk framework

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~~6.2.16.4.6.1~~ The Maturity risk framework specifies the Minimum and Maximum percentages of Council's total investment portfolio that can be held within the various Term to Maturity bands.

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~~6.2.26.4.6.2~~ The thresholds are established in order to manage Maturity Risk and limit Liquidity Risk, whilst also allowing for Diversification of the portfolio and recognising the need to facilitate matching of investment duration with long term liabilities

Term to Maturity	Minimum	Maximum	Minimum rating of Investment at purchase
<1 Year	25 30%	100%	
>1 Year	0%	70% (maximum of 30% to BBB)	BBB
>3 Years	0%	50%	BBB
>5 Years	0%	20%	AA- (or major bank) and TCorpIM Growth Funds

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~~6.5~~ Capital Growth Category

~~6.5.1~~ The Capital Growth category encompasses all TCorpIM Growth Funds permissible as per the prevailing Ministerial Investment Order.

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6.5.2 Capital Growth financial assets are designed to grow the capital value of the asset. They tend to carry higher levels of risk with returns strongly influenced by market fluctuations and can therefore vary considerably over shorter time frames. Although Capital Growth assets carry higher levels of risk, they have the potential to deliver higher returns over longer investment time frames.

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6.5.3 Should the prevailing Ministerial Investment Order be amended to permit additional Capital Growth assets they are not permissible investments to CN until explicitly specified within Annexure A – Definitions of the Policy.

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6.36.6 Liquidity guidelines

6.6.1 Delegated Officers are to ensure that combined sufficient funds are retained within Council's general fund and high interest at call account to meet foreseen creditor payments as they fall due with a buffer for reasonable unforeseen payments.

6.3.1

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6.46.7 Diversification guidelines

6.4.16.7.1 Delegated Officers are responsible for the continual maintenance of a well-diversified portfolio with respect to institution, term to maturity and product.

6.4.26.7.2 The management and monitoring of diversification is via adherence to the specified ~~credit risk limits (7.1.3) and term to maturity limits (7.2.2).~~ Risk management frameworks identified within this section of the Policy.

7 Environmentally and Socially Responsible Investments (SRI)

7

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7.1 Environmental and SRI guidelines

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

7.1.1.1 The investment is compliant with legislation and Investment and Borrowing Policy objectives and parameters; and

7.1.1.2 The rate of return is at least equal to comparable investments on offer to Council at the time of investment.

7.1.2 SRI status may be in respect of the individual investment product, the issuer of the investment, or both and should be endorsed by an accredited environmentally and socially responsible industry body or institution where possible.

7.1.3 Council's criteria to an SRI are those which direct investment towards the socially and/or environmentally productive activities listed below:

Environmentally productive activities are considered to be:	Socially productive activities are considered to be:
<ul style="list-style-type: none"> resource efficiency-especially water and energy renewable energy production of environmentally friendly products recycling, and waste and emissions reduction 	<ul style="list-style-type: none"> fair trade and provision of a living wage human health and aged care equal opportunity employers, and those that support the values of communities, indigenous peoples and minorities provision of housing, especially affordable housing

7.1.4 Avoid investment in the socially and/or environmentally harmful activities listed below:

Environmentally harmful activities are considered to be:	Socially harmful activities are considered to be:
<ul style="list-style-type: none"> production of pollutants, toxins and greenhouse gases (either in Australia or abroad) habitat destruction, especially destruction of forests and marine eco-systems. nuclear power uranium mining 	<ul style="list-style-type: none"> abuse of Human Rights and Labour Rights involvement in bribery/corruption production or supply of armaments manufacture of alcohol, tobacco or gambling products

8 Investment Advisor

8

8.1 Investment advisor selection

- 8.1.1 Council's investment advisor must be licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the Investment and Borrowings Policy.
- 8.1.2 The investment advisor is required to provide written confirmation that they do not have any actual or potential conflicts of interest in relation to the investments that they are recommending or reviewing, including that they are not receiving any commissions or other benefits in relation to the investments being recommended or reviewed. This confirmation is required prior to entering into a contract with the advisor.

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9 Measurement

9

9.1 Performance measurement

- 9.1.1 The Key Performance Indicator (KPI) for ~~the income on~~ Income producing / Defensive category investments is benchmarked at 0.50% above the 12month rolling Bloomberg AusBond Bank Bill Index or its successor or equivalent index.

9.1.2 Actual performance is measured using the weighted average return of the investment portfolio over a historical 12 month period. This is measured on a rolling monthly basis to coincide with monthly reporting.

~~9.1.29.1.3~~ The Key Performance Indicator (KPI) for the Capital Growth category is benchmarked at a rate equal to the long term performance objective, set by TCorp, for each separately identifiable TCorpIM Growth Fund. These are set at a margin above Inflation (Inflation being the Consumer Price Index (CPI)).

~~9.1.39.1.4~~ The returns generated on Grandfathered Investments will be regularly reviewed by an independent financial advisor by benchmarking and assessing their market value. The market value is to be assessed once a month to coincide with monthly reporting.

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10 Reporting of Investments

10

10.1 General reporting

10.1.1 Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.

10.1.2 The documentary evidence must provide Council legal title to the investment.

10.1.3 All investments are to be appropriately recorded in Council's financial records and reconciled on at least a monthly basis.

10.1.3

10.2 Monthly reporting

10.2.1 Council must comply with clause 212 of the Local Government (General) Regulation 2005.

10.2.2 Clause 212 of the Regulation requires that the delegated officer:

10.2.2.1 Provide the elected council with a written report (setting out details of all money that council has invested under section 625 of the Act) to be presented in one ordinary meeting of the elected council held in the month.

10.2.2.2 Include in the report a certificate as to whether or not investments have been made in accordance with the Act, the regulations and the Council's Investment and Borrowing Policy.

10.2.2.3 The report must be made up to the last day of the month immediately preceding the meeting.

10.2.3 In addition, the monthly report will detail actual performance of the investment portfolio in comparison to budgeted interest return and KPI, and ~~percentage exposure against those limits outlined within this Policy~~ key data summarising compliance with the risk management framework outlined within this Policy.

10.2.3

10.3 Annual reporting

10.3.1 Certificates must be obtained from the financial institutions confirming the amounts of investments held on Council's behalf as at 30 June each year and reconciled to the Investment Register.

10.3.2 As at 30 June each year an independent financial assessment of the value of all investments classified as being available for sale is to be received.

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Part C Borrowing

11 Purpose

- 11.1 To provide a framework and procedures for:
- 11.1.1 Determination and funding of Council's Annual Loan Borrowing Program;
 - 11.1.2 Determination of an appropriate debt service level;
 - 11.1.3 Borrowing by way of overdraft limit; and
 - 11.1.4 Internal loans.

12 Scope

- 12.1 Council's external borrowing is subject to the Local Government Act 1993, the Local Government (General) Regulation 2005 and the approval of the Minister for Local Government.

13 Principles

- 13.1 Council commits itself to the following principles:
- 13.1.1 New borrowing for capital works purposes should only occur when Council deems the annual debt service expense to be affordable in the context of the annual management planning process and Council's long term financial capacity.
 - 13.1.2 It is considered that a Debt service cover ratio of no greater than 4.0% is appropriate within current budget constraints and allows for current service levels to be maintained.

14 Process

14

14.1 Legislative Requirements

- 14.1.1 The borrowing of loan funds by Local Government authorities is regulated under Section 621-624 of the Local Government Act 1993 and the Local Government (General) Regulation 2005.
- 14.1.2 Section 377 of the Local Government Act 1993 empowers only the elected Council with the power to approve the borrowing of loan funds. This function of Council cannot be delegated.
- 14.1.3 Council is required to advise the Chief Executive Officer, Office of Local Government, of amounts borrowed at the time loans are taken out in accordance with clause 230 of the *Local Government (General) Regulation 2005*.
- 14.1.4 The Minister for Local Government has issued a Ministers Borrowing Order imposing restrictions on borrowings by councils.

~~14.1.4~~

[Policy name]-Investment and Borrowing Policy
Version #3 Effective 27XX MonthAugust Year2019

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14.2 Annual Loan Borrowing Program

- 14.2.1 As part of the annual Operational Plan process Council shall initially determine its proposed loan borrowing program and disclose any proposed new money borrowings.
- 14.2.2 Subsequent to this approval the Council Chief Executive Officer shall negotiate and raise loan funds on the most financially attractive terms and conditions for Council.

14.2.3 Where there is a requirement to increase borrowings during the financial year, not included in the annual Operational Plan, council should advise TCorp by resubmitting the Borrowing Return with an additional comment on the purpose of the increased borrowings. The additional borrowings are to be resolved by Council prior to resubmitting.

~~14.2.3~~

14.3 Borrowing by way of Overdraft Limit

- 14.3.1 Section 622 of the Local Government Act 1993 allows Council to borrow by way of an overdraft or loan or by any other means approved by the Minister.

14.3.2 As at the date of Policy approval Council does not have an Overdraft facility in place nor does it have any intention to pursue one. Should the requirement for an Overdraft facility arise approval will be sought in accordance with the guidelines established within this Policy.

~~14.3.2~~

14.4 Internal loans

- 14.4.1 An internal loan from reserve funds is a funding option that can be considered by Council to finance projects in lieu of borrowing externally.
- 14.4.2 In accordance with Council's Reserve Funds Policy internal borrowing should only be considered where:
 - 14.4.2.1 The cash funds in reserve are not required over the period of the loan; and
 - 14.4.2.2 The rate of interest is market competitive and a disciplined repayment plan is established by agreed loan instalments.
- 14.4.3 In accordance with Section 410 of the Local Government Act 1993 money raised by special rates or charges that is not yet required for the purpose for which it was received may be lent (by way of internal loan) for use for any other purpose if, and only if, its use for that purpose is approved by the Minister. This requirement is not imposed for internal loans from any other source of funds.

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Part D Policy Review

- 14.5 This Policy will be reviewed at least once a year or as required in the event of legislative changes.
- 14.6 The Policy may also be changed as a result of other amendments that are to the advantage of Council and in the spirit of this Policy.
- 14.7 Any amendment to the Policy must be by way of Council resolution.

Annexure A - Definitions

Authorised Deposit Taking Institution (ADI) means a corporation authorised under the Australian Banking Act 1959. ADIs include banks, building societies and credit unions.

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CEO means Chief Executive Officer of the City of Newcastle and includes their delegate or authorised representative.

References to the Chief Executive Officer are references to the General Manager appointed under the *Local Government Act 1993* (NSW).

City of Newcastle (CN) means Newcastle City Council.

Council means the elected Council.

Debt Service cover ratio is calculated in accordance with the prevailing Local Government Code of Accounting Practice and Financial Reporting.

Delegated Officer means the officers listed at clause 4.1.1.

Derivative Based Instruments means investments whose value is derived from the performance of underlying market factors, such as interest rates, currency exchange rates, and commodity, credit and equity prices. Derivative investments include structured debt obligations, swaps, futures, options, caps, floors, collars, forwards and a various combination thereof.

Diversification means setting of limits for investing funds with ADIs and Australian Federal, State and Local Governments and any other investments permissible under the Policy.

Internal Loans refers to those monies transferred within Council to cover identified projects, where the money is to be repaid to the restricted fund from a specified source.

Investment Risk means the value of investments may go up or down - sometimes rapidly and unpredictably - which may result in a capital loss upon redemption, or a lower than expected return.

Liquidity Risk means the risk an investor is unable to redeem the investment at a fair price within a timely period.

Long Term Credit Rating means a guide or standard for an investor, which indicates the ability of a debt issuer or debt issue to meet the obligations of repayment of interest and principal over a period greater than one year.

Major Banks means ANZ, CBA, NAB and Westpac or any of their wholly owned and guaranteed subsidiary banks carrying the same credit rating as the major bank.

Maturity Risk means the risk relating to the duration of an investment. The longer the investment term to maturity, the greater the length of exposure and risk to market volatilities.

New money borrowings are broadly defined to include the entire range of financing arrangements available to Council. These include conventional loans, deferred payment arrangements, finance leases and any other forms of raising new capital funds.

Non Rated Category means an Australian Prudential Regulation Authority defined Authorised Deposit Taking Institution (ADI) that does not currently have a credit rating from a major recognised credit ratings agency (currently, Standard & Poors, Moody's or Fitch).

Prudent Person means someone who will manage the investment portfolio in a wise, skilful, diligent and careful manner. They always exercise due care in making decisions and act in moderation.

Reserve funds refers to those funds which have either an external restriction (legislative or otherwise) or an internal restriction (Council adopted resolution to hold monies for a specific purpose) governing the management and future application of these funds.

TCorp means New South Wales Treasury Corporation (as part of the New South Wales Government) and is the central financing authority for the New South Wales public sector. Its principal objective is to provide financial service for, or for the benefit of, the New South Wales Government, public authorities and other public bodies.

TCorpIM Growth Funds means both the Medium Term Growth Fund and Long Term Growth Fund which are diversified funds that invest in a blend of growth and defensive asset classes. These funds are designed for investors with longer term time horizons and are able to take additional investment risk in order to generate higher potential returns.

Unless stated otherwise, a reference to a section or clause is a reference to a section or clause of this Policy.

Annexure B - Policy Authorisations

Function	Position Number / Title
Invest funds on behalf of CN	Chief Executive Officer
Invest funds on behalf of CN	Director Governance
Invest funds on behalf of CN	Chief Financial Officer
Invest funds on behalf of CN	Manager Corporate Finance
Invest funds on behalf of CN	Manager Business Partnering

Document Control

Policy title	Investment and Borrowing Policy
Policy owner	Director Governance / Chief Financial Officer
Policy expert/writer	Treasury Accountant
Associated Procedure Title (if applicable)	N/A
Procedure owner (if applicable)	N/A
Prepared by	Finance
Approved by	Council
Date approved	To be completed by Legal
Policy approval form reference	ECM#
Commencement Date	To be completed by Legal
Next revision date (date policy will be revised)	12months from date of approval
Termination date	To be completed by Legal (one year post revision date)
Version	3
Category	Financial
Keywords	Investments, Risk Management, Interest Rates, Surplus Funds, Legislation, Cash Flow, Borrowings, Loans
Details of previous versions	Investment and Borrowing Policy (2017, ECM#5289317) Investment and Borrowing Policy (2018, ECM#6514597)
Legislative amendments	N/A
Relevant strategic direction	Open and Collaborative Leadership
Relevant strategy	List any related CN strategy
Relevant legislation/codes (reference specific sections)	Local Government Act 1993 (NSW) Local Government (General) regulation 2005 Ministerial Investment Order Ministerial Borrowing Order Local Government Code of Accounting Practice and Financial Reporting Australian Accounting Standards Division of Local Government - Investment Policy Guidelines - May 2010

Other related policies/ documents/ strategies	Code of Conduct Register of Delegations Restricted Cash Policy
Related forms	N/A
Required on website	Yes
Authorisations	Functions authorised under this Policy at Annexure B

**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
ADOPTION OF PUBLIC VOICE AND PUBLIC BRIEFING POLICY**

Item 60 - Attachment A: Revised Public Voice and Public Briefing Policy

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Public Voice and Public Briefing Policy

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Part A Preliminary

1 Purpose

- 1.1 The purpose of the Policy is to provide a framework to allow members of the public to address the Council on issues relevant to City of Newcastle's (CN) functions.
- 1.2 The Council does not make decisions at Public Voice or Public Briefing sessions. The sessions are an opportunity for discussion only.

2 Scope

- 2.1 The Policy applies to all Public Voice or Public Briefing sessions.

3 Principles

- 3.1 City of Newcastle (CN) commits itself to the following:
 - 3.1.1 **Accountability and transparency** - The Policy enables members of the public to bring before the Council issues of a general, strategic or policy nature relevant to CN's functions, facilities or services
 - 3.1.2 **Alignment with Council strategies** - The Policy aligns with Council priorities outlined in the Open and Transparent Governance Strategy.
 - 3.1.3 **Openness** – The Policy enables members of the public to communicate opinions or concerns directly to Councillors by way of an address to the Council in open session

Part B Public Voice sessions

4 What are Public Voice sessions?

- 4.1 Public Voice sessions provide an opportunity for members of the public to make presentations to the Council on:
- 4.1.1 significant issues relevant to CN's functions, facilities or services under the *Local Government Act 1993* (NSW); or
 - 4.1.2 Development Applications (DAs) that are to be determined by CN's Development Applications Committee at a future meeting.

5 Procedure for applying for Public Voice (significant issues) session and assessment criteria

5.1 Frequency of sessions
Once per month (when scheduled) or in accordance with Council's adopted meeting cycle.
5.2 Lodging an application
Applications are to be submitted on the approved Public Voice/Public Briefing Application Form (available on CN's website) with all sections of the form being completed. Incomplete forms will not be processed.
5.3 Criteria for assessing applications
Applications about significant issues will be assessed against the following criteria: <ul style="list-style-type: none">5.3.1 The application relates to an aspect of CN's functions, facilities or services; and5.3.2 The application does not relate to a DA; and5.3.3 The applicant has previously raised the matter with the relevant area of CN or Ward Councillor (details will be required of this and are to be attached to the application form – for example, copy of the response provided); and5.3.4 The applicant has not presented the matter to a Public Voice session in the past two years or the application does not relate to the same subject matter of a Public Voice application that has been refused by CN in the past two years, unless the CEO determines the matter has significantly changed or the Council request by resolution a Public Voice session; and5.3.5 The application does not request a decision or commitment of Council (such an issue would need to go before a Council Meeting); and5.3.6 The matter is not vexatious, defamatory, an abuse of process or outside the scope of CN.
5.4 Assessment of applications
The relevant Service Unit Manager/Director, in consultation with the CEO and Manager Legal, will assess and determine applications against the criteria set out in clause 5.3.

5.5 Notice to applicants
5.5.1 Applications will be acknowledged within 2 business days of receipt.
5.5.2 Within 28 business days of receiving an application, CN will advise the applicant: <ul style="list-style-type: none"> i) if the application is successful and associated details relating to the scheduling of a Public Voice session (subject to timing considerations in section 7); or ii) if the application is unsuccessful with reasons (taking into account the criteria set out in section 5.3).

6 Procedure for applying for Public Voice (DA) session and assessment criteria

6.1. Frequency of sessions
Once per month (when scheduled) or in accordance with Council's adopted meeting cycle.
6.2. Availability
Sessions will be offered where a matter is to be determined by the Development Applications Committee on the basis of: <ul style="list-style-type: none"> 6.2.1 25 or more Individual Written Objections were received during the DA notification period; or 6.2.2 Two or more Councillors call the matter to a Public Voice session.
6.3 Invitation to submit application
When a session is to be offered in accordance with clause 6.2, an invitation to submit an application will be made to any person who submitted an Individual Written Objection.
6.4 Assessment of applications
6.4.1 Applications will be registered in the order they are received.
6.4.2 The first two applicants will be invited to address the Public Voice (DA) session.
6.4.3 If no applications are received by the deadline provided in the invitation, the Public Voice (DA) session will not proceed.
6.5 Invitation to DA applicant
Once it is confirmed that a session will proceed, the DA applicant will also be invited to address Council.
6.6 Notice to applicants
6.6.1 Sessions are normally scheduled to occur at least one month prior (generally the third Tuesday of the month) to the DA being scheduled for determination by CN's Development Applications Committee.
6.6.2 Notice to applicants will be provided as soon as possible after applications are received and assessed in accordance with clause 6.4.
6.6.3 Confirmation of the arrangements for the Public Voice (DA) session will be provided at least 7 days in advance of the scheduled meeting including an invitation to submit presentations or supporting materials in advance of the meeting. Supporting material must be provided by close of business the day prior to the scheduled session.

7 Conduct of Public Voice sessions (significant issues and DA)

- 7.1 Prior to a Public Voice Session, Councillors are be provided with a report outlining the key issues of the session. The report will also be made available to the public in advance on the Council meeting.
- 7.2 For Public Voice (DA sessions), where the DA is to be determined by the Development Applications Committee, Councillors are provided with a report making a recommendation on determination of the DA which will include a summary of the submissions made at a Public Voice session. The report will also be made available to the public in advance on the Council meeting.
- 7.3 Sessions are 30 minutes in duration, subject to the discretion of the Chairperson and are conducted as a Committee of the Whole in accordance with the Code of Meeting Practice.
- 7.4 A maximum of four sessions will be scheduled for each Public Voice Committee meeting.
- 7.5 Each session is limited to:
 - 7.5.1 two speakers for an issue (10 minutes in total);
 - 7.5.2 two speakers against an issue (10 minutes in total); and
 - 7.5.3 questions from Councillors (10 minutes in total).
- 7.6 In respect of a Public Voice (DA) session, objectors to a DA proposal will speak first.
- 7.7 Speakers are to confine their address to Council to the matters identified in their application.
- 7.8 Councillors will receive an Agenda and Business Papers in connection with the Public Voice session in advance of the meeting. The Business Papers are available to members of the public on CN's website.
- 7.9 The Chairperson may direct a speaker to cease their address if the speaker does not conduct themselves in accordance with this Policy or the Code of Meeting Practice.
- 7.10 Speakers should not attempt to provide additional supporting material to Councillors immediately before, or during, a Public Voice session. Supporting material must be provided by close of business the day prior to the scheduled session.
- 7.11 Sessions are webcast and open to the public. As such speakers should not:
 - 7.11.1 make personal reflections on any person; or
 - 7.11.2 make statements that may cause offence or be defamatory or insulting.
- 7.12 The minutes of the Public Voice session are a summary record of the session. The minutes are available to members of the public on CN's website following the meeting.

8 Alternatives to a Public Voice session

- 8.1 As an alternative to applying for Public Voice, members of the public are encouraged to communicate or raise issues with CN by:
 - 8.1.1 submitting a Customer Service Request;
 - 8.1.2 engaging with CN through DA assessment, public exhibitions, events and activities; or
 - 8.1.3 writing to Councillors directly using the contact details available on the CN website.

Part C Public Briefing sessions

9 What are Public Briefing sessions?

- 9.1 Public Briefing sessions provide an opportunity for members of the public to make short presentations relating to significant issues of a general, strategic or policy nature including in relation to planning proposals relevant to CN's functions, facilities or services.

10 Procedure for applying for Public Briefing session and assessment criteria

10.1 Frequency of sessions
Once per month (when scheduled) or in accordance with Council's adopted meeting cycle.
10.2 Lodging a Public Briefing application
10.2.1 Applications are to be submitted on the approved Public Voice/Public Briefing Application Form (available on CN's website) with all sections of the form being completed. Incomplete forms will not be processed. 10.2.2 Public Briefings may also be scheduled at the direction of the CEO or by resolution of Council.
10.3 Criteria for assessing Public Briefing applications
Public Briefing applications will be assessed against the following criteria: 10.3.1 the application relates to an aspect of CN's functions, facilities or services; 10.3.2 the application does not relate to DAs; 10.3.3 the applicant has not presented on the issue to a Public Briefing session in the past two years or the application does not relate to the same subject matter of a Public Briefing application that has been refused by CN in the past two years, unless the CEO determines the matter has significantly changed or the Council request a Public Briefing session; 10.3.4 the application does not request a decision or commitment of Council (such an issue would need to go before a Council Meeting); and 10.3.5 the matter is not vexatious, defamatory, an abuse of process or outside the scope of CN.
10.4 Assessment of applications
The relevant Service Unit Manager/Director, in consultation with the CEO and Manager Legal, will assess and determine applications against the criteria in clause 10.3.
10.5 Notice to applicants
10.5.1 Public Briefing applications will be acknowledged within 2 business days of receipt. 10.5.2 Within 28 business days of receiving an application for a Public Briefing session, CN will advise the applicant: i) if the application is successful and associated details to the scheduling a Public Briefing session (subject to timing considerations in clause 10.6) and advise the applicant of the details; or ii) if the application is unsuccessful with reasons (taking into account the criteria set out in clause 10.3).

11 Conduct of Public Briefing sessions

- 11.1 Sessions are 30 minutes in duration, subject to the discretion of the Chairperson and are conducted in accordance with the Code of Meeting Practice.
- 11.2 A maximum of two sessions will be scheduled for each Briefing Committee meeting.
- 11.3 Each session is limited to:
 - 11.3.1 two speakers on an issue (20 minutes in total); and
 - 11.3.2 questions from Councillors (10 minutes in total).
- 11.4 Speakers are to confine their address to Council to the matters identified in their application.
- 11.5 Councillors will receive an Agenda and Business Papers in connection with the Briefing session in advance of the meeting. The Business Papers are available to members of the public on CN's website.
- 11.6 The Chairperson may direct a speaker to cease their address if the speaker does not conduct themselves in accordance with this Policy or the Code of Meeting Practice.
- 11.7 Speakers should not attempt to provide additional supporting material to Councillors immediately before, or during, a Briefing session. Supporting material must be provided by close of business the day prior to the scheduled session.
- 11.8 Sessions are webcast and open to the public. As such speakers should not:
 - 11.8.1 make personal reflections on any person; or
 - 11.8.2 make statements that may cause offence or be defamatory or insulting.
- 11.9 The minutes of the Briefing session are a summary record of the session. The minutes are available to members of the public on CN's website following the meeting

Annexure A - Definitions

Application means a request submitted on the approved Public Voice/Public Briefing Application Form (available on CN's website).

CEO means Chief Executive Officer of the City of Newcastle and includes their delegate or authorised representative.

References to the Chief Executive Officer are references to the General Manager appointed under the *Local Government Act 1993* (NSW).

Chairperson means the Lord Mayor, or Councillor, chairing the Public Voice Committee or Briefing Committee meeting.

City of Newcastle means Newcastle City Council.

CN means City of Newcastle.

Council means the elected Council.

Individual Written Objection means a written submission opposing a Development Application emanating from an individual household submitted during the DA public notification period. For clarity, more than written objection received from the same individual household will be counted collectively as one objection.

Annexure B - Policy Authorisations

Function	Position Number / Title
Assess and determine, in consultation with the CEO and Manager Legal, applications for a Public Voice or Public Briefing session against the criteria of the Policy.	Service Unit Managers/Directors

Document Control

Policy title	Public Voice and Public Briefing Policy
Policy owner	Director Governance / Manager Legal
Policy expert/writer	Legal and Governance Officer
Associated procedure Title	Nil
Procedure owner (if applicable)	Nil
Prepared by	Legal
Approved by	Council
Date approved	TBA
Policy approval form reference	TBA
Commencement Date	TBA
Next revision date (date policy will be revised)	September 2021
Termination date	September 2022
Version	Three
Category	Council
Keywords	Briefing, Council, Public Voice, Information, Session, Public
Details of previous versions	Public Voice and Public Briefing Policy - ECM# 5689365
Legislative amendments	Nil
Relevant strategic direction	Open and Collaborative Leadership
Relevant strategy	Open and Transparent Governance Strategy
Relevant legislation/codes (reference specific sections)	NIL - this provides for public participation above the requirements of the <i>Local Government Act 1993</i> and the Model Code of Meeting Practice
Other related policies/documents/strategies	Code of Meeting Practice Code of Conduct Public Voice/Public Briefing Information Sheet
Related forms	Public Voice/Public Briefing Application Form
Required on website	Yes
Authorisations	Functions authorised under this policy at Annexure B.

**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
ADOPTION OF PUBLIC VOICE AND PUBLIC BRIEFING POLICY**

**Item 60 - Attachment B: Revised Public Voice and Public Briefing Policy
(tracked changes)**

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Public Voice and Public Briefing Policy

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Part A Preliminary

1 Purpose

- 1.1 The purpose of the Policy is to provide a framework to allow members of the public to address the Council on issues relevant to City of Newcastle's (CN) functions.
- 1.2 The Council does not make decisions at Public Voice or Public Briefing sessions. The sessions are an opportunity for discussion only.

2 Scope

- 2.1 The Policy applies to all ~~applications for a~~ Public Voice or Public Briefing sessions.

3 Principles

~~CN commits itself to the following principles:~~

- ~~3.1 Establishing a framework whereby members of the public may communicate opinions or concerns directly to Councillors by way of an address to the Council in open session; and~~
- ~~3.1 Enabling members of the public to bring before the Council significant issues of a general, strategic or policy nature relevant to CN's functions, facilities or services.~~

3.1 City of Newcastle (CN) commits itself to the following:

3.1.1 **Accountability and transparency** - The Policy enables members of the public to bring before the Council issues of a general, strategic or policy nature relevant to CN's functions, facilities or services

3.1.2 **Alignment with Council strategies** - The Policy aligns with Council priorities outlined in the Open and Transparent Governance Strategy.

3.1.3 **Openness** – The Policy enables members of the public to communicate opinions or concerns directly to Councillors by way of an address to the Council in open session

Comment [A1]: This section has been amended for greater consistency with CN's other policies.

4 Responsibilities

~~4.1 Legal Service Unit~~

~~4.1.1 Assess, in consultation with the relevant Service Unit Managers/Directors and CEO, applications for a Public Voice or Public Briefing session against the criteria of the Policy.~~

~~4.1.2 Communicate with Public Voice or Public Briefing applicants regarding sessions and make arrangements in accordance with standard meeting procedures.~~

~~4.2 Service Unit Managers/Directors~~

~~4.2.1.4A
Assess and determine, in consultation with the CEO and Manager Legal, applications for a Public Voice or Public Briefing session against the criteria of the Policy.~~

Comment [A2]: This paragraph is moved to Annexure B in line with Council's updated policy template.

This is not a substantial change to how the Policy will operate in practice.

Part B Public Voice sessions

54 What are Public Voice sessions?

5.14.1 Public Voice sessions provide an opportunity for members of the public to make presentations to the Council on:

~~4.1.1 significant issues relevant to CN's functions, facilities or services under the Local Government Act 1993 (NSW); or~~

~~5.1.14.1.2
Development Applications (DAs) that are to be determined by CN's Development Applications Committee at a future meeting; or~~

~~5.1.24.1.3
planning matters, including planning proposals, that are subject to determination by the Council; or~~

~~5.1.3 significant issues relevant to CN's functions, facilities or services under the Local Government Act 1993 (NSW).~~

Comment [A3]: Re-ordering of this clause is suggested to provide consistency through the policy.

This is not a substantial change to how the Policy will operate in practice.

65 Procedure for applying for Public Voice (significant issues) session and assessment criteria

Comment [A4]: Significant issues and DA sessions have been separated into separate parts to provide greater clarity around the differences between the two types of sessions.

This is not a substantial change to how the Policy will operate in practice.

5.1 Frequency of sessions	
Once per month (when scheduled) or in accordance with Council's adopted meeting cycle.	
5.2 Lodging an application	
Applications are to be submitted on the approved Public Voice/Public Briefing Application Form (available on CN's website) with all sections of the form being completed. Incomplete forms will not be processed.	
5.3 Criteria for assessing applications	
<p>Significant issues sessions</p> <p>Applications about significant issues will be assessed against the following criteria:</p> <p>5.3.1 The application relates to an aspect of CN's functions, facilities or services; and</p> <p>5.3.2 The application does not relate to a DA; and</p> <p>5.3.3 The applicant has previously raised the matter with the relevant area of CN or Ward Councillor (details will be required of this and are to be attached to the application form – for example, copy of the response provided); and</p> <p>5.3.4 The applicant has not presented the matter to a Public Voice session in the past two years or the application</p>	<p>DA / planning sessions</p> <p>Public Voice applications about a DA/planning matters will be assessed against the following criteria:</p> <p>i) The application relates to a matter that is to be determined by CN's Development Applications Committee, or in the case of planning instruments by the Council; and</p> <p>ii) The matter is not vexatious, defamatory, an abuse of process, or outside the scope of CN.</p> <p>Public Voice applications for DA/planning matters will be accepted and assessed on a first come first service basis as follows:</p> <p>1. The Public Voice application is lodged during the exhibition/submission period for the relevant development matter (DA/planning proposal) and the applicant</p>

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does not relate to the same subject matter of a Public Voice application that has been refused by CN in the past two years, unless the CEO determines the matter has significantly changed or the Council request by resolution a Public Voice session; and

5.3.5 The application does not request a decision or commitment of Council (such an issue would need to go before a Council Meeting); and

5.3.6 The matter is not vexatious, defamatory, an abuse of process or outside the scope of CN.

~~has lodged a submission to the DA; or~~

~~2. Where no Public Voice applications are lodged during the exhibition/submission period the applicant to the DA and parties who have lodged a formal submission with CN on the proposed DA will be invited to attend.~~

~~3.~~

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5.4 Assessment of applications

The relevant Service Unit Manager/Director, in consultation with the CEO and Manager Legal, will assess and determine applications against the criteria set out in clause 5.3.

5.5 Notice to applicants

Significant issues sessions

5.5.1 Applications will be acknowledged within 2 business days of receipt.

5.5.2 Within 28 business days of receiving an application, CN will advise the applicant:

- i) if the application is successful and associated details relating to the scheduling of a Public Voice session (subject to timing considerations in section 7); or
- ii) if the application is unsuccessful with reasons (taking into account the criteria set out in section 5.3).

~~5.5.3 Successful applicants will be scheduled for the next available Public Voice session (generally the third Tuesday of the month).~~

DA / planning sessions

~~Public Voice applications will be acknowledged within 2 business days of receipt.~~

~~Where the DA is to be determined by CN's Development Applications Committee, the Public Voice applicant will be notified of a Public Voice session.~~

~~Public Voice sessions relating to DAs are normally scheduled to occur at least one month prior to the DA being scheduled for determination by CN's Development Applications Committee.~~

~~Where CN does not receive any applications for Public Voice in respect of a DA to be determined by CN's Development Applications Committee during the exhibition / submission period, the DA applicant and those who lodged a submission with CN regarding the DA, will be invited to a Public Voice session. Presenters will be determined on a first come, first served basis.~~

5.6. Conduct of sessions

Comment [A5]: This has been moved to new section 7 below as it applies to both non-DA and DA-related public voice sessions.

~~Sessions are 30 minutes in duration, subject to the discretion of the Chairperson.~~

~~A maximum of four sessions will be scheduled for each meeting.~~

~~Each Public Voice session is limited to:~~

- ~~• two speakers for an issue (10 minutes in total);~~
- ~~• two speakers against an issue (10 minutes in total); and~~
- ~~• questions from Councillors (10 minutes in total).~~

~~Speakers are to confine their presentation to the matters identified in their application. In respect of a DA session, objectors to a DA proposal will speak first.~~

~~Councillors will receive a business paper in connection with the Public Voice session in advance of the meeting. The business papers are available to members of the public on CN's website.~~

~~The minutes of the Public Voice session are a summary record of the session. The minutes are available to members of the public on CN's website following the meeting.~~

~~Sessions are webcast and open to the public. As such speakers should not:~~

- ~~• make personal reflections on any person; or~~
- ~~• make statements that may cause offence or be defamatory or insulting.~~

~~The Chairperson may direct a speaker to cease their presentation if the speaker does not conduct themselves in accordance with this Policy.~~

~~Speakers should not attempt to provide material to Councillors immediately before, or during, a Public Voice session. Presentations/information must be provided to the Legal Service Unit by close of business the day prior to the scheduled session.~~

6 Procedure for applying for Public Voice (DA) session and assessment criteria

6.1. Frequency of sessions

Once per month (when scheduled) or in accordance with Council's adopted meeting cycle.

6.2. Availability

Sessions will be offered where a matter is to be determined by the Development Applications Committee on the basis of:

6.2.1 25 or more Individual Written Objections were received during the DA notification period; or

6.2.2 Two or more Councillors call the matter to a Public Voice session.

6.3 Invitation to submit application

When a session is to be offered in accordance with clause 6.2, an invitation to submit an application will be made to any person who submitted an Individual Written Objection.

6.4 Assessment of applications

6.4.1 Applications will be registered in the order they are received.

Comment [A6]: This section combines earlier provisions relating to DA matters and more clearly describes the process.

The proposed changes remove the requirement for an application to be lodged during the public notification period.

This means that any person who has submitted a written objection during the notification period will be offered an opportunity to participate in public voice if they choose.

6.4.2 The first two applicants will be invited to address the Public Voice (DA) session.

6.4.3 If no applications are received by the deadline provided in the invitation, the Public Voice (DA) session will not proceed.

6.5 Invitation to DA applicant

Once it is confirmed that a session will proceed, the DA applicant will also be invited to address Council.

6.6 Notice to applicants

6.6.1 Sessions are normally scheduled to occur at least one month prior (generally the third Tuesday of the month) to the DA being scheduled for determination by CN's Development Applications Committee.

6.6.2 Notice to applicants will be provided as soon as possible after applications are received and assessed in accordance with clause 6.4.

6.6.3 Confirmation of the arrangements for the Public Voice (DA) session will be provided at least 7 days in advance of the scheduled meeting including an invitation to submit presentations or supporting materials in advance of the meeting. Supporting material must be provided by close of business the day prior to the scheduled session.

7 Conduct of Public Voice sessions (significant issues and DA)

7.1 Prior to a Public Voice Session, Councillors are be provided with a report outlining the key issues of the session. The report will also be made available to the public in advance on the Council meeting.

7.2 For Public Voice (DA sessions), where the DA is to be determined by the Development Applications Committee, Councillors are provided with a report making a recommendation on determination of the DA which will include a summary of the submissions made at a Public Voice session. The report will also be made available to the public in advance on the Council meeting.

7.3 Sessions are 30 minutes in duration, subject to the discretion of the Chairperson and are conducted as a Committee of the Whole in accordance with the Code of Meeting Practice.

7.4 A maximum of four sessions will be scheduled for each Public Voice Committee meeting.

7.5 Each session is limited to:

7.5.1 two speakers for an issue (10 minutes in total);

7.5.2 two speakers against an issue (10 minutes in total); and

7.5.3 questions from Councillors (10 minutes in total).

7.6 In respect of a Public Voice (DA) session, objectors to a DA proposal will speak first.

7.7 Speakers are to confine their address to Council to the matters identified in their application.

7.8 Councillors will receive an Agenda and Business Papers in connection with the Public Voice session in advance of the meeting. The Business Papers are available to members of the public on CN's website.

Comment [A7]: This has moved from 5.6 above as it applies to all Public Voice sessions.

Comment [A8]: This section has been added to highlight that a report is provided to Councillors and made available to the public for both Public Voice session and for Development Application Committee.

- 7.9 The Chairperson may direct a speaker to cease their address if the speaker does not conduct themselves in accordance with this Policy or the Code of Meeting Practice.
- 7.10 Speakers should not attempt to provide additional supporting material to Councillors immediately before, or during, a Public Voice session. Supporting material must be provided by close of business the day prior to the scheduled session.
- 7.11 Sessions are webcast and open to the public. As such speakers should not:
- 7.11.1 make personal reflections on any person; or
 - 7.11.2 make statements that may cause offence or be defamatory or insulting.
- 7.12 The minutes of the Public Voice session are a summary record of the session. The minutes are available to members of the public on CN's website following the meeting.

8 Alternatives to a Public Voice session

- 8.1 As an alternative to applying for Public Voice, members of the public are encouraged to communicate or raise issues with CN by:
- 8.1.1 submitting a Customer Service Request;
 - 8.1.2 engaging with CN through DA assessment, public exhibitions, events and activities; or
 - 8.1.3 writing to Councillors directly using the contact details available on the CN website.

Part C Public Briefing sessions

9 What are Public Briefing sessions?

- 9.1 Public Briefing sessions provide an opportunity for ~~organisations-members of the public~~ to make short presentations relating to significant issues of a general, strategic or policy nature including in relation to planning proposals relevant to CN's functions, facilities or services.

10 Procedure for applying for Public Briefing session and assessment criteria

10.1 Frequency of sessions
Once per month (when scheduled) or in accordance with Council's adopted meeting cycle.
10.2 Lodging a Public Briefing application
10.2.1 Applications are to be submitted on the approved Public Voice/Public Briefing Application Form (available on CN's website) with all sections of the form being completed. Incomplete forms will not be processed.
10.2.2 Public Briefings may also be scheduled at the direction of the CEO or by resolution of Council.
10.3 Criteria for assessing Public Briefing applications
Public Briefing applications will be assessed against the following criteria:
10.3.1 the application relates to an aspect of CN's functions, facilities or services;
10.3.2 the application does not relate to DAs or planning matters ;
10.3.3 the applicant has not presented on the issue to a Public Briefing session in the past two years or the application does not relate to the same subject matter of a Public Briefing application that has been refused by CN in the past two years, unless the CEO determines the matter has significantly changed or the Council request a Public Briefing session;
10.3.4 the application does not request a decision or commitment of Council (such an issue would need to go before a Council Meeting); and
10.3.5 the matter is not vexatious, defamatory, an abuse of process or outside the scope of CN.
10.4 Assessment of applications
The relevant Service Unit Manager/Director, in consultation with the CEO and Manager Legal, will assess and determine applications against the criteria in clause 10.3.
10.5 Notice to applicants
10.5.1 Public Briefing applications will be acknowledged within 2 business days of receipt.
10.5.2 Within 28 business days of receiving an application for a Public Briefing session, CN will advise the applicant:
<ul style="list-style-type: none"> i) if the application is successful and associated details to the scheduling of a Public Briefing session (subject to timing considerations in clause 10.6) and advise the applicant of the details; or i) if the application is unsuccessful with reasons (taking into account the criteria set

Comment [A9]: This allows for the possibility of a Briefing on planning matters, for example, in relation to the Lingard Hospital Master Plan

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out in clause 10.3).

~~10.5.3 Successful applicants will be scheduled for an upcoming Public Briefing session (generally the third Tuesday of the month).~~

11 Conduct of Public Briefing sessions

- 11.1 Sessions are 30 minutes in duration, subject to the discretion of the Chairperson and are conducted in accordance with the Code of Meeting Practice.
- 11.2 A maximum of two sessions will be scheduled for each Briefing Committee meeting.
- 11.3 Each session is limited to:
 - 11.3.1 two speakers on an issue (20 minutes in total); and
 - 11.3.2 questions from Councillors (10 minutes in total).
- 11.4 Speakers are to confine their address to Council to the matters identified in their application.
- 11.5 Councillors will receive an Agenda and Business Papers in connection with the Briefing session in advance of the meeting. The Business Papers are available to members of the public on CN's website.
- 11.6 The Chairperson may direct a speaker to cease their address if the speaker does not conduct themselves in accordance with this Policy or the Code of Meeting Practice.
- 11.7 Speakers should not attempt to provide additional supporting material to Councillors immediately before, or during, a Briefing session. Supporting material must be provided by close of business the day prior to the scheduled session.
- 11.8 Sessions are webcast and open to the public. As such speakers should not:
 - 11.8.1 make personal reflections on any person; or
 - 11.8.2 make statements that may cause offence or be defamatory or insulting.
- 11.9 The minutes of the Briefing session are a summary record of the session. The minutes are available to members of the public on CN's website following the meeting

Annexure A - Definitions

Application means a request submitted on the approved Public Voice/Public Briefing Application Form (available on CN's website).

CEO means Chief Executive Officer of the City of Newcastle and includes their delegate or authorised representative.

References to the Chief Executive Officer are references to the General Manager appointed under the *Local Government Act 1993* (NSW).

Chairperson means the Lord Mayor, or Councillor, chairing the Public Voice Committee or Briefing Committee meeting.

City of Newcastle means Newcastle City Council.

CN means City of Newcastle.

Council means the elected Council.

Individual Written Objection means a written submission opposing a Development Application emanating from an individual household submitted during the DA public notification period. For clarity, more than written objection received from the same individual household will be counted collectively as one objection.

Annexure B - Policy Authorisations

Function	Position Number / Title
<u>Assess and determine, in consultation with the CEO and Manager Legal, applications for a Public Voice or Public Briefing session against the criteria of the Policy.</u>	<u>Service Unit Managers/Directors</u>

Document Control

Policy title	Public Voice and Public Briefing Policy
Policy owner	Director Governance / Manager Legal
Policy expert/writer	Legal and Governance Officer
Associated procedure Title	Nil
Procedure owner (if applicable)	Nil
Prepared by	Legal
Approved by	Council
Date approved	28 August 2018 TBA
Policy approval form reference	ECM# 5677148 TBA
Commencement Date	28 August 2018 TBA
Next revision date (date policy will be revised)	September 2021
Termination date	September 2022
Version	Two Three
Category	Council
Keywords	Briefing, Council, Public Voice, Information, Session, Public
Details of previous versions	Public Voice and Public Briefing Policy - ECM# 5689365
Legislative amendments	Nil
Relevant strategic direction	Open and Collaborative Leadership
Relevant strategy	Open and Transparent Governance Strategy
Relevant legislation/codes (reference specific sections)	NIL - this provides for public participation above the requirements of the <i>Local Government Act 1993</i> and the Model Code of Meeting Practice
Other related policies/documents/strategies	Code of Meeting Practice Code of Conduct Public Voice/Public Briefing Information Sheet
Related forms	Public Voice/Public Briefing Application Form
Required on website	Yes

Authorisations

Functions authorised under this policy at Annexure B.

**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
SECTION 7.12 NEWCASTLE LOCAL INFRASTRUCTURE
CONTRIBUTIONS PLAN 2019**

Item 61 - Attachment A: Section 7.12 Local Infrastructure Contributions Plan 2019

DISTRIBUTED UNDER SEPARATE COVER

Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019

August 2019

newcastle.nsw.gov.au



City of
Newcastle

Policy Title	Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019
Policy Owner	Manager, Regulatory Planning and Assessment
Prepared by	Senior Urban Planner
Approved by	Approved by Council
Date Approved	25 August 2015
Version	Version 5
Category	Plan
Keywords	Developer, Contributions, Section 7.12
Revision Date	August 2015
Relevant Legislation/Codes	Environment Planning and Assessment Act 1979
Related Policies/Documents	Department of Planning Developer Contributions Practice Notes 2005
Related Forms	N/A

Amendment History

Date	Nature of Revision
23 November 2009	Commencement of Plan
December 2010	Draft for exhibition, endorsed by Council (Amendment 1)
March 2011	In force (Amendment 1)
18 December 2012	Draft for exhibition, endorsed by Council (Amendment 2)
22 April 2013	In force (Amendment 2)
13 January 2014	In force (Amendment 3)
26 May 2015	Draft for exhibition, endorsed by Council (Amendment 4)
28 August 2015	In force (Amendment 4)
26 April 2016	Draft for exhibition, endorsed by Council (Amendment 5)
14 August 2017	In force (Amendment 5)
March 2019	Draft for exhibition (Amendment 6)

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Section 1 Administration and Operation of the Plan

This Plan has been prepared to determine the Section 7.12 local infrastructure levy that applies and what public facilities are to be funded by the levy.

Levies paid to City of Newcastle (CN) will be applied towards meeting the cost of new and upgraded local infrastructure. This Plan provides a summary of new and upgraded public facilities which will be provided by CN and Hunter Central Coast Development Corporation over the coming years, as well as the estimated cost and timing. The timing of projects listed in the plan is indicative only and is dependent upon the level of funds collected and other specific requirements of the projects.

1 Name of the Plan

Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019

2 Where does this plan apply?

This plan applies to all land within the Newcastle local government area. See Figure 1.

3 What is the purpose of the contributions plan?

- To authorise the imposition of a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979*.
- To assist Council to provide the appropriate public facilities which are required to maintain and enhance amenity and service delivery within the area.
- To publicly identify the purposes for which the levies are required.
- To govern the application of money paid to Council under a condition authorised by this plan

4 When does this contributions plan commence?

This Local Infrastructure Contributions Plan takes effect from the date specified within the public notice pursuant to clause 31(4) of the *Environmental Planning and Assessment Regulation 2000*.

5 Relationship with other contributions plans

This Plan repeals any previous Section 94A and 7.12 Plans applying in the Newcastle local government area.

6 What does Section 7.12 of the Environmental Planning and Assessment Act provide?

Section 7.12 of the Act provides that a consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development. The money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan.

7 What development is exempt from the Levy?

Conditions authorised by this Plan are subject to any direction given by the Minister of the Department of Planning and Environment under Section 7.17 of the Act. This Plan authorises the imposition of conditions in accordance with any such direction. Under Section 7.17 the Minister has directed Council to exempt development from a levy under this Plan as follows:

- Where the proposed cost of carrying out the development is \$100,000 or less.
- If a development contribution under Section 7.11 of the *Environmental Planning and Assessment Act 1979* has been required in respect of the subdivision of land (*initial subdivision*), a levy under Section 7.12 of that Act may not be required in respect of any other development on the land, unless that other development will, or is likely to, increase the demand for public amenities or public services beyond the increase in demand attributable to the initial subdivision.
- Seniors Housing under State Environmental Planning Policy Seniors Housing 2004 provided by a Social Housing Provider.
- Within the Port of Newcastle Lease Area shown on the State Environmental Planning Policy (Three Ports) 2013 Lease Area Map.

Council also does not impose a Section 7.12 levy on the following:

- Development for the purpose of a single dwelling on a single allotment. This exemption does not apply to the redevelopment of Fort Wallace, North Stockton.
- Development for the purpose of alterations and additions to existing dwellings.
- Development ordinarily incidental or ancillary to the use of a dwelling, such as swimming pools, garages, sheds, tree applications and the like.
- The remediation and grouting of land affected by mine subsidence.
- Alterations, fit outs or refurbishment of an existing development, where there is no enlargement, expansion, increase in floor area or intensification of the current land use.
- An application on or behalf of Council for community infrastructure, such as but not limited to libraries, community facilities, recreation areas, recreation facilities and car parks.
- An application by a NSW government department to enable development defined as an 'Infrastructure Facility' under State Environmental Planning Policy (infrastructure) 2007.
- An application for demolition (where there is no replacement building or development).
- Any other development for which Council considers an exemption warranted, where a decision is made by the elected Council.

Where an applicant would like to apply for an exemption to the payment of a Section 7.12 Levy, they are required to submit to Council at development assessment stage, an application for an exemption giving reasons and providing any necessary evidence for the exemption.

8 Council may require payment of the levy as a condition of development consent

This Plan authorises the Council to grant consent to development to which this Plan applies subject to a condition requiring the applicant to pay to the Council a levy of the proposed cost of the development, provided that the Council does not also impose on the consent a condition pursuant to Section 7.11 of the Act.

9 Obligations of certifying authorities

To the extent that this Plan applies to development that is the subject of an application for a Complying Development Certificate, if a Complying Development Certificate is issued, this Plan requires a certifying authority to include a condition requiring the applicant to pay to the Council a percentage levy of the proposed cost of carrying out the development, as specified in this Plan.

The condition is to include a requirement that payment of the levy is to be made to Council no later than the time that Council is given notice of an intention to commence work, as required within the *Environmental Planning and Assessment Act 1979* (NSW).

10 Determining the proposed cost of carrying out a development

Section 7.12 levies are calculated as a percentage of the cost of development. Clause 25J of the Environmental Planning and Assessment Regulation 2000 sets out how the proposed cost of carrying out development is to be determined as follows:

25J Section 7.12 levy - determination of proposed cost of development

1. The proposed cost of carrying out development is to be determined by the consent authority, for the purpose of a section 7.12 levy, by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:
 - a) if the development involves the erection of a building, or the carrying out of engineering or construction work - the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation
 - b) if the development involves a change of use of land - the costs of or incidental to doing anything necessary to enable the use of the land to be changed
 - c) if the development involves the subdivision of land - the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.
2. For the purpose of determining the proposed cost of carrying out development, a consent authority may have regard to an estimate of the proposed cost of carrying out the development prepared by a person, or a person of a class, approved by the consent authority to provide such estimates.

3. The following costs and expenses **are not** to be included in any estimate or determination of the proposed cost of carrying out development:
- a) the cost of the land on which the development is to be carried out
 - b) the costs of any repairs to any building or works on the land that are to be retained in connection with the development
 - c) the costs associated with marketing or financing the development (including interest on any loans)
 - d) the costs associated with legal work carried out or to be carried out in connection with the development
 - e) project management costs associated with the development
 - f) the cost of building insurance in respect of the development
 - g) the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land)
 - h) the costs of commercial stock inventory
 - i) any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law
 - j) the costs of enabling access by disabled persons in respect of the development
 - k) the costs of energy and water efficiency measures associated with the development
 - l) the cost of any development that is provided as affordable housing
 - m) the costs of any development that is the adaptive reuse of a heritage item.

11 Cost Summary Report must accompany development application or complying development certificate

Where a section 7.12 levy is required under this plan in relation to a DA or application for a complying development certificate, the application is to be accompanied by a Cost Summary Report prepared at the applicant's cost, setting out an estimate of the proposed cost of carrying out the development.

12 Who may provide a Cost Summary Report

The persons approved by the Council to provide an estimate of the proposed cost of carrying out development:

- where the applicant's estimate of the proposed cost of carrying out the development is less than \$750,000 – any building industry professional; or
- where the proposed cost of carrying out the development is \$750,000 or more – a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.

Sample Cost Summary reports are available on City of Newcastle's website.

13 How is the proposed cost of carrying out development indexed?

Pursuant to clause 25J(4) of the Regulation, the proposed cost of carrying out development is to be indexed before payment to reflect any increase in the Consumer Price Index - Weighted Average of Eight Capital Cities the date the proposed cost was determined by the Council and the date the levy is required to be paid.

The formula governing indexation of the proposed cost of carrying out development is as follows:

$$\text{IDC} = \text{ODC} \times \text{CP2/CP1}$$

Where:

IDC = indexed development cost

ODC = original development cost estimated by the Council

CP2 = Consumer Price Index All Group Index Number for Sydney at the time a levy is paid

CP1 = Consumer Price Index All Group Index Number for Sydney at the date the original development cost was estimated by the Council.

If in the event the CPI at the time of the review is less than the previous CPI the indexed rates will remain the same.

14 Pooling of levies

This Plan authorises money obtained from levies paid in respect of different developments to be pooled and applied by Council progressively towards the public facilities listed in Part A and Part B of the Plan.

15 Construction Certificates and the obligations of accredited certifiers

In accordance with Clause 146 of the *Environmental Planning and Assessment Regulation 2000*, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of levies has been satisfied.

A private accredited certifier who issues a construction certificate for building work or subdivision work is to ensure that the applicant provides a receipt(s) confirming that required levies have been fully paid and copies of such receipts are to be included with the information required to be provided to Council in accordance with Clause 142(2) of the *Environmental Planning and Assessment Regulation 2000* (NSW).

16 What is Council's policy on the deferred or periodic payment of levies?

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 public facilities included in the works program
- 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
- no prejudice will be caused to the efficiency and operation of this development contribution plan.

If Council decides 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 7.12 development contributions for development of Lot x DP xxx under Development Consent No. xxx)
- d) The bank unconditionally pays the guaranteed sum to Council if 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 City of Newcastle Officer(s) whose position(s) holds the required City of Newcastle delegations.

17 Are there alternatives to payment of the levy?

If an applicant does not wish to pay the section 7.12 levy applicable to their development they may offer, instead, to enter into a voluntary planning agreement with Council under Section 7.4 of the *Environmental Planning and Assessment Act 1979* in connection with the making of a development application or in an application for a modification.

The applicant's provision under a planning agreement may be additional to or instead of paying a levy in accordance with a condition of development consent authorised by this Plan. This will be a matter of negotiation with Council. The offer to enter into the planning agreement together with the draft agreement should accompany the relevant development application.

Acceptance of an offer to enter into a voluntary planning agreement is at the sole discretion of Council and, if Council does not agree to the offer, the payment of the section 7.12 levy will be required.

Applicants should refer to Council's Policy on Planning Agreements for further information available on CN's website.

18 Savings and Transitional Arrangements

A development or complying 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 lodgement of the application.

A development or complying development application, which is submitted after the commencement of this Plan, will be assessed in accordance with the provisions of this Plan.

19 What definitions apply?

ABS - Australian Bureau of Statistics.

Act - Environmental Planning and Assessment Act 1979.

Council - City of Newcastle.

CPI - Consumer Price Index.

Levy - a levy under section 7.12 of the Act authorised by Part A of this Plan.

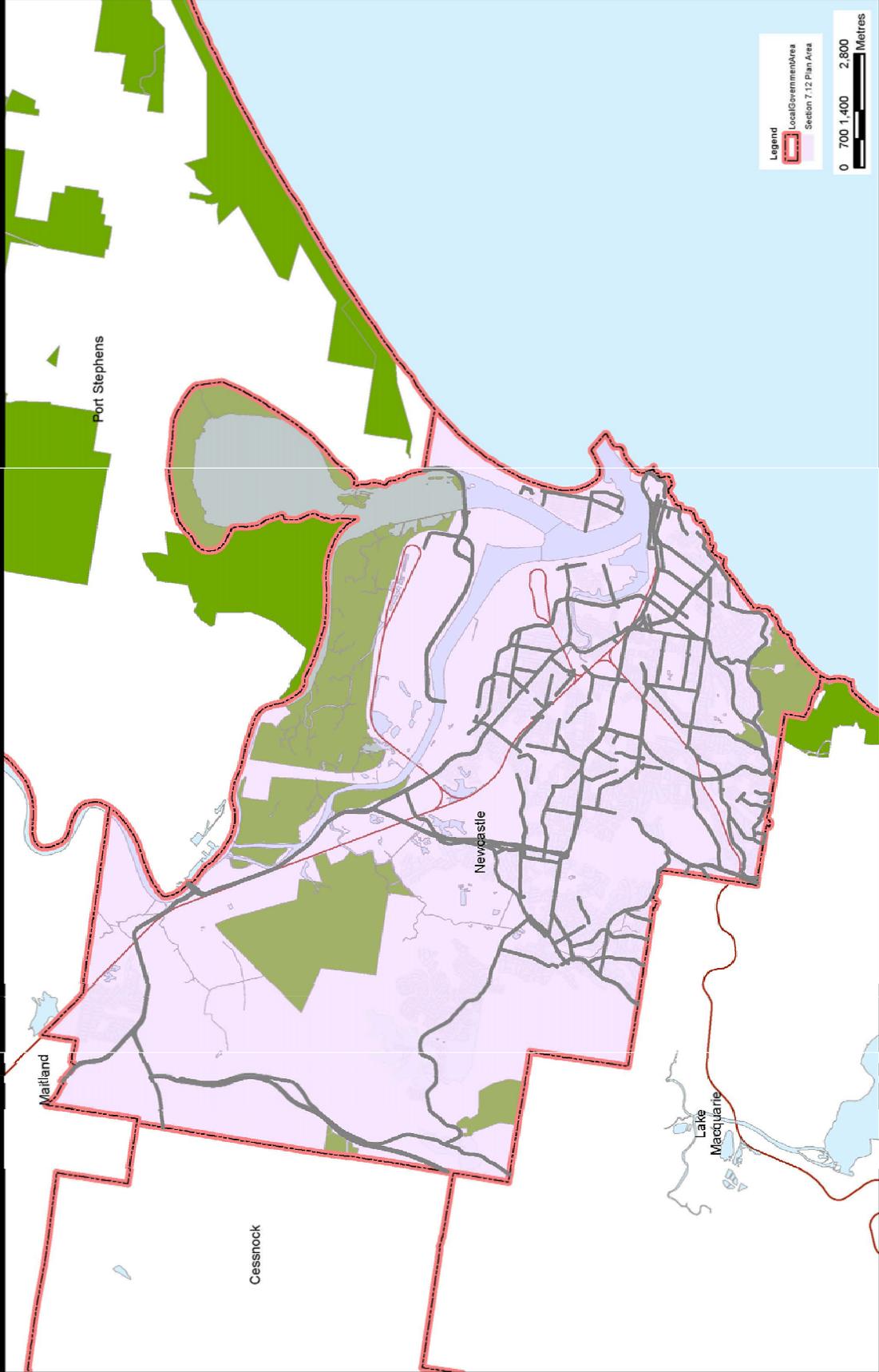
Local Infrastructure Contributions Plan - a contributions plan made pursuant to section 7.12 of the Act.

Public facility - public infrastructure, facility, amenity or service.

Regulation - Environmental Planning and Assessment Regulation 2000.

Figure 1

Section 7.12 Plan Area Application Map



DISCLAIMER: Although great care has been taken in the preparation of these documents/maps, The City of Newcastle makes no representation or warranty as to the accuracy or completeness of any information contained in them. The 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.



Scale: 1:120,000at A4

Part A – Newcastle Local Government Area (excluding Part B and Part C)

1 Land to which Part A of this Plan applies

Part A (as shown in Figure 2) of this Plan applies to all land within the Newcastle local government area excluding the land included in the Newcastle City Centre (Part B) and Honeysuckle (Part C) areas.

2 When does Part A of this Plan commence?

Part A of this Plan commenced on 23 November 2009.

3 What is the purpose of Part A of this Plan?

The purposes of Part A of this Plan are:

- to authorise the Council to impose, as a condition of development consent, a requirement that the applicant pay to the Council a contribution determined in accordance with this Plan
- to require a certifying authority (the Council or an accredited certifier) to impose, as a condition of issuing a complying development certificate, a requirement that the applicant pay to the Council a contribution determined in accordance with Part A of this Plan, if development consent was granted subject to a condition authorised by Part A of this Plan
- to govern the application of money paid to the Council under a condition authorised by Part A of this Plan.

4 What is the Part A Section 7.12 Contributions levy rate/amount?

The Section 7.12 contributions levy for land within Part A is as follows:

Proposed cost of the development	Maximum % of the levy
Up to \$100,000	Nil
\$100,001 - \$200,000	0.5%
More than \$200,000	1.0%

Table 1 – Maximum section 7.12 levy on proposed development costs

5 How will the Council apply money obtained from Part A of the levy?

Money paid to the Council under a condition authorised by Part A of this Plan is to be applied by Council towards meeting the cost of one or more of the public facilities that will be or have been provided within the area as listed in Schedule 1 and shown in Appendix A.

6 When is the levy payable?

A contribution must be paid to the Council at the time specified in the condition that imposes the contribution. If no such time is specified, the timing of the payment of the contribution is as follows:

- development applications involving subdivision: prior to certification of the plan of subdivision
- development applications involving building work: prior to the issue of a construction certificate
- development applications where no subdivision or building works are involved: prior to the commencement of the development or the use of the land or building.

At the time of payment, the levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.

7 Expected types of development and demand for public facilities

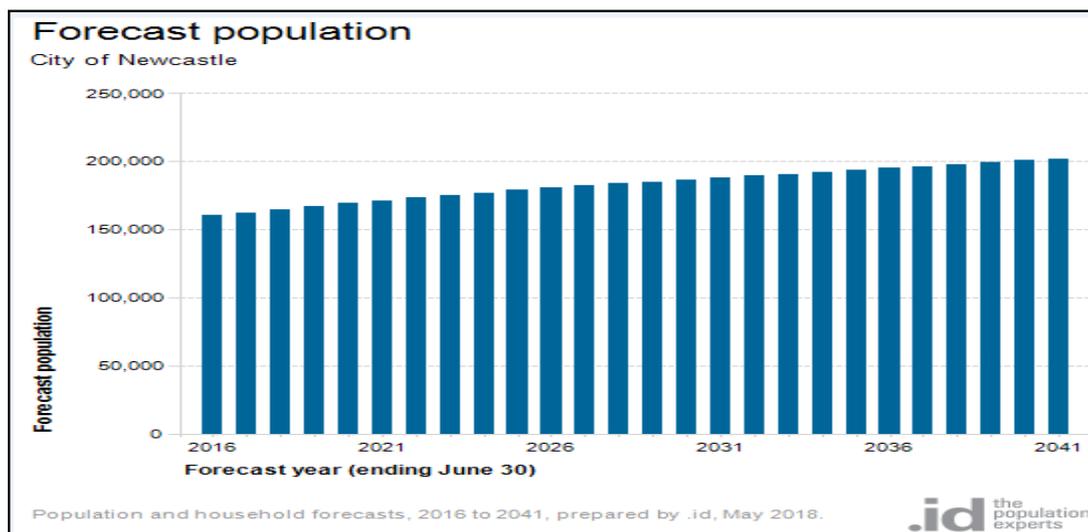
Part A of this Plan broadly identifies the expected types of development in the Newcastle LGA linked to the demand for additional public facilities. The expected types of development include, but are not limited to:

- residential accommodation
- tourist and visitor accommodation
- employment generating development
- industrial development
- commercial premises
- retail premises
- business premises
- mixed use development
- educational establishments
- health service facilities

The relationship between expected development and the demand for social infrastructure is established through consideration of a number of sources.

The *Hunter Regional Plan 2036* projects an additional 129,850 people in the Hunter over next 20 years with approximately 61,500 new jobs. The University of Newcastle *Centre for Urban and Regional Studies* (CURS) research on workforce population also highlights that Newcastle will continue as a major employment destination overall due to its strategic location and attributes, with the City Centre as a Regional Centre. The Hunter Regional Plan 2036 estimates approximately 7,754 new jobs in the Newcastle City Centre.

The City of Newcastle population forecast (prepared by .id the population experts) for 2019 is 166,984 and is forecast to grow by 21% to 202,049 people by 2041. The number of dwellings is also forecast to grow by 19,500 by 2041.



The projected population growth will require the provision of additional public facilities to meet increasing demand over time. An associated demographic trend is the ageing of the population and substantial growth of the active aged as a proportion of the Newcastle population. City of Newcastle is also moving from a traditional single purpose community facility model to a multi-purpose community infrastructure model that has the flexibility to meet changing community needs over time. In some circumstances, it will be possible to provide a new community facility; in other circumstances, an existing facility may be enhanced to provide a higher level of flexibility and integration.

The City of Newcastle Community Strategic Plan *Newcastle 2030* strategic themes are an integrated platform for a socially cohesive, economically strong and sustainable city that is adaptable and equipped for the future. The seven strategic directions are:

- Integrated and Accessible Transport
- Protected Environment
- Vibrant, Safe and Active Public Places
- Inclusive Community
- Liveable Built Environment
- Smart and Innovative
- Open and Collaborative Leadership.

Social or community infrastructure includes a wide range of services and facilities that meet community needs for education, health, social support, recreation, cultural expression, social interaction and community development. Investment in social infrastructure is considered to be essential for the health, well-being and economic prosperity of communities. All levels of government have a role to play in the provision of social infrastructure. Council’s role is in the provision of community facilities that supports the establishment and functioning of business, industrial and housing development across the LGA.

Figure 2
Part A Newcastle Local Government Map



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Schedule 1: New public facilities for which levies will be sought (Part A)

Map Ref	Category	Project Details		Completion Date			
		Location	Works	2019/2020	2020/2021	2021/2022	2022-2032
1	Open Space and Recreation	Bathers Way Improvements – King Edward Park (Bathers Way)	King Edward Park			\$600,000	
2	Open Space and Recreation	Empire Park	Upgrade and construction of pathways, shade, seating, amenities and exercise equipment		\$200,000	\$100,000	
3	Open Space and Recreation	Federal Park, Wallsend	Playground, shade, seating and pathway		\$50,000		
4	Open Space and Recreation	Fernleigh Track, Park Avenue Adamstown	Development of Adamstown Rail Station at Park Avenue		\$300,000		
5	Open Space and Recreation	Islington Park	Construction of new amenities building		\$300,000		
6	Open Space and Recreation	Jesmond Park	Access improvements		\$100,000	\$100,000	\$100,000
7	Open Space and Recreation	Lambton Park	Installation of Floodlights and construction of new pathways		\$200,000		
8	Open Space and Recreation	Lambton Pool	Shade Structure		\$50,000		
9	Open Space and Recreation	Merewether Baths Improvements	seating, shade and landscaping			\$500,000	
10	Open Space and Recreation	Merewether Beach Improvements	Surf Pavilion promenade and Jefferson park			\$500,000	
11	Open Space and Recreation	National Park	Implementation of Plan of Management with Shade, seating, landscaping, redevelopment of No. 1 Sports Ground and upgrade of amenities buildings and netball courts			\$250,000	\$250,000
12	Open Space and Recreation	Passmore Oval, Wickham	Upgrade of sporting facilities		\$100,000		
13	Open Space and Recreation	Stockton Skate Park	Construction of new facility and embellishment of other local facilities			\$600,000	
14	Open Space and Recreation	Stevenson Park, Mayfield West	Implementation of Stevensons Park Master Plan	\$500,000	\$500,000		
15	Open Space and Recreation	Tarro Recreation Reserve	Pathways, lighting, playground, cricket facilities, bat ball facilities and amenities building		\$100,000	\$200,000	
16	Open Space and Recreation	Warabrook Park	Upgrade and construction of playground facilities, pathways, shade, seating and BBQ facilities		\$200,000		
17	Open Space and Recreation	Waratah Park	Upgrade and construction of new pathways, shade and seating areas and exercise equipment		\$300,000		
18	Open Space and Recreation	Sports Partnership Grant Program	Matching of grant funding for sporting groups to embellish Council owned facilities		\$100,000	\$100,000	\$100,000
19	Community Facilities	Wallsend Pioneer Hall	Upgrade of Centre			\$200,000	
20	Newcastle Cycling Strategy and Action Plan Works	Cycleways Investigation and Development	Feasibility Study and Design of Cycleways	\$200,000	\$200,000	\$200,000	\$200,000
21	Newcastle Cycling Strategy and Action Plan Works	Maud Street, Vera Street to Prince Street – Waratah	Cycleway Crossing of Maud Street			\$1,000,000	\$1,000,000

Map Ref	Category	Project Details		Completion Date			
		Location	Works	2019/2020	2020/2021	2021/2022	2022-2032
22	Newcastle Cycling Strategy and Action Plan Works	Richmond Vale Cycleway	Rail Trail Detailed Design		\$200,000	\$200,000	
23	Newcastle Cycling Strategy and Action Plan Works	ChinChen Street, Scholey Street to Clyde Street – Islington	Shared Pathway Northern Side		\$150,000	\$400,000	
24	Newcastle Cycling Strategy and Action Plan Works	Victory Parade, Illoura Street to Newcastle Road Stage 3 - Wallsend	Shared pathway		\$300,000		
25	Newcastle Cycling Strategy and Action Plan Works	Scenic Drive, Yule Road to Charlotte Road – Merewether	On Road Cycleway Shoulders			\$180,000	
26	Newcastle Cycling Strategy and Action Plan Works	University Drive, A37 Underpass to Wilkinson Avenue - Birmingham Gardens	Shared Pathway		\$400,000		
27	Newcastle Cycling Strategy and Action Plan Works	Chatham Road and Clyde Street - Hamilton North	Shared Pathway, Railway Crossing Upgrade		\$400,000	\$200,000	
28	Newcastle Cycling Strategy and Action Plan Works	Brunker Road at Koree Road – Broadmeadow	Traffic Control Signals and Shared Pathway		\$650,000		
29	Newcastle Cycling Strategy and Action Plan Works	Fernleigh Track at Park Avenue – Adamstown	Shared Pathway Bridge over Park Avenue		\$100,000	\$600,000	
30	Newcastle Cycling Strategy and Action Plan Works	Merewether to Newcastle City Centre	Inner City Bikelanes North/South Connection	\$300,000	\$400,000		
31	Newcastle Cycling Strategy and Action Plan Works	Lambton Park to Croudace Street via Pearson Street or Howe Street – Lambton	Shared Pathway, Kerb Extensions, Cycle Lanterns	\$60,000	\$400,000		
32	Newcastle Cycling Strategy and Action Plan Works	National Park, Smith Street to SWC and connection to Marketown - Newcastle West	Shared Pathway			\$550,000	
33	Newcastle Cycling Strategy and Action Plan Works	National Park, National Park Street to Smith Street - Newcastle West	Shared Pathway			\$200,000	
34	Newcastle Cycling Strategy and Action Plan Works	Lambton Road, Brown Road to Bavin Road – Broadmeadow	Shared Pathway			\$140,000	
35	Newcastle Cycling Strategy and Action Plan Works	Cowper Street, Nelson Street to Low Street – Wallsend	Upgrade of R5 (in conjunction with Local Centre Upgrade)			\$530,000	
36	Newcastle Cycling Strategy and Action Plan Works	Shortland to Tarro, Sandgate Road to New England Highway	Shared Pathway along Hunter Water Pipeline Corridor		\$500,000	\$3,500,000	
37	Newcastle Cycling Strategy and Action Plan Works	Newcastle Inner City Bypass Rankin Park to Jesmond	Cycleway Connections associated with NICB Stage 5			\$1,000,000	\$1,000,000

Map Ref	Category	Project Details		Completion Date			
		Location	Works	2019/2020	2020/2021	2021/2022	2022-2032
38	Newcastle Cycling Strategy and Action Plan Works	Industrial Drive, George Street to William Street - Mayfield East	Shared Pathway over Railway Bridge			\$350,000	\$350,000
39	Newcastle Cycling Strategy and Action Plan Works	Shortland to Tarro Shared Pathway to Anderson Drive - Tarro	Connection over/under New England Highway	\$100,000			\$1,500,000
40	Newcastle Cycling Strategy and Action Plan Works	NSW Coastline Cycleway Connections, NSW Coastline Cycleway to Inner City Bikelanes - Hamilton East	Separated Cycleways, Shared Pathways, Intersection Treatments, and Cycle lanterns				\$1,500,000
41	Newcastle Cycling Strategy and Action Plan Works	Lookout Road at Carrington Parade - New Lambton Heights	Shared Pathway between Carrington Parade and Northern Entry to JHH				\$220,000
42	Newcastle Cycling Strategy and Action Plan Works	Parkway Avenue at Smith Street and National Park Street - Hamilton South	Roundabout bypasses				\$250,000
43	Public Transport Works	Public Transport – Bus shelters city wide (estimate \$25k per shelter) approximately two per ward	Bus shelters	\$200,000	\$200,000	\$200,000	\$200,000
44	Library Upgrade	Lambton Library	Lambton Storybook Cottage – Early childhood literacy Upgrade to building and amenities	\$100,000			
45	Library Upgrade	Upgrade to City of Newcastle Libraries	Upgrade to City of Newcastle Libraries				\$43,000,000
46	Pool Upgrades	Upgrades to City of Newcastle Pools	Upgrade to City of Newcastle Pools				\$56,000,000
47	Local Centre Upgrades	Beresfield Local Centre Stage 1	Local and Neighbourhood Centres Public Domain Program		\$625,000		
48	Local Centre Upgrades	Stockton Local Centre Stage 1	Local and Neighbourhood Centres Public Domain Program		\$845,000		
49	Local Centre Upgrades	Llewellyn Street Neighbourhood Centre Stage 1	Local and Neighbourhood Centres Public Domain Program		\$885,000		
50	Local Centre Upgrades	Wallsend Local Centre Stage 1	Local and Neighbourhood Centres Public Domain Program		\$750,000	\$750,000	
51	Social Infrastructure	The Local Government Area	Preparation of Social Infrastructure Strategy	\$250,000			
			Total	\$1,710,000	\$9,505,000	\$13,150,000	\$105,670,000

Part B – Newcastle City Centre

1 Where does Part B of this Plan apply?

Part B of this Plan applies to all new development that has an estimated cost of more than \$100,000 on land in the Newcastle City Centre, as shown in Figure 3.

2 What is the purpose of Part B of this Plan?

The purpose of Part B of this Plan is to provide for funding towards the public domain projects and city centre projects as outlined in Schedule 2.

3 When does Part B of this Plan commence?

Part B of this Plan commenced on 1 February 2008.

4 What is the relationship with other Contributions Plans?

Part B of this Plan repeals those parts of any other contributions plans applying to the Newcastle City Centre.

5 What is the Part B Section 7.12 contributions levy rate/amount?

The Section 7.12 contributions levy for land within Part B is as follows:

Proposed cost of the development	Maximum % of the levy
Up to \$100,000	Nil
\$100,001 - \$200,000	0.5%
\$200,001 - \$250,000	1.0%
More than \$250,001	3.0%

6 How and when will the levy be paid?

The requirement for development to contribute a levy towards the cost of City Centre projects will be imposed as a condition of development consent under Section 7.12 of the EP&A Act.

The Section 7.12 levy is payable to Council prior to the issue of a Construction Certificate for new development.

At the time of payment, the levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Bureau of Statistics.

7 How will the Section 7.12 funds be administered?

The City of Newcastle is to administer monies obtained from the section 7.12 levy and make decisions on the funding and provision of the special city projects in accordance with the *Environmental Planning and Assessment Act 1979 and Regulation 2000*. The funds collected under Part B of this Plan will be pooled for city projects and priorities for spending will be determined as part of Council's Delivery Program and Operational Plan process.

8 Expected types of development and demand for public facilities

Part B of this Plan is based on the growth and development projected in the Greater Newcastle Metropolitan Plan, Newcastle City Centre Catalyst Area. The Plan estimates an additional 4,000 dwellings and 7,750 jobs by 2036.

The City Centre projects identified in Schedule 2 and Appendix A are needed to support growth and development within the City Centre.

Figure 3
Part B Newcastle City Centre Map



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Schedule 2: Works schedule for expenditure within the City Centre (Part B)

Map Ref	Category	Project		Completion Date				
		Location	Works	2019/2020	2021/2022	2022/2023	2023/2024	2024-2034
1	Open space and recreation	Newcastle South	Bathers Way Improvements - Newcastle South		\$1,000,000			
2	Open space and recreation	City Centre area	Local and District open space embellishments		\$100,000	\$400,000		\$500,000
3	Public Domain Works	Birdwood Park, Little Birdwood Park and Parry Street	Upgrade of Birdwood Park, Little Birdwood Park and Parry Street		\$2,500,000	\$2,000,000		
4	Public Domain Works	Hunter Street - Civic Precinct	Civic Precinct - Planting works, paved activity zones, footpaths, kerb and gutter, stormwater, roads, cycleways, furniture and signage			\$1,000,000	\$2,000,000	\$2,000,000
5	Public Domain Works	Hunter Street - West End	West End - Planting works, paved activity zones, footpaths, kerb and gutter, stormwater, roads, cycleways, furniture and signage		\$1,000,000	\$4,200,000		
6	Public Domain Works	East End Precinct	Implementation of East End Public Domain Plan		\$3,000,000			
7	Public Domain Works	City Centre area	Urban furniture, interpretation signage, paving, lighting, public art, trees, landscaping, transit precinct improvements, cycleways, universal access upgrades.		\$1,000,000	\$2,000,000	\$3,000,000	\$6,000,000
8	Public Domain Works	Darby Street	Embellishment - Stage 1 & 2			\$500,000		
9	Public Domain Works	Wheeler Place	Upgrade of Wheeler Place including planting, paving, furniture, lighting, fountain, bridge, café and shop			\$1,500,000		\$3,000,000
10	Public Domain Works	Hunter Street Mall	Paved zones, planting works, furniture, signage, kerb and gutter					\$3,200,000
11	Public Domain Works	Cottage Creek Improvements (Honeysuckle to National Park)	Create a recreation space along Cottage Creek, including landscaped spaces, pedestrian and cyclists links. Potential for education and interpretation along creek.			\$1,000,000	\$2,000,000	\$2,000,000
12	Public Domain Works	King Street	Upgrade of streetscape			\$1,000,000	\$2,000,000	\$3,000,000
13	Public Domain Works	Scott Street	Upgrade of streetscape		\$1,000,000	\$500,000		\$1,000,000
14	Community Facilities	City Centre area	Construction of a district multipurpose community space				\$5,000,000	\$5,000,000
15	Community Facilities	Civic Precinct	Upgrade of Civic Theatre and City Hall					\$10,000,000
16	Newcastle Cycling Strategy and Action Plan Works	King Street and Hunter Street	Separated cycleway on King and Hunter Streets		\$200,000			\$3,000,000
17	Community Facilities	Civic Precinct	Fit out for the former Civic station	\$200,000				
			Total	\$200,000	\$9,800,000	\$14,100,000	\$14,000,000	\$38,700,000

Part C – Honeysuckle Foreshore Public Domain Area

1 Where does Part C of this Plan apply?

Part C of this Plan applies to all new development that has an estimated cost of more than \$100,000 on land in the Honeysuckle Foreshore Public Domain Area, as shown in Figure 4.

2 What is the purpose of Part C of this Plan?

The purpose of Part C of this Plan is to provide for funding towards the public domain projects within the Honeysuckle Foreshore Public Domain Area (outlined in Appendix B). The public domain projects to which this Plan pertains are listed in Schedule 3.

3 When does Part C of this Plan commence?

Part C of this Plan commenced on TBC.

4 What is the relationship with other contribution plans?

Part C of this Plan does not repeal any other contribution plans applying in the Newcastle City Centre.

5 What is the Part C Section 7.12 contributions levy rate/amount?

The Section 7.12 contributions levy for land within Part C is as follows:

Proposed cost of the development	Maximum % of the levy
Up to \$100,000	Nil
\$100,001 - \$200,000	0.5%
\$200,001 - \$250,000	1.0%
More than \$250,001	3.0%

6 How and when will the levy be paid?

The requirement for development to contribute a levy towards the cost of Honeysuckle Foreshore Public Domain Area will be imposed as a condition of development consent under section 7.12 of the EP&A Act.

The section 7.12 levy is payable to Council prior to the issue of a Construction Certificate for new development.

At the time of payment, the levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Bureau of Statistics.

7 How will the Section 7.12 funds be administered?

Council is to transfer monies obtained from the Section 7.12 levy within the Honeysuckle Foreshore Public Domain Area to the Hunter and Central Coast Development Corporation as specified in the table below. The funds will be transferred to Hunter and Central Coast Development Corporation as they are paid to City of Newcastle to be used on the projects listed in **Schedule 3**.

Apportionment of Development Contributions	
Hunter and Central Coast Development Corporation	City of Newcastle
80%	20%

Council is not to enter into a Planning Agreement relating to land within the Honeysuckle Public Domain Area without the consent of Hunter and Central Coast Development Corporation.

8 Vision for the Honeysuckle Foreshore Public Domain

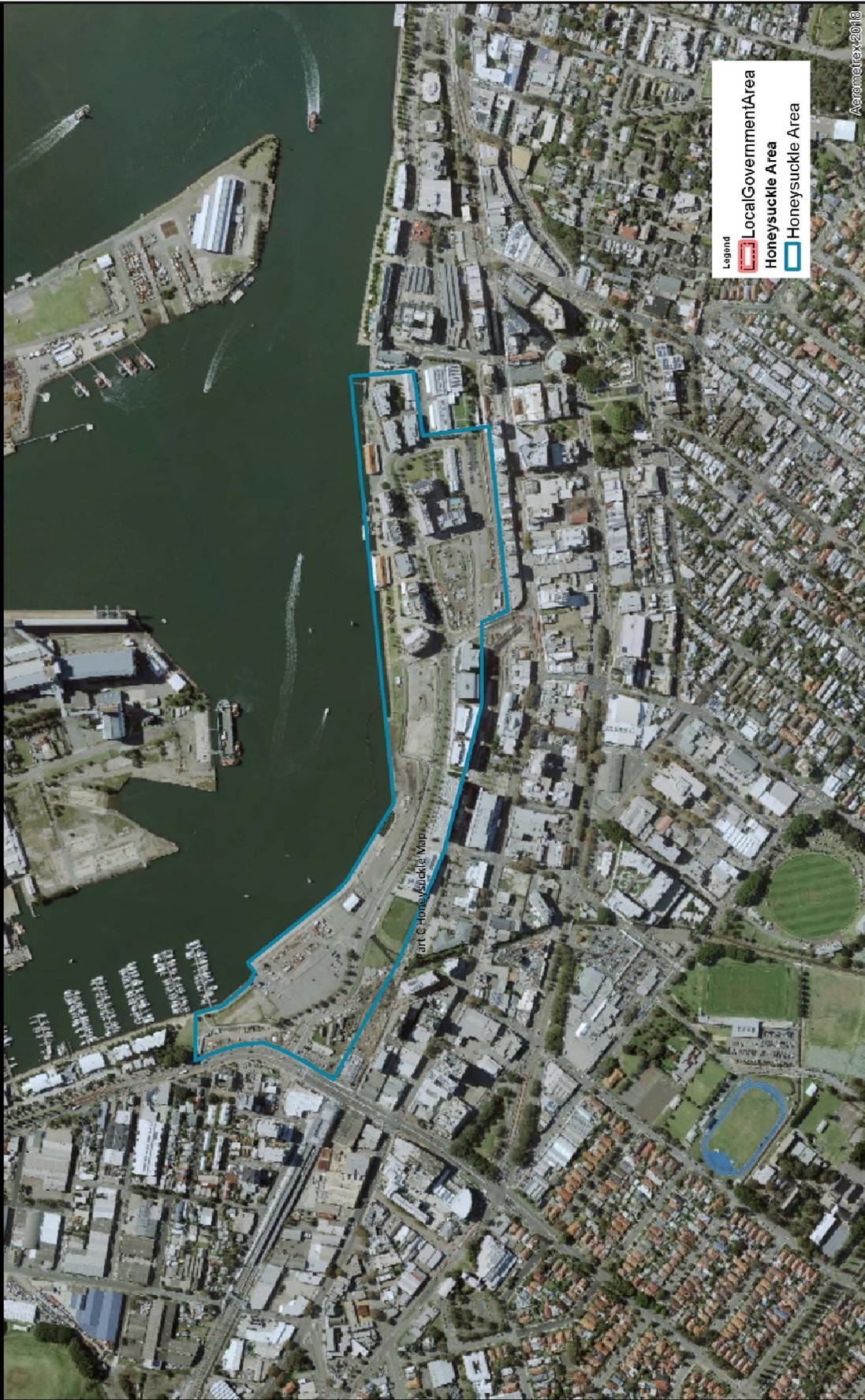
The Honeysuckle Foreshore Public Domain Plan (PDP) provides a framework for the delivery of a high quality public domain in the Honeysuckle Precinct which supports the broader renewal of Newcastle city centre.

Linking Wickham and the emerging commercial centre of the West End with Civic and beyond, Honeysuckle links the indigenous and industrial past of the precinct to the emerging future city and transport arrival corridor of the West End. The PDP that has been prepared for the Honeysuckle Foreshore integrates new parks at the Tree of Knowledge, Cottage Creek and Worth Place west with an extensive foreshore promenade.

The PDP presents a vision that seeks to create a strong sense of place that will celebrate the indigenous and working harbour heritage, but also recognises Honeysuckle as an important part of Newcastle's future. The urban landscape will provide spaces that add to the value of Honeysuckle as a whole. Delivery of the public domain will contribute to the green space network across the precinct and provide a range of destinations for the community. The PDP recognises the diversity of spaces to support a wide demographic, enabling both active and passive recreation. Place activation is an important component of evolving cities, and the PDP allows for spaces that can cater to a broad program of activities to cater to a growing community. Implicit within the PDP is a strong sense of triple-bottom line sustainability, ensuring a balanced and considered approach to the delivery of this significant public domain for Newcastle.

The Public Domain Plan (2019) can be seen in its entirety at <https://www.hccdc.nsw.gov.au/sites/default/files/2019-01/Honeysuckle%20PDP%20Summary-Jan19.pdf>

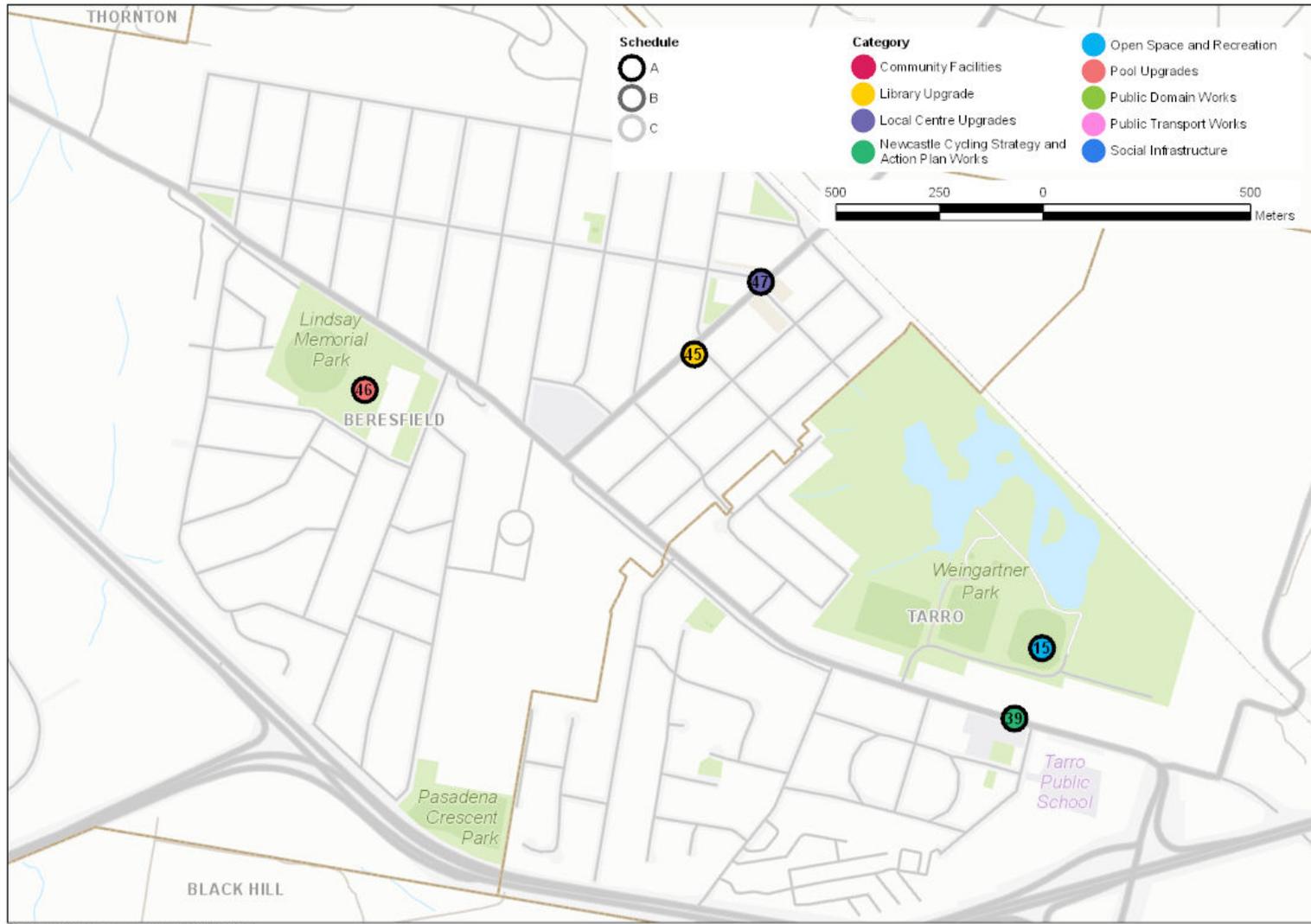
Figure 4
Part C Honeysuckle Map

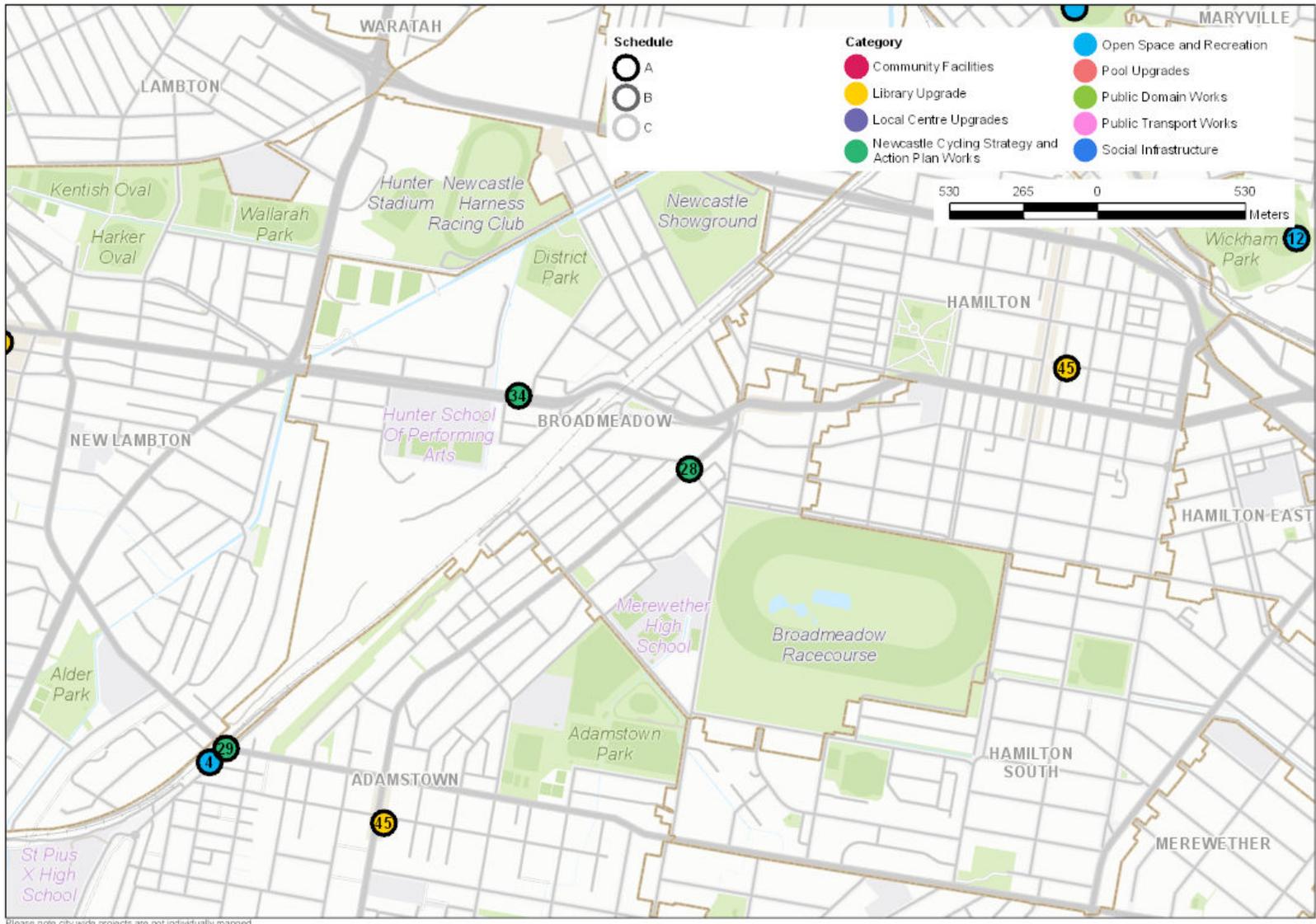


Schedule 3 - Works schedule for expenditure within the Honeysuckle Foreshore Public Domain

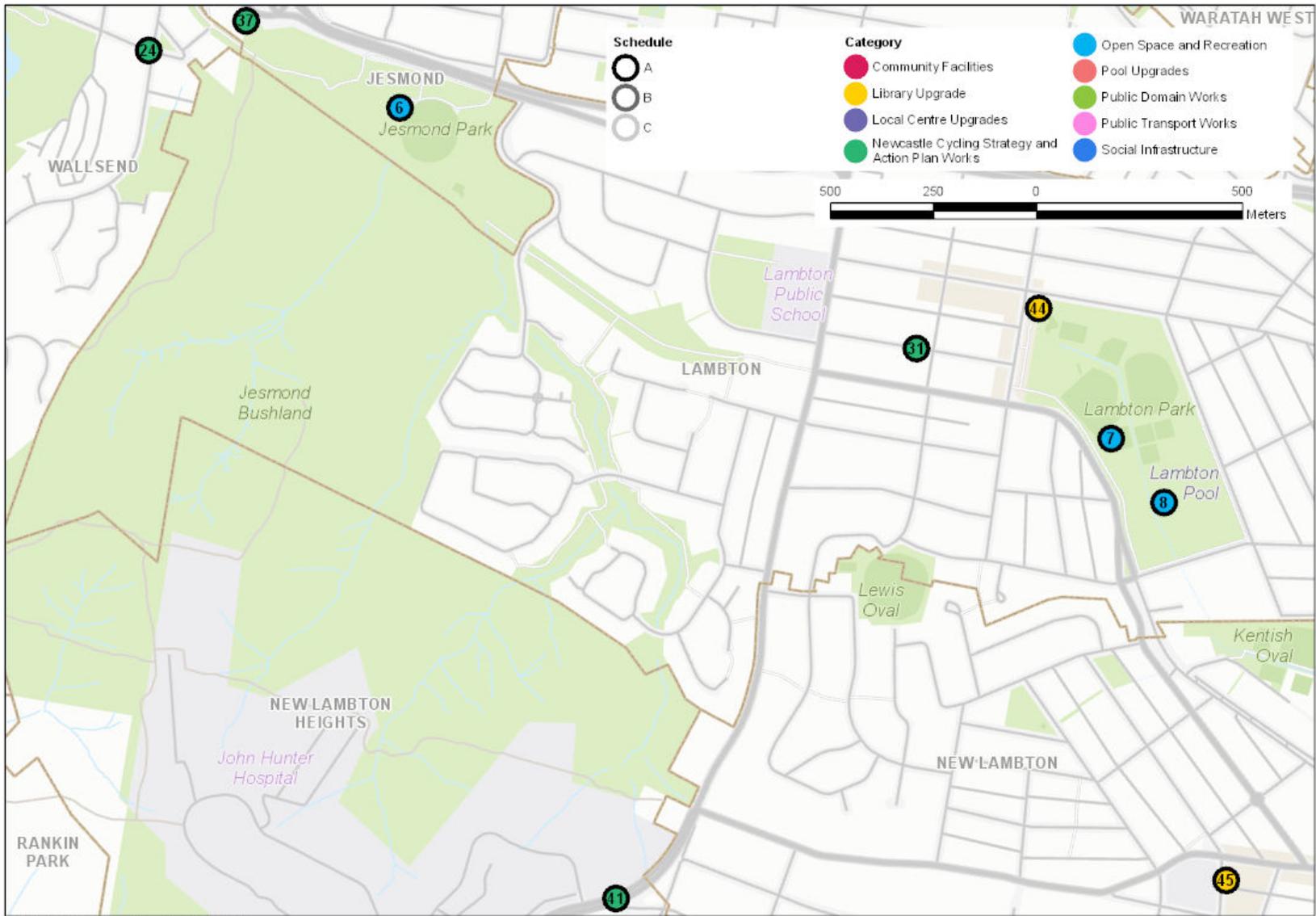
Map Ref	Category	Project		Completion Date			
		Location	Works	2019/2020	2020/2021	2021/2022	2022/2023
1	Open space and recreation	Honeysuckle Foreshore	Delivery of Tree of Knowledge Park Stage 2			\$4,500,000- \$5,200,000	
2	Open space and recreation	Honeysuckle Foreshore	Delivery of Honeysuckle waterfront promenade		\$1,100,000- \$1,300,000	\$870,000- \$1,000,000	
3	Open space and recreation	Honeysuckle Foreshore	Naturalisation and opening of Cottage Creek as open space	\$1,200,000- \$1,350,000	\$1,200,000- \$1,350,000	\$3,400,000- \$4,000,000	
4	Public Domain Works	Honeysuckle Drive	Replacement of bridge over Cottage Creek to improve flood conveyance	\$1,200,000- \$1,400,000	\$1,200,000- \$1,400,000		
5	Open space and recreation	Honeysuckle Foreshore	Delivery of Worth Place Park West	\$1,300,000- \$1,500,000	\$1,300,000- \$1,500,000		
			Total	\$3,700,000- \$4,250,000	\$4,800,000- \$5,550,000	\$8,770,000- \$10,200,000	

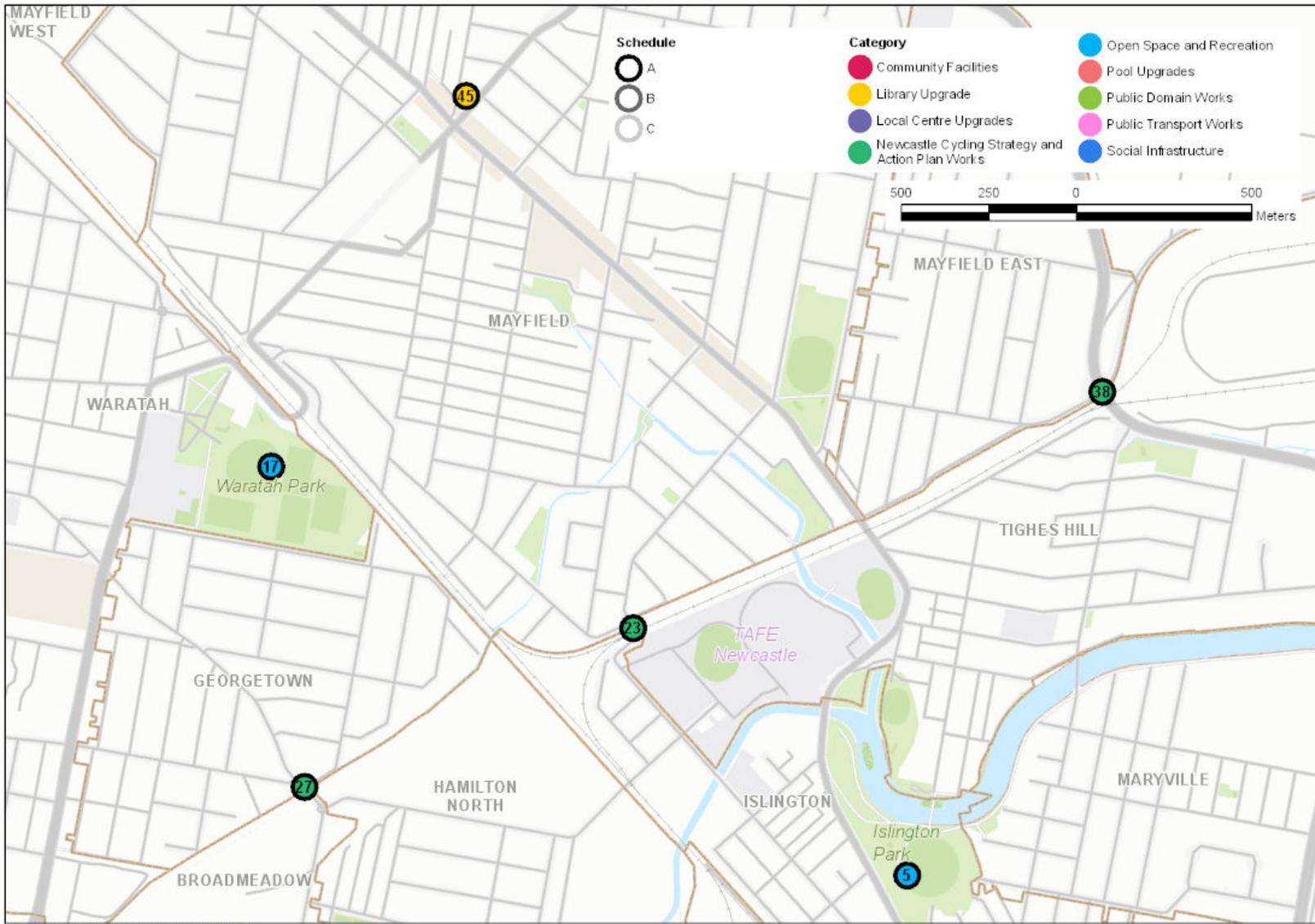
Appendix A – Summary of Key Project Maps





Please note city wide projects are not individually mapped

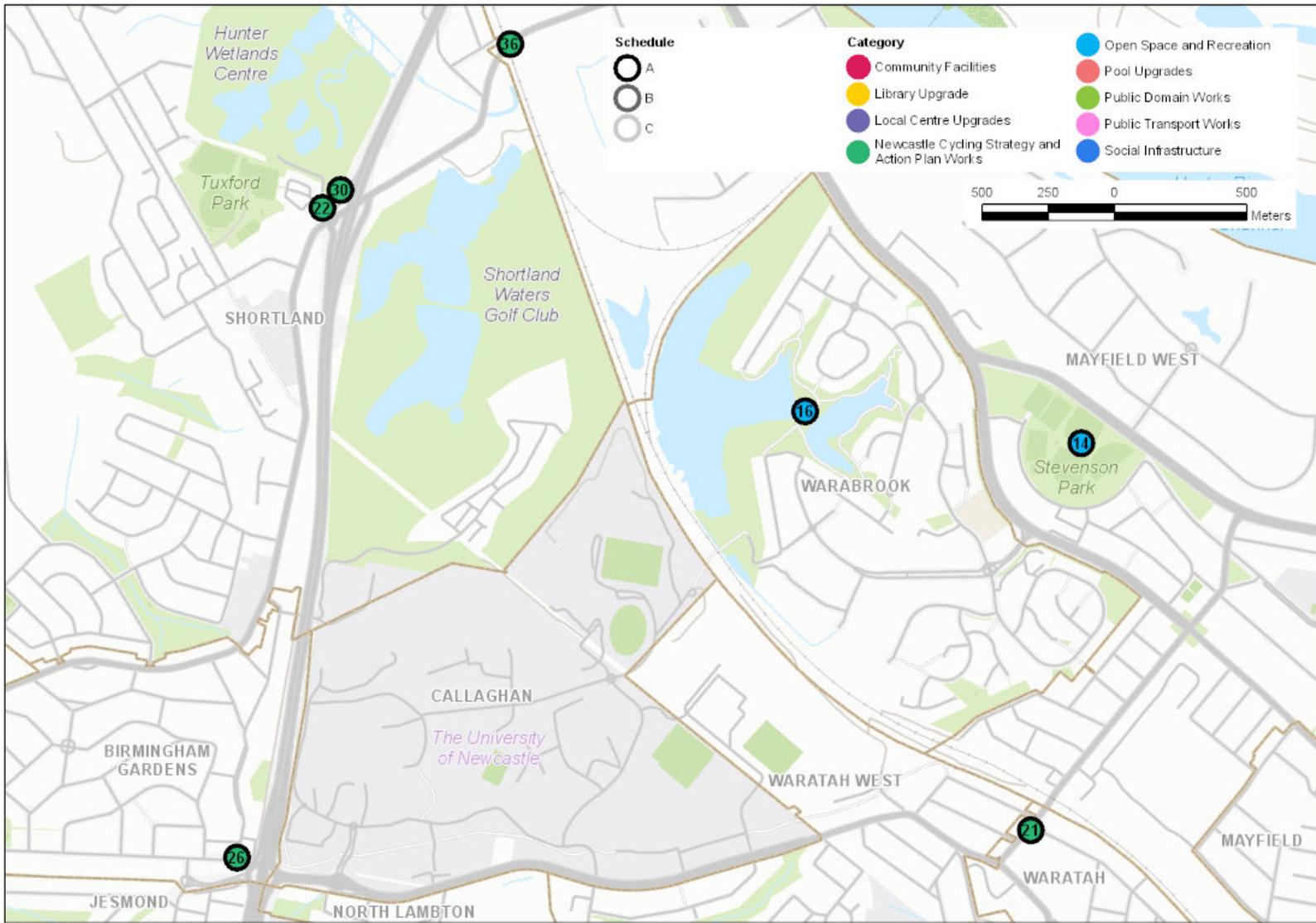




Please note city wide projects are not individually mapped



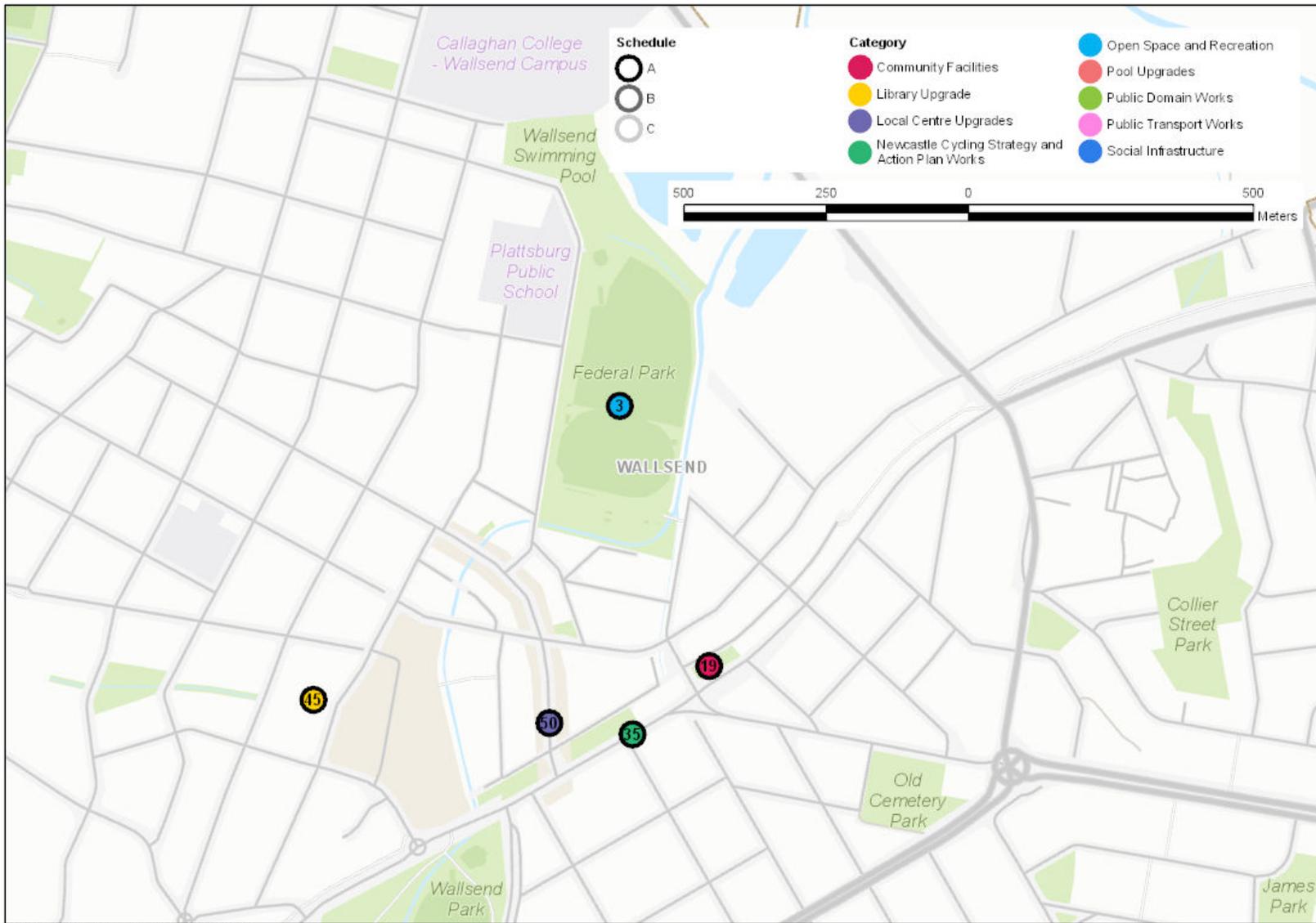
Please note city wide projects are not individually mapped

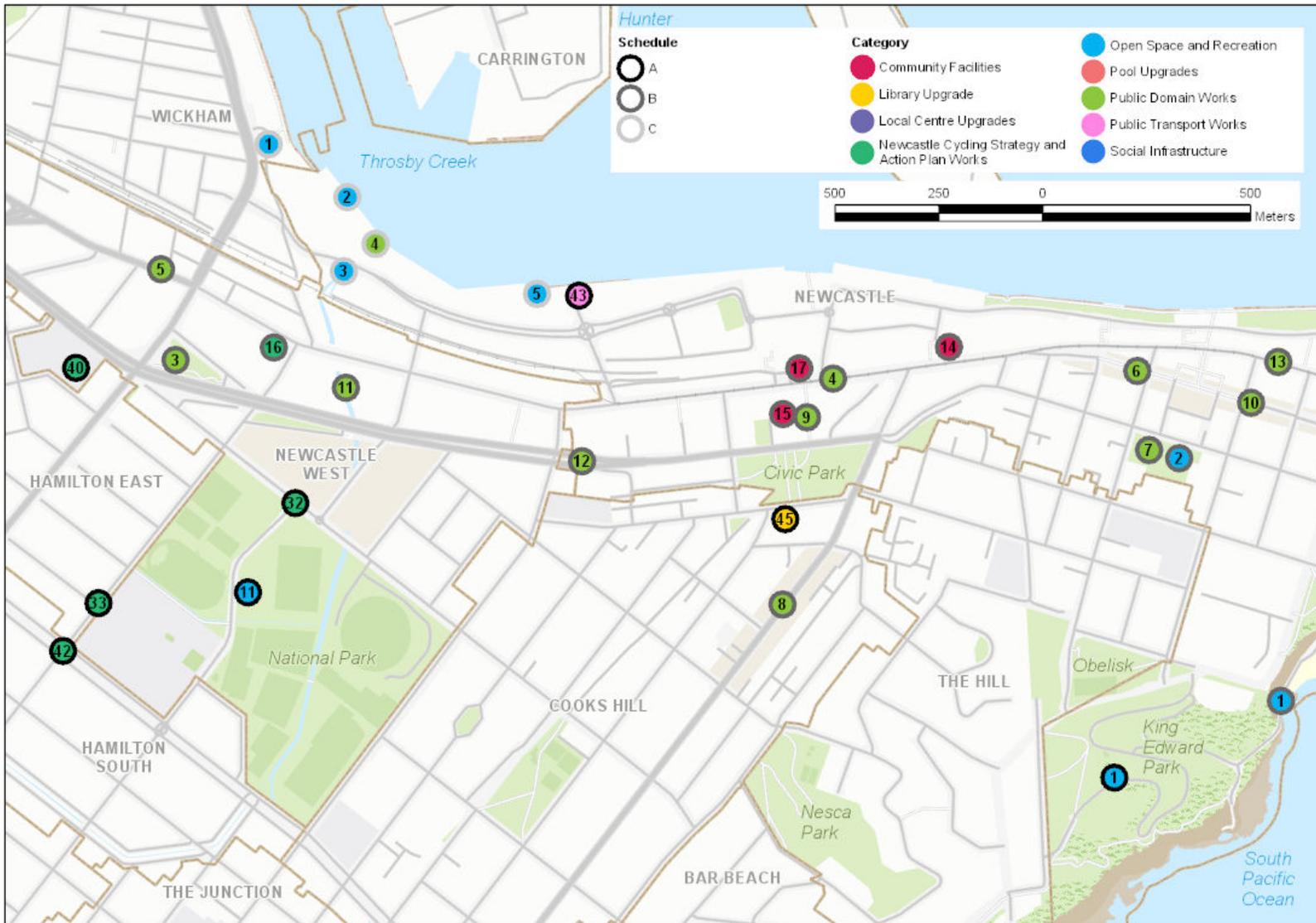


Please note city wide projects are not individually mapped



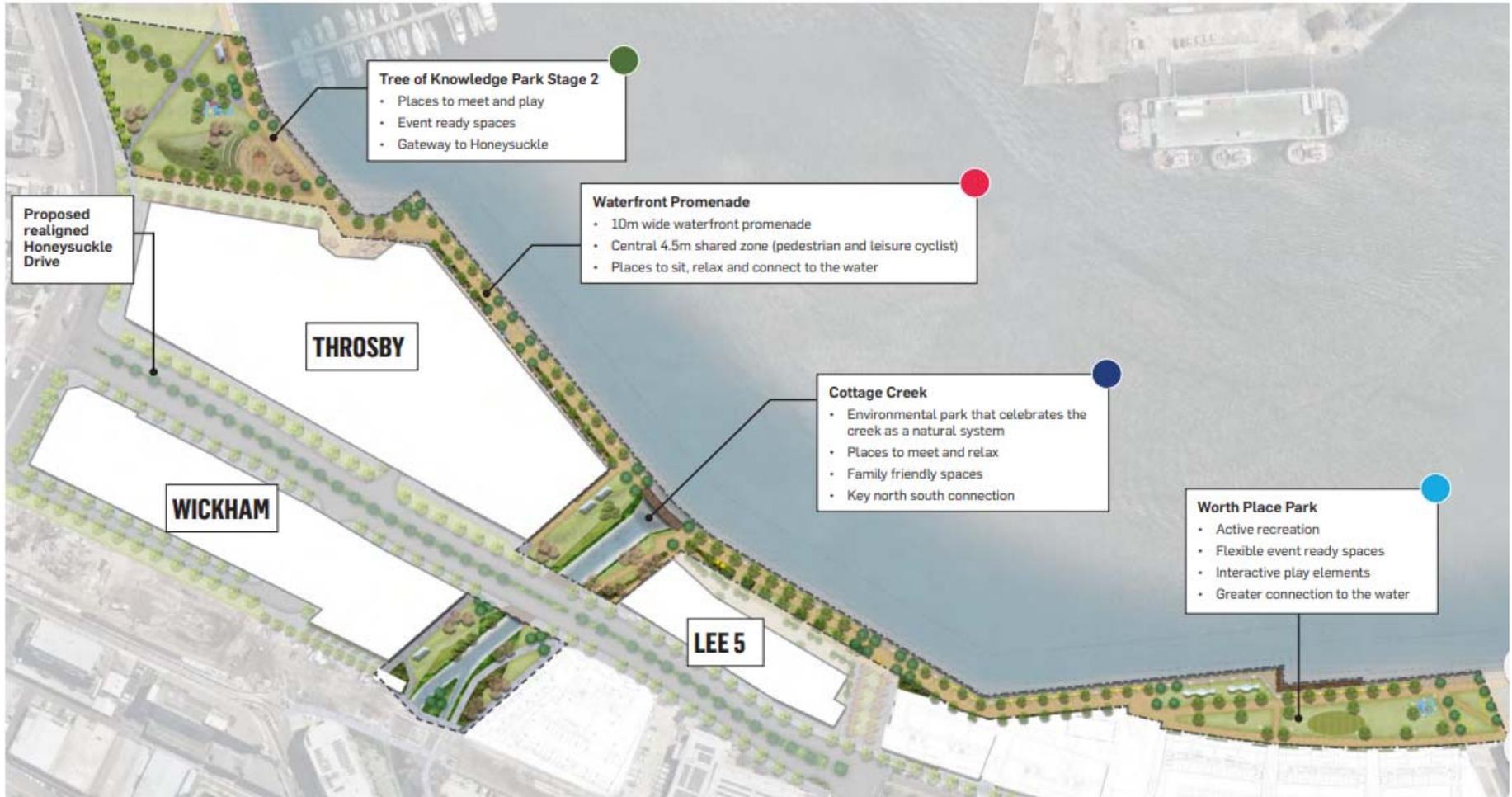
Please note city wide projects are not individually mapped





Please note city wide projects are not individually mapped

Appendix B - Honeysuckle Foreshore Public Domain Plan



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**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
SECTION 7.12 NEWCASTLE LOCAL INFRASTRUCTURE
CONTRIBUTIONS PLAN 2019**

Item 61 - Attachment B: Summary of submissions

DISTRIBUTED UNDER SEPARATE COVER

Attachment B - Summary of submissions

Submissions	Summary	Response
<p>Hunter Business Chamber</p>	<p>Concern about the application of a 3% levy on all city centre developments over \$250, 000 at a time when the CBD is still recovering from downturn. The submission states that the inner city remains in a transitional phase and raising developer contributions now is premature. It is suggested that CN undertake an impact analysis before proceeding with this recommendation. Similarly, concern is raised on the application of a new levy on city centre development between \$100,001 - \$250,000 in the current environment.</p> <p>Concern is also raised about the removal of exemptions for maintenance of heritage buildings and whether such sites should remain exempt to encourage adaptive reuse of heritage sites and in recognition of the additional expense that can be incurred in restoring and maintaining heritage buildings.</p> <p>Part C - Support inclusion of the Honeysuckle chapter but consider a contribution plan should also be prepared for infrastructure spending to implement the Wickham Master Plan.</p>	<p>The City Centre levy currently only applies to development with an estimated cost of over \$250,000 at a rate of 2% for non-residential development and 3% for residential development. Under the draft Section 7.12 Plan, the City Centre levy will be 3% for both residential and non-residential development. Currently a levy is not imposed on development with a cost of less than \$250,000. The draft S7.12 Plan is proposing to apply a 0.5% levy to development with an estimated cost of between \$100,001 - \$200,000 and the 1% levy on development with a cost between \$200,001 - \$250,000. The proposed levy on development over \$100,000 is consistent with Part A of the draft Section 7.12 Plan. All contribution rates proposed are allowable and in accordance with Section 25K(b) of the Environmental Planning and Assessment Regulation 2000.</p> <p>Development activity has been steadily increasing within the city centre. Over the past three years, there has been over \$1 billion worth of commercial and mixed-use development approved (this includes large concept plans with staging) in the city centre.</p> <p>There have been 70 application approvals over this three year period for development (including complying development) in the city centre with a cost between \$100,000 and \$250,000. However, most of the applications would not be required to pay contributions</p>

Submissions	Summary	Response
		<p>as they are for internal fit outs or a change in use and would be exempt under the S7.12 Plan.</p> <p>The increase in development activity in the city centre increases the demand for services and facilities. Development contributions assist in providing essential upgrades to parks, traffic management, cycleways and community facilities as detailed in the schedules to the Section 7.12 Plan. A rise in contributions to 3% is allowed under the EP&A Regulation and will better assist in funding the additional items identified in the schedules to the Section 7.12 Plan.</p> <p>Adaptive reuse of heritage buildings has been removed from being exempt from the levy in the draft Section 7.12 Plan, however instead when determining the proposed cost of carrying out development, the costs of any development for the adaptive reuse of a heritage item are not to be included.</p> <p>Future implementation of the Wickham Master Plan will include a review of the Section 7.12 Local Infrastructure Contributions Plan. Recommendations and costings to include works to implement the Wickham Masterplan in the Section 7.12 Plan will be considered in consultation with the community, groups and industries.</p>
Community member of Stockton	Request for community hall in Stockton, and importance of a library to be accessed by everyone.	All social infrastructure required to support the Stockton/future North Stockton and Fern Bay community is being examined as part of preparation of the Draft Fern Bay and North Stockton Strategy. The Section 7.12 Plan no longer refers to individual libraries, any necessary upgrades required are

Submissions	Summary	Response
		allocated within an overall 'bucket' of funding for all libraries. The allocated funding to cost libraries has not changed from the previous Plan.
Fern Bay & Fullerton Cove Progress Association	<p>Commends CN for the construction of the shared off-road cycle path from Stockton cemetery and the Ferry Wharf, the newly installed playground and skate park, and fitness stations lining the foreshore of Stockton. States that given the existence of the cross-boundary agreement and considerable extent to which local residents use facilities in Stockton, the following observations and submissions in relation to the Draft Section 7.12 Local Infrastructure Plan are proposed:</p> <ul style="list-style-type: none"> i) The Draft Plan includes a number of projects to improve amenity buildings and sporting facilities. Darby Oval netball courts and Corroba Oval are not mentioned, and this is a significant oversight. ii) A replacement public toilet block, similar to what was recently installed at the North Stockton boat ramp, should be immediately included in the contribution plan for 2020/2021. iii) A zebra crossing is needed as soon as possible to Corroba Oval. With Fullerton Street the only road in and out of Stockton and change of speed limit occurring in the approach to Corroba Oval, there is a need to alert drivers to the potential of pedestrians crossing at Corroba Oval. For a relatively small investment the safety of 	<p>Progression of the Draft Fern Bay and North Stockton Strategy will allow further consultation with the community and relevant groups on matters raised in the submission, along with further investigation and analysis on specific matters, where required. Many of the items raised in this submission were raised during early engagement in planning for Fern Bay and North Stockton. It is anticipated that upon finalisation of the Fern Bay and North Stockton Strategy, a review of the 7.12 Local Infrastructure Contributions Plan 2019 will take place and reflect recommended actions contained and costed in the Strategy.</p> <p>Additionally, while the Section 7.12 Plan has not individually itemised the Stockton library, any required upgrades are anticipated to be funded by the general libraries' 'bucket'. The allocated funding for libraries has not changed from the previous Plan.</p>

Submissions	Summary	Response
	<p>the Corroba Oval playing community can be dramatically improved with the installation of a zebra crossing in the 2020/2021 time frame.</p> <p>iv) Corroba Oval is already being used to capacity during the winter months by the Stockton Sharks Soccer Club. Overflow is not possible to Lynn Oval due to its use by Stockton Rugby League Club. As a result, the need to provide additional playing surfaces is urgent. It is requested that additional playing surfaces and new clubhouse is required.</p> <p>v) A District Sporting facility at Corroba Oval has the potential for being delivered in 3-4 years, and catering to soccer, athletics, cricket, basketball and netball.</p> <p>vi) A modest upgrade to Dalby Oval courts in the meantime is required.</p> <p>vii) It is noted that the Draft Plan no longer specifically refers to the Stockton library. An increase to the opening hours, services provided, and floor space is required. Consideration should be given to moving the library to a larger space, either on the main street or shopping precinct. More promotion of the library is also recommended.</p>	

Submissions	Summary	Response
<p>The University of Newcastle</p>	<p>The submission contends that no contributions should apply to the development of facilities for the purposes of delivering Tertiary Education and achieving the objects of the <i>University of Newcastle Act 1989</i>.</p>	<p>While the university provides many facilities on campus which are open to the public, they do not offset the pressure that the continued expansion of the University has on CN's infrastructure. There is no nexus requirement between where local development contributions are collected and where they are spent.</p> <p>Development contributions collected from the University can be spent on infrastructure across the local government area, which provides flexibility in constructing and upgrading infrastructure required to support the University, for example implementing CN's cycleway strategy.</p> <p>In December 2013, CN adopted an amendment to the former Section 94A Plan which removed the exemption for Education Establishments (Schools, Universities and TAFE) from the payment of a Section 94A levy. The exemption was removed from the plan as these types of developments generally create significant infrastructure requirements for councils including, but not limited to upgrades to roads, new footpaths and cycleways to allow students to get to and from school.</p> <p>Development contribution funding has contributed to the construction and ongoing upgrade of the Newcastle City to University (Callaghan) cycleway route. The cycleway is heavily used by students and staff of the University with usage expected to increase as the</p>

Submissions	Summary	Response
		<p>university now has a campus within the city centre. CN also provides cycleway access from the Western Corridor to the University.</p> <p>No changes have been made to the Section 7.12 Plan where it relates to educational establishments or Crown development. It is open to the University to lodge a development application as the Crown and contest conditions that it considers unreasonable. Where CN officers consider an exemption or reduction in contributions is warranted, CN officers can prepare a report for the elected Council to consider prior to determining the development application.</p>
<p>Community member of Stockton</p>	<p>Clarification was sought in respect to the 'strike-through' of the Stockton library in the draft Section 7.12 Plan and welcomes a new library for Stockton. In addition, the submission requests a section be included and devoted for local studies, especially considering recent news that the Stockton Historical Society's licence agreement to occupy the Stockton Girl Guides Hall has not been renewed. The submitter questions what this means for the Historical Society which has existed for 40 years and occupied the hall with Girl Guides.</p> <p>The submission requests that a new Stockton library be included as part of a multi-purpose centre to accommodate various community groups who do not have a permanent home. The newly built Fern Bay Multi-Purpose Hall is</p>	<p>Progression of the Draft Fern Bay and North Stockton Strategy will allow further consultation with the community and relevant groups on matters raised in the submission, along with further investigation and analysis on specific matters, where required. Many of the items raised in this submission were raised during early engagement in planning for Fern Bay and North Stockton. It is anticipated that upon finalisation of the Fern Bay and North Stockton Strategy, a review of the 7.12 Local Infrastructure Contributions Plan 2019 will take place and reflect recommended actions contained and costed in the Strategy.</p> <p>Additionally, while the draft Section 7.12 Plan has not individually itemised the Stockton library, any required upgrades are anticipated to be funded by the general libraries 'bucket'.</p>

Submissions	Summary	Response
	constantly booked so there is an obvious need for a similar facility to be built in North Stockton.	
UDIA	<p>Suggest moving the timing of contribution payment to be paid prior to issue of occupation certificate instead of construction certificate. Given the demand on infrastructure does not arise until the building is occupied, it is suggested that payment of the contribution should not be triggered until as late in the development process as possible.</p> <p>It is also suggested that infrastructure required to support implementation of the Wickham Master Plan be included in the schedule of works.</p>	<p>Delaying payment of contributions to occupation stage is not supported. The Section 7.12 Plan permits deferred or periodic payments in certain circumstances. It can be some years from the time a construction certificate is issued until the development is ready for occupation. Pursuing non-payment of contributions once buildings are occupied would likely require legal action as there are no further 'hold points' in the development where payment could be required. Additionally, planning and delivery for infrastructure upgrades / community facilities may occur well before occupation stage of a development.</p> <p>A future review of the Section 7.12 Local Infrastructure Contributions Plan will be undertaken to consider the Wickham Master Plan.</p>
Property Council	<p>Recommends that the infrastructure to support the Wickham Master Plan be included in the Section 7.12 Local Infrastructure Contributions Plan. In addition, it is recommended that consideration be given to moving the payment to before occupation certificate as opposed to be before construction certificate, in order to provide some assistance to debt management cycles for developers. It is recommended that levies consider cumulative impacts and provide a level playing field for development.</p>	<p>See comments above regarding the existing ability of a developer to apply to defer payment of contributions or make periodic payments and the impact on Council's planning for the provision of community facilities / infrastructure upgrades or pursuing non-payment after the development is completed.</p> <p>A future review of the Section 7.12 Plan will be undertaken to consider the Wickham Master Plan.</p>

**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
ADOPTION OF SPECIAL BUSINESS RATE EXPENDITURE POLICY**

- ITEM 64 Attachment A: Special Business Rate Expenditure Policy**
- ITEM 64 Attachment B: Special Business Rate Expenditure Policy
Public Exhibition Feedback Report**
- ITEM 64 Attachment C: Special Business Rate Expression of Interest
Guidelines**

DISTRIBUTED UNDER SEPARATE COVER

**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
ADOPTION OF SPECIAL BUSINESS RATE EXPENDITURE POLICY**

ITEM 64 Attachment A: Special Business Rate Expenditure Policy

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Policy

Special Business Rate Expenditure Policy

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Part A Preliminary

1 Purpose

- 1.1 The purpose of the Special Business Rate Expenditure Policy (the Policy) is to provide a framework for City of Newcastle (CN) to expend Special Business Rate (SBR) monies on Projects for the purpose of promotion, beautification and development of SBR Precincts, being: City Centre/Darby Street, Hamilton, Mayfield, Wallsend and New Lambton.
- 1.2 In accordance with the Local Government Act 1993 (s495(2)), CN has applied a SBR Levy to the SBR Precincts, being rateable lands, which, in CN's opinion:
 - 1.2.1 benefits or will benefit from the works, services, facilities or activities; or
 - 1.2.2 contributes or will contribute to the need for the works, services, facilities or activities; or
 - 1.2.3 has or will have access to the works, services, facilities or activities.
- 1.3 CN is committed to expending the SBR monies for the purpose of promotion, beautification and development of the relevant SBR Precincts in accordance with this Policy.

2 Scope

- 2.1 The Policy applies to the expenditure of SBR monies.
 - 2.1.1 Matters relating to the collection, administration and management of the SBR monies are not applicable to this Policy.

3 Principles

- 3.1 Expenditure of SBR monies will be in accordance with the following principles:
 - 3.1.1 **Provide accountability and transparency** - merit-based provision of support and a system of accountability that complies with the Local Government Act 1993.
 - 3.1.2 **Provide alignment with CN strategies** and CN priorities outlined in the Newcastle 2030 Community Strategic Plan.
 - 3.1.3 **Facilitating active participation by community stakeholders** in the use and development of Public Places.
 - 3.1.4 **Creating safe, vibrant and welcoming Public Places and neighbourhoods** where people feel a strong sense of ownership in their community and a commitment to improving experiences.
 - 3.1.5 **Provide value for money** - considers the value for money received in return for CN's investment.
 - 3.1.6 **Creating Public Places that feel safe** for all, including the most vulnerable in the community.

Part B Expenditure of SBR Monies

4 Allocation of SBR monies

- 4.1 CN will determine, at its discretion, the amount of SBR monies to be made available for expenditure each year in accordance with this Policy, having reference to the amount of SBR monies collected each year and CN's annual budget process.
- 4.2 SBR monies must be allocated to the SBR Precinct for which they were collected.
- 4.3 CN will expend SBR monies via any of the following means, at its discretion:
 - 4.3.1 A service arrangement with a Business Improvement Association (BIA); or
 - 4.3.2 A service arrangement with a BIA Support service; or
 - 4.3.3 A competitive Expression of Interest (EOI) process administered by CN; or
 - 4.3.4 Projects and activities delivered by CN which meet the requirements of this Policy.

5 Program structure

- 5.1 CN will publish annual Guidelines to support implementation of the Policy, including the Assessment Criteria to support the competitive EOI process.
- 5.2 Guidelines will be approved annually by CN Director Strategy and Engagement.
- 5.3 Funding allocated via a competitive EOI process will be required to comply with the SBR Guidelines provided by CN and will be administered by a service agreement.
- 5.4 CN requires all Projects funded via SBR to publicly acknowledge CN.
- 5.5 CN will publish the details of each Project funded via SBRs on CN's website.
- 5.6 CN may host public information session(s) to provide information to prospective applicants about the program.

Part C Eligibility and assessment

6 Eligibility Criteria

- 6.1 Applicants seeking SBR monies via a service arrangement (as outlined in section 4.2.1 or 4.2.2) or a competitive EOI process (as outlined in section 4.2.3) must comply with the following Eligibility Criteria:
 - 6.1.1 Applicants must be a registered organisation with an ABN (or ACN) or Not for Profit organisation. Consideration may be given to applications from individuals where their application is auspiced by, or partnering with, a registered organisation;
 - 6.1.2 The Project must occur in a publicly accessible place within a SBR Precinct. Consideration may be given to Projects within close proximity of a SBR Precinct provided applicants can demonstrate a clear nexus and benefit for the SBR Precinct;
 - 6.1.3 The Project must be for the purpose of promotion, beautification and development of one or more SBR Precincts.

7 Assessment Criteria

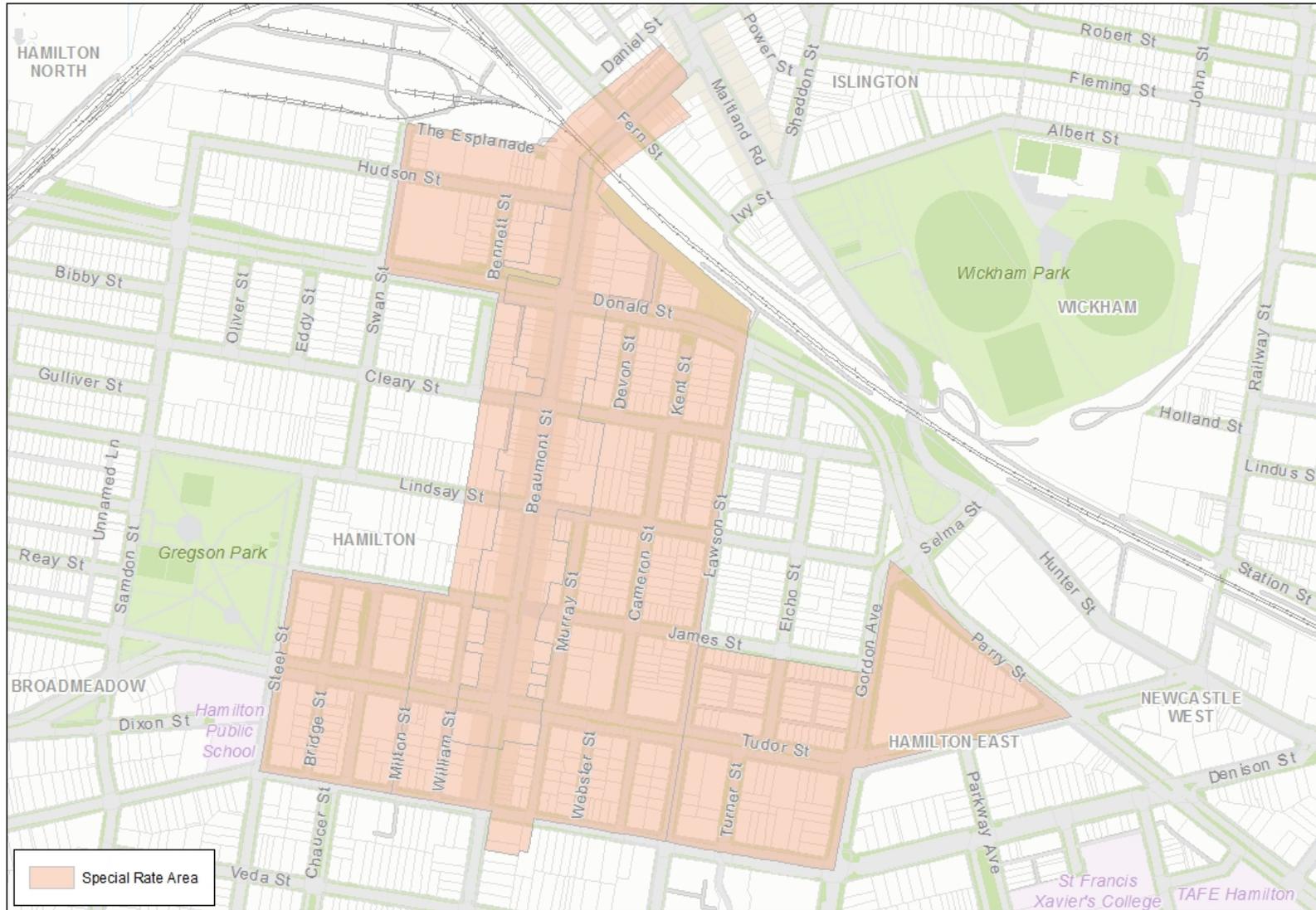
- 7.1 Projects that satisfy the Eligibility Criteria set out in section 6 will be scored against Assessment Criteria which will be published by CN in Guidelines each year and which will generally be designed to assess:
 - 7.1.1 Evidence of partnerships between businesses in the SBR Precinct;
 - 7.1.2 How the Project aims to promote, beautify and develop the SBR Precinct, for example through increase in safety or amenity, place activation, economic and business development, innovation and creativity, healthy lifestyles or infrastructure;
 - 7.1.3 How the Project addresses the principles of the Newcastle 2030 Community Strategic Plan;
 - 7.1.4 The relevant capacity and experience of the organisation to successfully complete the Project; and
 - 7.1.5 The extent to which the budget is comprehensive, realistic and provides value for money.

Annexure A Definitions

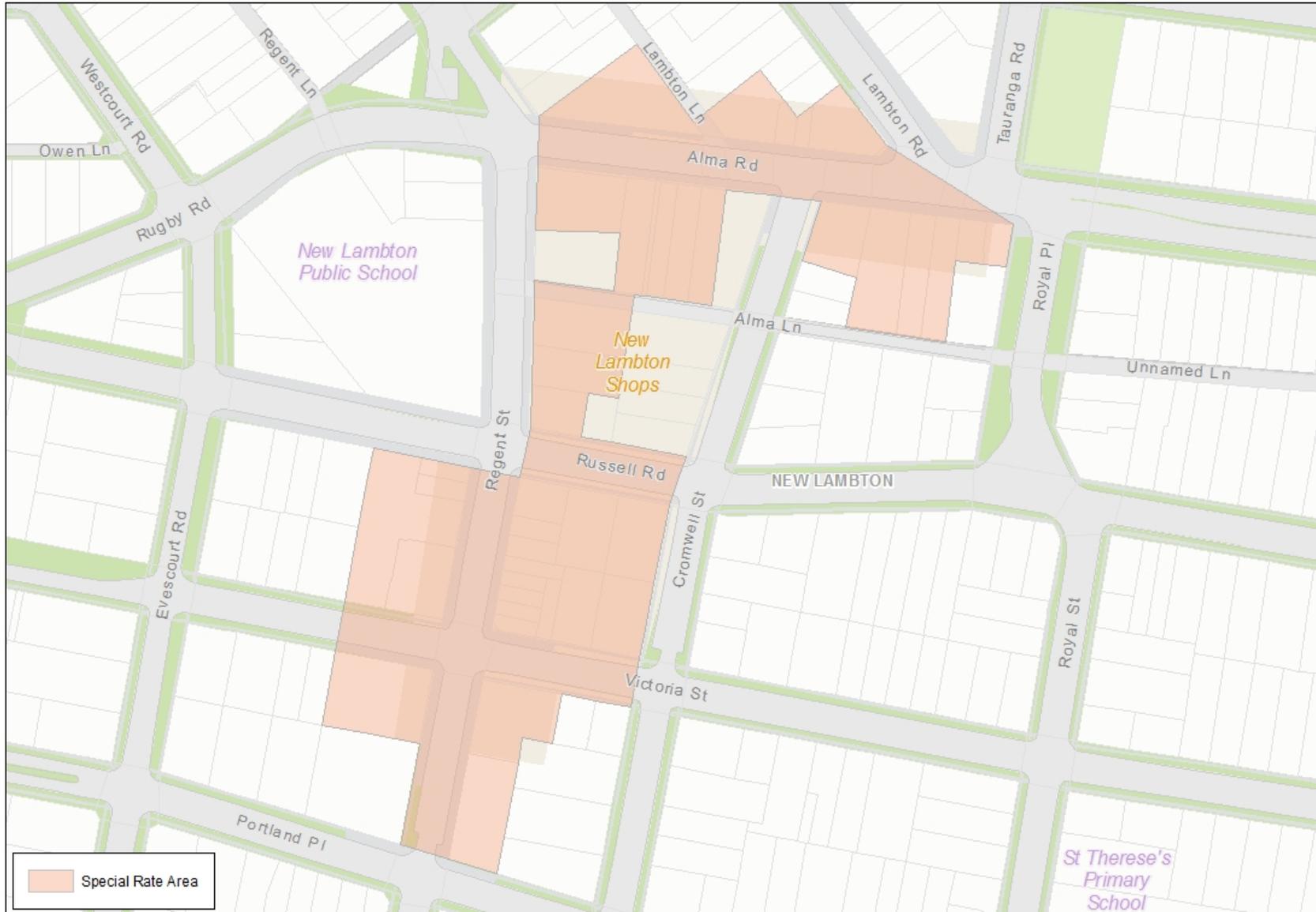
1. **Assessment Criteria** means the method used to evaluate and measure an application.
2. **Business Improvement Association** means an independent organisation representing businesses within a SBR Precinct.
3. **City of Newcastle (CN)** means Newcastle City Council.
4. **Council** means the Elected Council.
5. **Eligibility Criteria** means an attribute that must be complied with.
6. **Expression of Interest (EOI)** process means a request for information that demonstrates capacity to perform a service.
7. **Guidelines** means any Guidelines published in connection with CN's Expression of Interest in any year.
8. **Project** means works, services, facilities, events or activities.
9. **Public Places** means:
 - 9.1 Community land owned by CN;
 - 9.2 land over which CN has care and control; or
 - 9.3 publicly accessible land owned by another government body or property owner where written permission has been granted for a community project accessible to the general public.
10. **SBR Precinct** means the precincts within the Newcastle Local Government Area which pay a Special Business Rate as identified in Annexure B.
11. **Special Business Rate (SBR)** means a special rate as provided in s. 492 of the Local Government Act 1993.
12. Unless stated otherwise, a reference to a section or clause is a reference to a section or clause of this Policy.

Annexure B SBR Precinct Maps

8 Hamilton SBR Precinct Map



9 New Lambton SBR Precinct Map



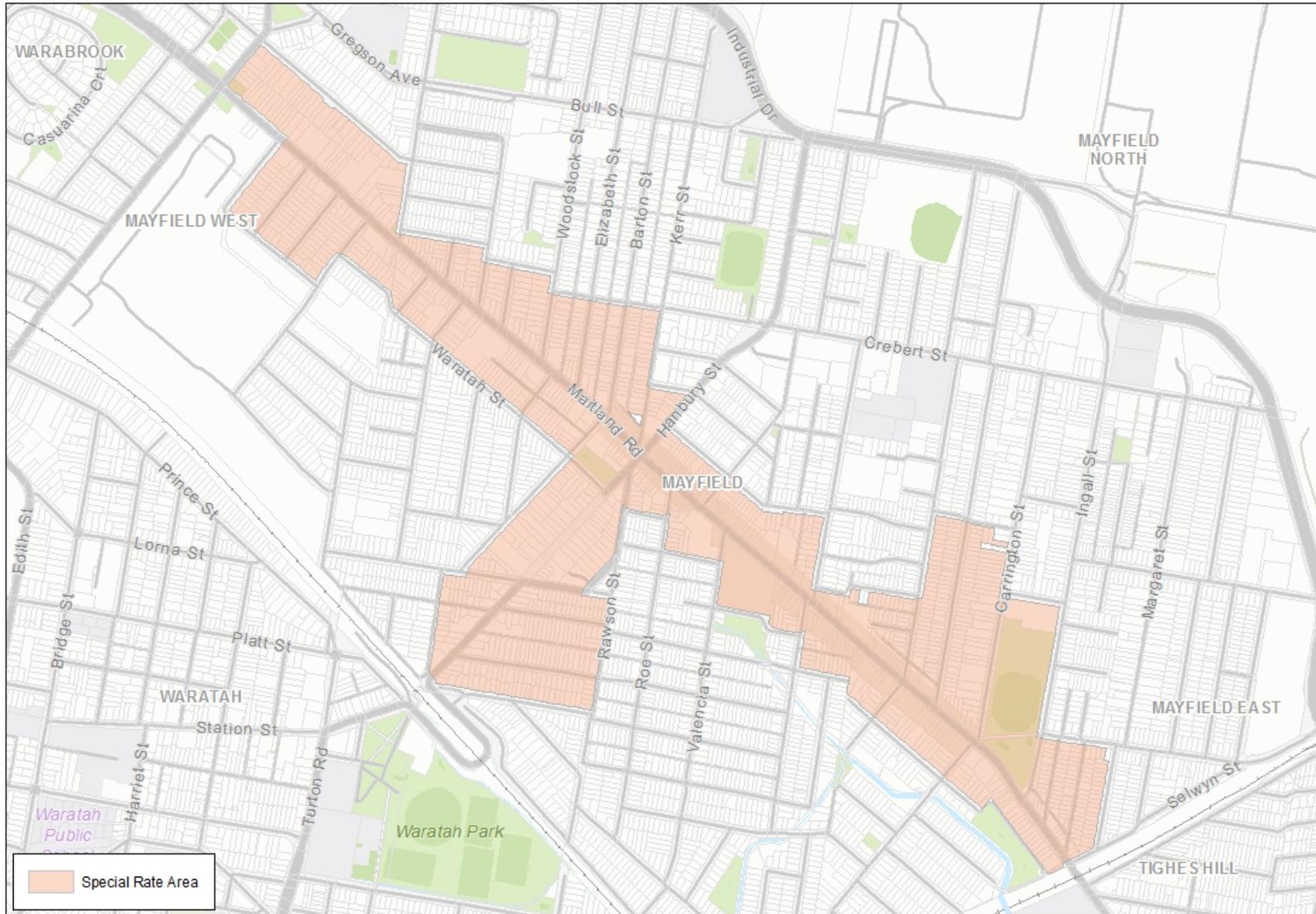
10 Wallsend SBR Precinct Map



11 City Centre/Darby Street SBR Precinct Map



12 Mayfield SBR Precinct Map



Document Control

Policy title	Special Business Rate Expenditure Policy
Policy owner	Manager Community and Corporate Planning
Policy expert/writer	Manager Community and Corporate Planning
Associated Procedure Title	N/A
Procedure owner	N/A
Prepared by	Community and Corporate Planning
Approved by	Council
Date approved	To be completed by Legal
Policy approval form reference	ECM#
Commencement Date	To be completed by Legal
Next revision date	30/06/2022
Termination date	To be completed by Legal (one-year post revision date)
Version	1
Category	Administration
Keywords	Special Business Rate Expenditure Policy.
Details of previous versions	N/A
Legislative amendments	N/A
Relevant strategic direction	Vibrant and Activated Public Places
Relevant strategy	Newcastle 2030 Community Strategic Plan
Relevant legislation/codes	Ss.409 and 495 - Local Government Act 1993 (NSW)
Other related policies/ documents/ strategies	Newcastle After Dark 2018 – 2021 Live Music Strategy 2019 – 2022 Cultural Strategy 2016 – 2019 Economic Development Strategy 2016 – 2019 Safe City Plan 2017 – 2020 Disability Inclusion Action Plan 2016 Expression of Interest Guidelines
Related forms	N/A
Required on website	Yes
Authorisations	N/A

**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
ADOPTION OF SPECIAL BUSINESS RATE EXPENDITURE POLICY**

**ITEM 64 Attachment B: Special Business Rate Expenditure Policy
Public Exhibition Feedback Report**

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Public Exhibition Feedback

On 23 July 2019 Council resolved to place the draft Special Business Rate Expenditure Policy on public exhibition. The draft Policy was placed on public exhibition for three weeks, from Wednesday 24 July until Tuesday 13 August 2019. In total, Council received 8 submissions with 7 key themes.

Theme	Composition of Assessment Panel	Maintenance of existing projects	Individuals as applicants	Use of funds only in precincts where funds are collected	Outside organisations and not-for-profit use of funds	Engagement of Professional	CN use of funds
Times theme is raised within submissions	5	1	1	1	1	3	1

Key Issues Raised

The issues matrix below captures issues raised together with Council's official position:

Issue	Council Position
Composition of Assessment Panel <ul style="list-style-type: none"> BIA or local Business Representation 	CN acknowledges the submissions however to ensure an independent process CN does not believe that individual business representation can provide a fair and transparent process free from individual conflicts of interest. The guidelines will be amended to appoint an independent party to the Assessment Panel, Purser Communications, who have also been engaged to work with each of the BIA's as an independent support service.
Maintenance of existing projects	The Policy does not preclude funding for maintenance of projects.
Individuals as applicants	Individuals can apply for funding if they are auspiced by a registered organisation with and ABN.
Use of funds only in precinct where funds are collected	CN has amended the Policy to clearly articulate the legislative requirement that funds must be spent in the SBR precinct in which they were collected.
Outside organisations and not-for-profits use of funds	A number of not-for-profit organisations are located within the SBR Precincts and also contribute to the SBR so therefore it is important that they are also eligible to apply. The Policy allows organisations from outside of the SBR Precinct to apply conditional on them meeting the objectives of the Policy and associated guidelines.
Engagement of Professionals eg event organisers	The Policy does not preclude applicants engaging professional event organisers to deliver their project.
CN use of Funds	CN is required to ensure all SBR funds are expended in line with the Policy. Any projects proposed by CN will be required to be assessed against all other applications as part of the assessment process.

Several other issues were raised about the BIA model and guidelines. These have not been reported as feedback relates specifically to the Special Business Rate Expenditure Policy that was placed on Public Exhibition.

**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
ADOPTION OF SPECIAL BUSINESS RATE EXPENDITURE POLICY**

**ITEM 64 Attachment C: Special Business Rate Expression of Interest
Guidelines**

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Special Business Rate Expression of Interest Guidelines

newcastle.nsw.gov.au



City of
Newcastle





This document provides guidelines for Expressions of Interest (EOI) process to enter into Service Agreements with Businesses and Not for Profit Organisations for the purpose of promotion, beautification and development of the Special Business Rate (SBR) precincts of City Centre/Darby Street, Hamilton, Wallsend and New Lambton.

Suitable projects to be funded via the competitive EOI process include those that:

Provide positive promotional exposure for Newcastle

Provide economic benefit through increased tourist visitation and spending

Support business growth and employment

Enhance public places that provide for diverse activity and strengthen our social connections

Celebrate culture, heritage and place

Contribute to a creative, culturally rich and vibrant community

Contribute to safe activated places that are used by people day and night

Demonstrate a welcoming community that looks after each other

Contribute to active and healthy communities with physical, mental and spiritual wellbeing.

City of Newcastle (CN) commits itself to the following principles:

Provide accountability and transparency - merit-based provision of support and a system of accountability for the recipient.

Provide alignment with CN strategies and CN priorities outlined in the Newcastle 2030 Community Strategic Plan.

Facilitating active participation by community stakeholders in the use and development of Public Places.

Creating safe, vibrant and welcoming public places and neighbourhoods where people feel a strong sense of ownership in their community and a commitment to improving experiences.

Provide value for money - considers the value for money received in return for CN's investment

Creating Public Places that feel safe for all, including the most vulnerable in the community.

1.

Allocation of SBR Funds

Monies will be provided under a competitive expression of interest (EOI) process administered by CN.

- 1.1 The minimum amount of funding per application is \$4,000. The maximum amount of funding for City Centre/Darby Street SBR Precinct is \$500,000 and \$15,000 for Hamilton, Wallsend and New Lambton SBR Precincts.
- 1.2 CN may decide to offer to an applicant an amount less than what is applied for.
- 1.3 If a Service Agreement is entered, applicants are prohibited from seeking additional support (funding or in-kind) from CN for the same project/service/activity.
- 1.4 Multi-year applications will be at the invitation of CN.

2.

Program structure

- 2.1 CN will hold at least one competitive EOI each financial year subject to available funding.
- 2.2 CN will require all successful recipients to publicly acknowledge the City of Newcastle as a project/ event partner. The application form will require information on how this will be achieved (including, for example, the inclusion of CN's logo on advertising and collateral, invitations to events and functions for CN representative/s). For successful applicants, this requirement will be included in the Service Agreement and evidence will be required in the acquittal reporting.
- 2.3 CN will advertise the details of the EOI on CN's website and other forms of public media.
- 2.4 CN may host public information session(s) in connection with an EOI round to provide information to prospective applicants about the SBR process.
- 2.5 CN's Director Strategy and Engagement may determine to allocate a portion of the total funding available each financial year (along with any unexpended or returned funds) for ad hoc applications outside the competitive round(s). If such funding is allocated, it will be advertised on CN's website annually.

3.

Role of the Assessment Panel

- 3.1** An assessment panel will be convened to:
 - 3.1.1** Assess and approve EOIs.
 - 3.1.2** Authorise the payment of SBR funding to successful applicants.

4.

Quorum and attendance at Assessment Panel meetings

- 4.1** A quorum of the Assessment Panel meetings will comprise three of the members provided in Annexure A Clause 3.
- 4.2** The Relevant CN Officer will convene meetings of the Assessment Panel and other CN officers may attend as necessary. Only the Assessment Panel members listed in Annexure A Clause 3 have voting capacity.
- 4.3** All Assessment Panel members and CN officers in attendance must ensure they meet their obligations under the Code of Conduct at all times; as well as obligations under other relevant legislation and SBR Expenditure Policy.

5.

Eligibility Criteria

- 5.1** EOIs must comply with the following eligibility criteria:
 - 5.1.1** Applicants must be a registered organisation with an ABN (or ACN) or Not for Profit organisation;
 - 5.1.2** Applications from businesses must demonstrate partnership with the community;
 - 5.1.3** Applicants must be able to demonstrate that the project will predominantly benefit businesses of the SBR Precinct;
 - 5.1.4** Only one application per project, per financial year, may be successful in obtaining funding from CN;
 - 5.1.5** Applicants must lodge a completed application using CN's EOI Application Form in accordance with these guidelines;

- 5.1.6** The project/service/activity must occur in a publicly accessible place within close proximity of the SBR Precinct;
- 5.1.7** The project/service/activity must be consistent with the community values defined in the Newcastle 2030 Community Strategic Plan;
- 5.1.8** The Applicant is responsible for obtaining all regulatory approvals for the project/service/activity;
- 5.1.9** Applicants must provide evidence that they have appropriate insurances in place if requested by CN;
- 5.1.10** Applicants must provide evidence that they have obtained the consent of the property owner;
- 5.1.11** Applicants must meet at least one quarter of the total project cost for applications on private property (as defined in clause 9.3); and
- 5.1.12** Applications for infrastructure upgrades over \$1,000 must include a minimum of two quotes.

5.2 The following are ineligible for funding:

- 5.2.1** Late or incomplete applications;
- 5.2.2** Funding for administrative functions associated with a project/service/activity;
- 5.2.3** Applicants who have overdue or non-compliant acquittals from previous funding from CN under any of CN's funding programs;
- 5.2.4** Events, projects or activities with a religious, political or sectarian purpose, where that purpose may exclude or offend members of the broader community;
- 5.2.5** EOIs seeking funds for retrospective projects or activities;
- 5.2.6** General fundraising appeals;
- 5.2.7** Proposals that duplicate a project, service or activity already existing within the SBR Precinct;
- 5.2.8** Purchase of land or buildings;
- 5.2.9** Applications seeking funds for prize money, gifts or awards including gift vouchers;
- 5.2.10** Applications for events that have previously received funding under any CN grant or sponsorship programs or SBR EOI rounds for a period of 5 years or more;

- 5.2.11** Applications seeking funds for personal benefit such as travel, meal or accommodation costs;
- 5.2.12** Applicants who have an outstanding debt(s) to CN;
- 5.2.13** Applicants who have had a previous Funding or Service Agreement with CN terminated due to a breach of the agreement.
- 5.2.14** Applications for profit generating activities by individuals or companies; and
- 5.2.15** Applications assessed by CN to hold unacceptable risk. Applicants may be required to submit a preliminary risk assessment for any activities with potential high risk. Applicants will be notified of the requirement prior to the assessment process commencing.

6.

Assessment Code

- 6.1** Applications that satisfy the Eligibility Criteria set out in Section 5 will be assessed against the following Assessment Criteria:
 - 6.1.1** Show evidence of local community involvement, interest group and /or local business partnership(s), assessed through the range of groups involved;
 - 6.1.2** Deliver place activation or marketing and promotion, increase safety and/or amenity, assessed through number, age range and diversity of participants and or total audience;
 - 6.1.3** Deliver community benefit to those who live, work and/or recreate in the place through enhancement of community wellbeing, economic and business development, innovation and creativity, healthy lifestyles or community infrastructure assessed through opportunity for community members to be involved or new/refreshed infrastructure provided;
 - 6.1.4** Capacity of the organisation to successfully complete the project (Note: CN may assess all available information regarding the applicant/application and project/service/activity when making this assessment including data from previous projects);
 - 6.1.5** The extent to which the budget is comprehensive, realistic and provides value for money;
 - 6.1.6** The extent to which other third-party funds are committed by the applicant to supplement SBR funds; and
 - 6.1.7** To ensure projects are sustainable, the project has a clear beginning and end or demonstrates that any ongoing or recurrent costs of the project can be met by the applicant once the Service Agreement funding has been expended.

7.

Assessment of Applications

- 7.1** The Relevant CN Officer will conduct a preliminary assessment against the Eligibility and Assessment Criteria set out in Sections 5 and 6 of these guidelines.
- 7.2** The Relevant CN Officer is authorised to amend estimates and projections included in the application prior to assessment, based on information available to CN or CN's experience. Any significant changes should be notified to the applicant with the reasoning documented.
- 7.3** If the applicant does not agree with amendments suggested by the relevant CN officer, the application will still be presented to the Assessment Panel for assessment with information from the Relevant CN Officer as to why amendments are recommended.
- 7.4** The Assessment Panel will be convened to assess applications. The Panel's assessment must be recorded on an evaluation form and retained in CN's records management system.
- 7.5** Following a preliminary assessment, the Relevant CN Officer will present all applications to the Panel with a recommendation on eligibility.
- 7.6** Allocation of funding will be made in accordance with the Panel's assessment results.
- 7.7** Each CN officer involved in the assessment and approval of applications under this section must comply with CN's Code of Conduct, in particular, the provisions covering Conflicts of Interest.
- 7.8** All decisions of CN are final, and no negotiations will be entered into with successful or unsuccessful applicants.

8.

Agreements, payments and acquittals

- 8.1** Payments will be made to applicants in accordance with the milestones agreed with the applicant and documented in the Service Agreement.
- 8.2** All payments under the Service Agreement must be invoiced to CN in accordance with achievement of the milestones documented in the Service Agreement.
- 8.3** All invoices must be received before the end of the financial year in which the Service Agreement was executed.
- 8.4** CN will not be liable for any amounts over and above the funding amount as set out in the Service Agreement.

9.

Notification and Payments

- 9.1** All applicants will be notified of the outcome of their application.
- 9.2** No payments will be made before the Service Agreement is signed by both parties.
- 9.3** Payment will be in accordance with the Service Agreement.
- 9.4** CN officers as outlined in Schedule 1 can authorise payment of SBR funding.
- 9.5** Awarding of funding from CN via a Service Agreement in no way implies any ongoing funding commitment or obligation by CN including for payments for works (including maintenance) delivered outside of the financial year in which the project was agreed to be completed.
- 9.6** Awarding of a Service Agreement does not imply that CN has given any other consent. Applicants should note that many activities require approvals and consents from CN, NSW Police and other state government agencies and that they are wholly responsible for obtaining such approvals. The failure to obtain approvals will void the Service Agreement and may in result in funding being revoked even where works have been completed.

10.

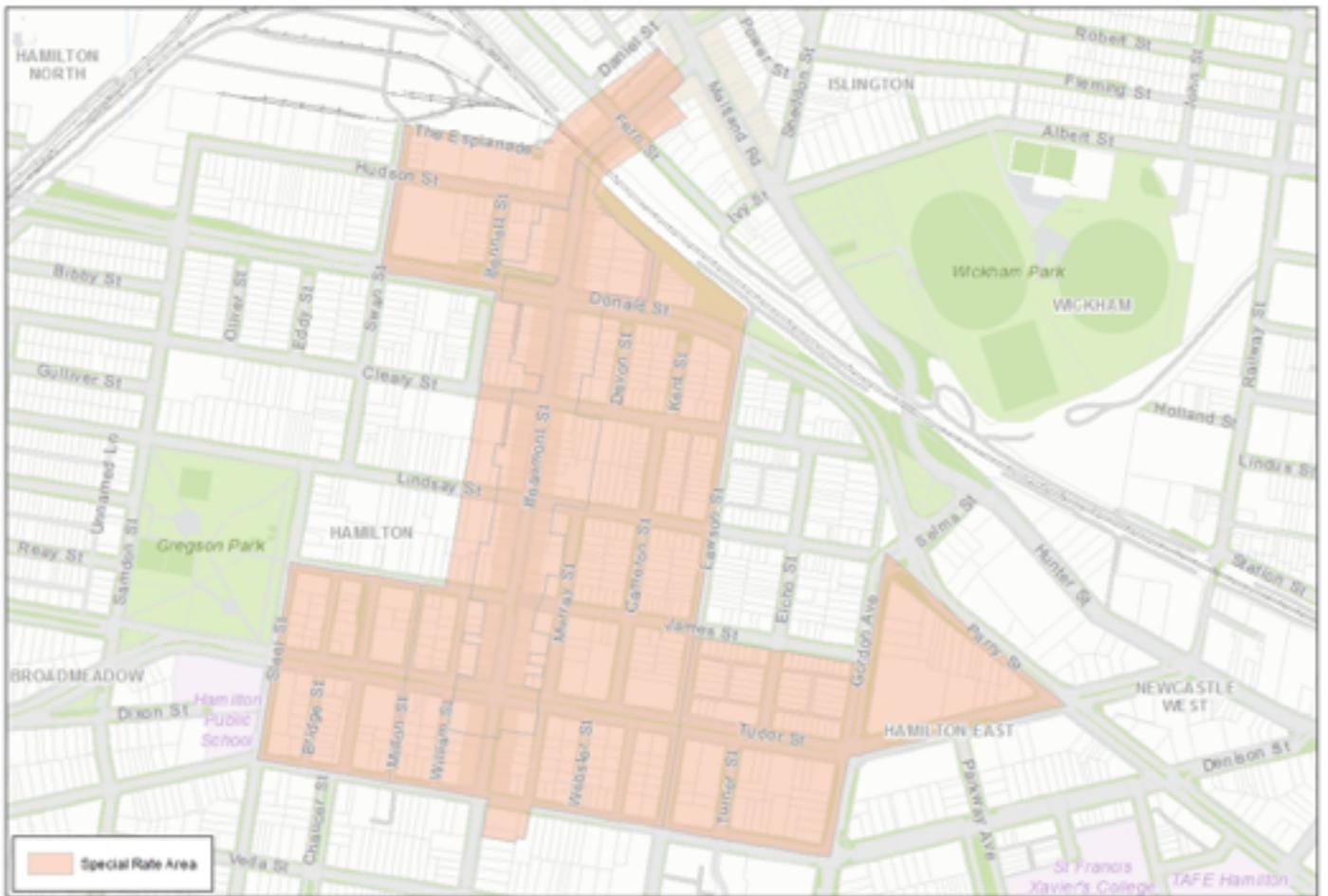
Acquittal Report

- 10.1** Successful applicants must provide a final acquittal report to CN within the timeframe specified in the Service Agreement.
- 10.2** The information required will be specified in the Service Agreement and may include:
 - 10.2.1** Final accounts (audited, if appropriate).
 - 10.2.2** Evidence of how CN was acknowledged during the project.
 - 10.2.3** An assessment of the outcomes realised against the outcomes anticipated or estimated in the EOI application form.
 - 10.2.4** Formal advice of funds not spent (funds not expended for the purpose outlined in the application must be returned to CN).

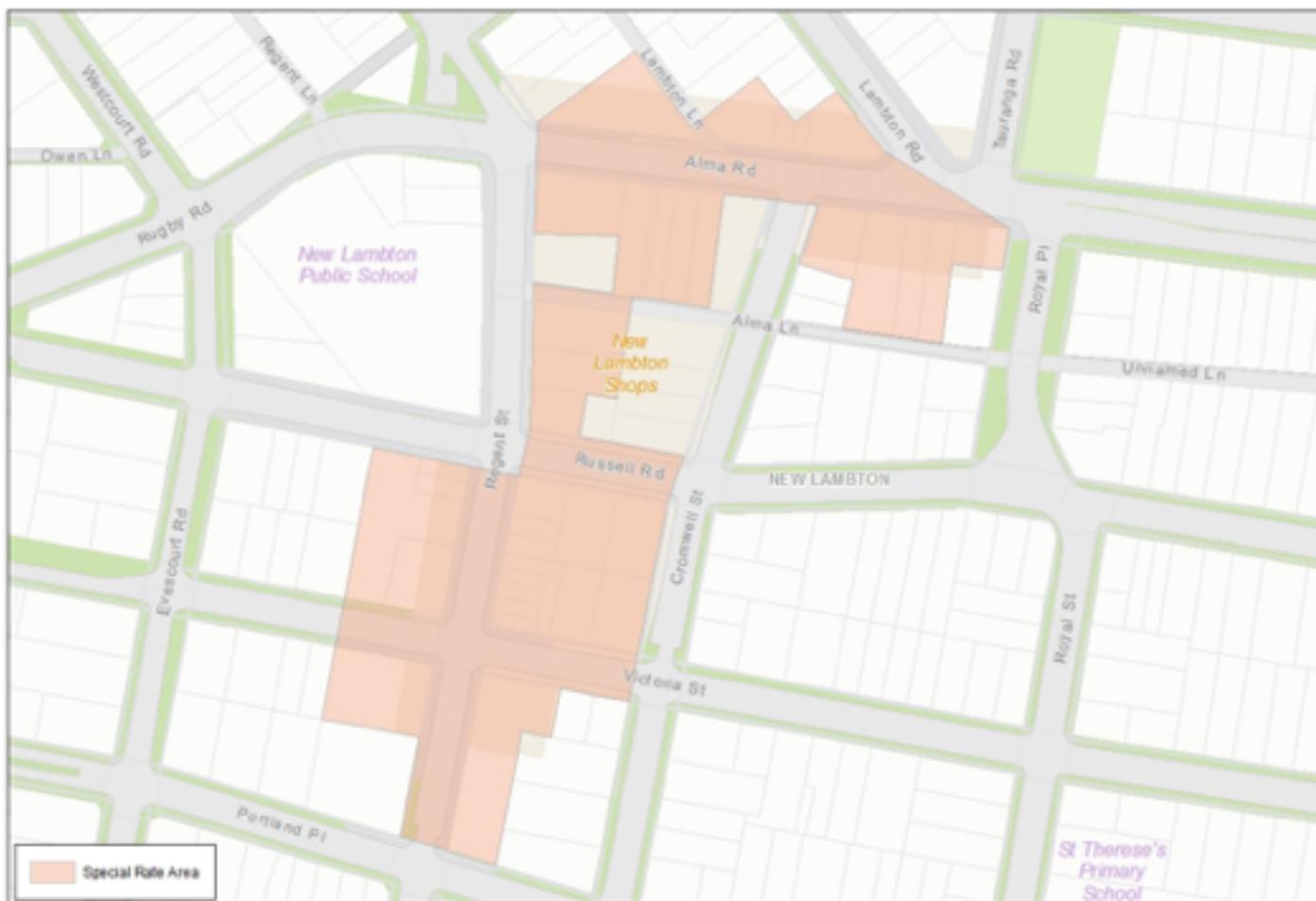
Annexure A – Definitions

- 1 **Service Agreement** means the agreement entered into by CN and an applicant whose Expression of Interest has been successful.
- 2 **Special Business Rate (SBR)** means the special business rate levy paid by businesses within the Special Business Rate Precincts to CN.
- 3 **Assessment Panel** means the panel comprising:
 - 3.1 Lord Mayor (or nominee).
 - 3.2 Director Strategy and Engagement (or nominee).
 - 3.3 Manager Community and Corporate Planning.
 - 3.4 Economic Development Facilitator.
 - 3.5 Representative from the external shared BIA Support Service.
- 4 **SBR Precinct** means the precincts within the Newcastle Local Government Area which pay a Special Business Rate Levy as identified in Annexure B.
- 5 **Public Places** means
 - 5.1 Community land owned by CN;
 - 5.2 Land over which CN has care and control; or
 - 5.3 Publicly accessible land owned by another government body or property owner where written permission has been granted for a community project accessible to the general public.
- 6 **Relevant CN Officer** means the CN employee responsible for administering the SBR Funds.
- 7 **CEO** means Chief Executive Officer of the City of Newcastle and includes their delegate or authorised representative.
- 8 **City of Newcastle (CN)** means Newcastle City Council.
- 9 **Council** means the Elected Council.
- 10 Unless stated otherwise, a reference to a section or clause is a reference to a section or clause of these guidelines.

Annexure B - Hamilton SBR Precinct Map



New Lambton SBR Precinct Map



Wallsend SBR Precinct Map



City Centre/Darby Street SBR Precinct Map



**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
ADOPTION OF REVISED CEO PERFORMANCE REVIEW POLICY**

Item 67 Attachment A: Revised CEO Performance Review Policy

DISTRIBUTED UNDER SEPARATE COVER

Policy

CEO Performance Review

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Part A – Preliminary

1 Purpose

- 1.1 The purpose of the Policy is to articulate the framework, delegation and responsibilities for the review of the CEO performance by the Council appointed Performance Review Panel.
- 1.2 This Policy establishes the performance framework in accordance with the Director General Guidelines issued pursuant to Section 23A of the Local Government Act 1993.

2 Scope

- 2.1 The Policy applies to the CEO, Lord Mayor, Councillors, Performance Review Panel, Directors and Director People and Culture.

3 Principles

- 3.1 City of Newcastle (CN) commits itself to the following:
 - 3.1.1 **Accountability and transparency** - The Policy provides a framework for the transparent and merit-based provision of performance support; and a system of accountability.
 - 3.1.2 **Fairness and equity** - The Policy provides a framework to ensure the interests of both the elected Council and the CEO are protected in terms of natural justice, procedural fairness and ant-discrimination.

Part B – Performance Management Framework

4 Delegation to the Performance Review Panel

- 4.1 By adopting this Policy, the Council of City of Newcastle delegates to the Performance Review Panel (PRP), the authority to undertake performance assessments for the CEO.
- 4.2 This delegation is to be exercised in accordance with:
 - 4.2.1 The requirements of the Director General Guidelines issued pursuant to Section 23A of the Local Government Act 1993;
 - 4.2.2 Standard Contract of Employment for General Managers of Local Councils in New South Wales;
 - 4.2.3 The requirements of any other relevant act, law or regulation; and
 - 4.2.4 The effective date of the Council resolution adopting this Policy to the completion of the delegated performance management tasks at the end of this term of Council.
- 4.3 Council may also choose to undertake interim reviews of the CEO performance in addition to the annual performance review.

5 Performance Review Panel Members

- 5.1 The Performance Review Panel will comprise:
 - 5.1.1 The Lord Mayor; and
 - 5.1.2 Up to three Councillors endorsed by the elected Council.

6 Training

- 6.1 The Performance Review Panel members will receive training in conducting a performance review of the CEO prior to being required to conduct a Performance Review.

7 Appointment of Facilitator

- 7.1 The elected Council and the CEO may agree on the involvement of an external facilitator to assist with the process of performance appraisal and the development of performance plans.
- 7.2 The coordination of the appointment of an external facilitator to assist with the performance review process will be undertaken by the Director People and Culture.

Part C – Performance Agreement

8 Development of Performance Agreement

- 8.1 The performance agreement will be developed at the commencement of the annual performance review period in consultation with the Performance Review Panel and the CEO.
- 8.2 The performance agreement will include clearly defined and measurable performance indicators against which the CEO performance will be measured.
- 8.3 The performance agreement will include key indicators that measure how well the CEO has met the Council's expectations with respect to:
 - 8.3.1 Strategic items;
 - 8.3.2 Operational items; and
 - 8.3.3 Behaviours including leadership qualities.
- 8.4 The performance agreement will be presented to Council in a closed meeting together with the outcomes of the previous performance review period.
- 8.5 The performance agreement may be varied from time to time during the term of the contract by agreement between the CEO and Council, with such agreement not to be unreasonably withheld.

9 Link to Senior Staff Performance Agreements

- 9.1 The CEO will ensure that the performance and development plans of Directors:
 - 9.1.1 Align with the CEO Performance Agreement;
 - 9.1.2 Support the achievement of the Council's expectations of the CEO; and
 - 9.1.3 Ensure the CEO strategic, operational and behavioural expectations of the senior staff are clearly articulated.

Part D – Performance Review Process

10 Mid-Year Performance Review

10.1 During the mid-year performance review the CEO will submit a self-assessment regarding achievement of managerial, project and behavioural requirements for the six-month period. The Performance Review Panel will:

- 10.1.1 Meet to consider the self-assessment; and
- 10.1.2 Provide feedback to the CEO on any issues requiring attention during the remainder of the annual performance review period.

10.2 The Performance Agreement will be amended to reflect any agreed changes.

11 Annual Performance Review

11.1 Notification by the CEO at least 21 days prior to the annual performance review due date, the CEO will:

- 11.1.1 Notify the Performance Review Panel that the annual performance review is due; and
- 11.1.2 Submit a self-assessment relating to performance against the Performance Agreement to the Facilitator.

11.2 Assessment by the Performance Review Panel

- 11.2.1 The Performance Review Panel will rate the performance of the CEO against the Performance Agreement using the assessment scale outlined in Part F.
- 11.2.2 The Facilitator will receive and collate the assessments of the Performance Review Panel in preparation for the formal Performance Review meeting.

11.3 Performance Review Panel meeting with the CEO

- 11.3.1 The CEO will be provided at least 10 day's-notice that a performance review meeting is to be conducted.
- 11.3.2 A meeting between the CEO and the Performance Review Panel will be held to discuss the ratings and opportunities for future development of the CEO. The meeting will:
 - a) Concentrate on constructive dialogue about the CEO performance against all sections of the agreed performance plan;
 - b) Identify any areas of concern and agreed actions to address those concerns; and
 - c) Ensure fairness, natural justice and the laws and principles of anti-discrimination are complied with.
- 11.3.3 The Performance Review Panel will decide on a final assessment for each part of the Performance Agreement using the assessment scale (Part F: Clause 21).

12 Reporting

12.1 To the CEO

Within six weeks from the conclusion of the Performance Review, the Performance Review Panel will prepare and send to the CEO a written statement that sets out:

- 12.1.1 Council's conclusions about the CEO performance review period;
- 12.1.2 Any proposal by Council to vary the performance criteria as a result of a performance review; and
- 12.1.3 Any directions or recommendations made by Council to the CEO in relation to the CEO future performance for the duties of the position.

12.2 To Council

The Performance Review Panel will report the finding and recommendations of the annual performance review to a closed meeting of the elected Council as soon as practicable following the annual performance review. This is not an opportunity to debate the results or re-enact the review. The CEO should not be present when the matter is considered.

Part E – Reward and Remuneration

13 Statutory and Other Officers Remuneration Tribunal Increases

- 13.1 An annual increase in the Total Remuneration Package (TRP) equivalent to the latest percentage increase in remuneration for senior executive officer holders as determined by the Statutory and Other Officers Remuneration Tribunal (SOORT) is available to the CEO on each anniversary of the employment contract.

14 Discretionary Remuneration Increases

- 14.1 The Performance Review Panel determine by consensus, any changes to the CEO employment conditions, including remuneration adjustments (exclusive of SOORT increases).
- 14.2 Discretionary increases to the CEO TRP will be:
- 14.2.1 Conditional on performance being assessed by the Performance Review Panel constituting satisfactory performance as meeting or exceeding expectations (refer to Part F);
 - 14.2.2 Modest and in line with community expectations;
 - 14.2.3 Endorsed by resolution of the elected Council together with the reason for the increase, reported to an open meeting of Council; and
 - 14.2.4 In line with the Standard Contract of Employment.

Part F – Roles and Responsibilities

15 The Performance Review Panel

15.1 The role of the Performance Review Panel includes:

- 15.1.1 Development of a Performance Agreement in consultation with the CEO.
- 15.1.2 Undertaking an annual (and mid-year) performance assessment of the CEO.
- 15.1.3 Appointing a suitably qualified Facilitator in consultation with the CEO.
- 15.1.4 Recommending any discretionary increase to the CEO total remuneration package as provided in Clause 14.2.

16 The CEO

16.1 The CEO is responsible for:

- 16.1.1 Preparing a self-assessment of their performance and providing it to the Facilitator at least 21 days prior to the mid-year and/or annual Performance Review Panel meeting.

17 The Lord Mayor

17.1 The Lord Mayor is responsible for:

- 17.1.1 Being a member of the Performance Review Panel.
- 17.1.2 Under the Local Government Act 1993 No: 30, section 226 – Role of the Lord Mayor (n) in consultation with the Councillors, to lead performance appraisals of the CEO.
- 17.1.3 Reporting to the elected Council and the CEO on the Performance Review Panel's assessment following the annual review.
- 17.1.4 Formally advising the CEO, Facilitator and Performance Review Panel of any decisions of Council.
- 17.1.5 Ensuring Performance Reviews are conducted in line with the CEO Performance Review Policy.

18 The Elected Council

18.1 The Elected Council is responsible for:

- 18.1.1 Taking nominations at the beginning of each Council term to elect up to three Councillors to participate in the CEO Performance Review Panel in accordance with clause 4.1. If there are more than three nominees, Council selects positions through open voting (show of hands) in accordance with clause 251 of the Local Government (General) Regulation 2005 (NSW), under the Local Government Act 1993.

19 The Facilitator

19.1 The Facilitator is responsible for:

- 19.1.1 Ensuring that the interests of both the CEO and Council are adequately protected throughout the Performance Review Process, including ensuring the Performance Review process is conducted fairly and in accordance with principles of natural justice.
- 19.1.2 Conducting the annual Performance Review Panel meeting.
- 19.1.3 Updating the Performance Agreement to reflect any changes agreed at the mid-year performance review including obtaining required signatures, assisting in drafting a Lord Mayoral Minute and or/ formally providing any feedback to the CEO.

20 The Director People and Culture

20.1 The Director People and Culture is responsible for:

- 20.1.1 Coordinating the Performance Review Process including scheduling of all required meetings, sourcing appropriate options for appointment of a Facilitator, formal recording of all documentation and implementation of any changes required to the CEO total remuneration package.
- 20.1.2 Ensuring the Performance Review Panel members receive appropriate performance management training, including:
 - a) The provision of written information regarding performance management;
 - b) An outline of the performance review process; and
 - c) Guidelines for both Performance Review Panel members and the CEO on how to manage the Performance Review process including roles and responsibilities.

21 Assessment Scale Rating

21.1 This Assessment Scale is consistent with City of Newcastle's Senior Staff Performance Agreement template and subsequent discretionary annualised increases.

21.2 The following rating scale will be used to assess the CEO performance in accordance with Clause 14:

Rating	Description
1	Below Expectations - important deliverables have not been met.
2	Meets Expectations – meets agreed expectations.
3	Above Expectations - meets agreed expectations and exceeds in some areas.
4	Outstanding – consistently exceeds expectations in most areas.

Annexure A - Definitions

Act means the Local Government Act 1993 (NSW).

Agreed Projects means projects the CEO and Performance Review Panel agree to in the Performance Agreement.

Annual Performance Review due date means on or as close as practicable to the employee's anniversary date.

Annual Performance Review Period means the 12-month period from the employee's anniversary date.

CEO means Chief Executive Officer of City of Newcastle and includes their delegate or authorised representative. References to the Chief Executive Officer are references to the General Manager appointed under the *Local Government Act 1993* (NSW).

City of Newcastle (CN) means Newcastle City Council.

Council means the elected Council.

Facilitator means a suitable, qualified and experienced person appointed by the Performance Review Panel (with the CEO agreement) to assist in the preparation for, conduct of and reporting on the CEO Performance Review.

Performance Agreement means the document outlining the performance criteria agreed between the CEO and Performance Review Panel referred to in Part C, Section 9.

Performance Review means a review of the employee performance conducted in accordance with these procedures and Clause 7 of the employment contract.

Performance Review Process means the end to end annual process of reviewing the CEO performance and is inclusive of the mid-year and annual review process provided in Part D.

Performance Review Panel means the Councillors appointed by the Council to conduct the Performance Review Process.

Self-Assessment means the CEO rating and commentary regarding his/her own performance against the Performance Agreement.

Standard Contract means the standard contract of employee for CEOs of Local Councils in New South Wales approved by order under section 338(4) of the Local Government Act by the Director General.

Unless stated otherwise, a reference to a **section or clause** is a reference to a section or clause of this Policy.

Document Control

Policy title	CEO Performance Review Policy
Policy owner	People and Culture
Policy expert/writer	Director People and Culture
Associated Procedure Title	N/A
Procedure owner (if applicable)	Director People and Culture
Prepared by	People and Culture
Approved by	Council
Date approved	27/08/2019
Policy approval form reference	ECM Number: 4079310
Commencement Date	27/08/2019
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Version	Version 2
Category	HR - Remuneration
Keywords	CEO, Performance, Review, Panel
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Legislative amendments	N/A
Relevant strategic direction	Open and Collaborative Leadership
Relevant strategy	Community Strategic Plan 2030
Relevant legislation/codes (reference specific sections)	Local Government Act 1993 (NSW) Director General Guidelines for the Appointment and Oversight of General Managers (NSW) 2011 (s.23A) Local Government (General) Regulation 2005 (NSW) Standard of Contract of Employment Senior Staff (General Manager) of Local Councils in New South Wales

**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
ADOPTION OF REVISED CEO PERFORMANCE REVIEW POLICY**

Item 67 Attachment B: Current General Manager Performance Review Policy 2012

DISTRIBUTED UNDER SEPARATE COVER

The City of Newcastle
Policy

General Manager Performance Review

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Cooperation - Respect - Excellence - Wellbeing

General Manager Performance Review



Policy title	General Manager Performance Review
Policy owner	Director City Engagement
Prepared by	Human Resource Services
Approved by	Council
Date approved	04 December 2012
Commencement Date	04 December 2012
Version	Version 1
Category	Select one category: Administration
Keywords	General Manager, performance review, total, remuneration package
Revision date	August 2016 or the appointment of a new General Manager
Amendments	Nil
Relevant strategic direction	Select one strategic direction: Open and Collaborative Leadership
Relevant legislation/codes	Local Government Act 1993
Related policies/documents	General Managers Contract of Employment CCL18/10/2011 - Performance Agreement & review framework for General Manager Performance Review
Related forms	Nil

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Part A Preliminary

1 Purpose

- 1.1 The purpose of the policy is to articulate the framework, delegation and responsibilities for the review of the General Manager's performance by the Council-appointed Review Panel.

2 Scope

- 2.1 The policy applies to the General Manager, Lord Mayor, Councillors, Directors and Manager Human Resource Services.

3 Principles

- 3.1 Council commits itself to the following principles:
- 3.1.1 **Accountability and transparency** – The policy provides a framework for transparency and a system of accountability.
 - 3.1.2 **Fairness and equity** – The policy provides a framework to ensure the interests of both the elected Council and the General Manager are protected.

4 Definitions

- 4.1 **Act** means the *Local Government Act 1993* (NSW).
- 4.2 **Agreed Projects** means projects the General Manager and Review Panel agree to in the Performance Agreement.
- 4.3 **Annual Performance Review Due Date** means on or as close as practicable to 1 July each year.
- 4.4 **Annual Performance Review Period** means the twelve month period from 1 July to 30 June each year.
- 4.5 **Council** means The City of Newcastle.
- 4.6 **Facilitator** means a suitably qualified and experienced person appointed by the Review Panel (with the General Manager's agreement) to assist in the preparation for, conduct of and reporting on the General Manager's Performance Review.
- 4.7 **Performance Agreement** means the document outlining the performance criteria agreed between the General Manager and Review Panel referred to in section 9.
- 4.8 **Performance Review** means a review of the employee performance conducted in accordance with these procedures and clause 7 of the employment contract.
- 4.9 **Performance Review Process** means the end to end annual process of reviewing the General Manager's performance and is inclusive of the quarterly, mid year and annual review process provided for in Part D.
- 4.10 **Review Panel** means the Councillors appointed by the Council to conduct the Performance Review Process.
- 4.11 **Self Assessment** means the General Manager's rating and commentary regarding his/her own performance against the Performance Agreement.
- 4.12 **Standard Contract** means the Standard Contract of Employment for General Managers of Local Councils in New South Wales approved by Order under section 338(4) of the Local Government Act by the Director General in force from 1 July 2006.

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

Part B Performance Management Framework

5 Delegation to the Review Panel

- 5.1 By adopting this policy, the Council of the City of Newcastle delegates to the Performance Review Panel the authority to undertake performance assessments of the General Manager annually between October 2012 to September 2016 in accordance with this policy.
- 5.2 This delegation is to be exercised in accordance with:
 - 5.2.1 the requirements of the Act and the *Local Government Regulations 1995* (NSW);
 - 5.2.2 the requirements of any other relevant act, law or regulation; and
 - 5.2.3 any relevant resolution or policy of Council.
- 5.3 This delegation is effective from the date of the Council resolution adopting this policy to the completion of the delegated performance management tasks at the end of this term of Council.

6 Review Panel members

- 6.1 The Review Panel will comprise:
 - 6.1.1 The Lord Mayor;
 - 6.1.2 The Deputy Lord Mayor; and
 - 6.1.3 One Councillor elected by the elected Council

7 Training

- 7.1 Review Panel members will receive training in conducting a performance review of the General Manager prior to being required to conduct a Performance Review.

8 Appointment of Facilitator

- 8.1 The Review Panel and General Manager will appoint a Facilitator to facilitate the Performance Review Process.

Part C Performance Agreement

9 Development of the Performance Agreement

- 9.1 The Performance Agreement will be developed at the commencement of the Annual Performance Review Period in consultation with the Review Panel and the General Manager.
- 9.2 The Performance Agreement will include clearly defined and measurable performance indicators against which the General Manager's performance will be measured.
- 9.3 The Performance Agreement will include key indicators that measure how well the General Manager has met the Council's expectations with respect to:
 - 9.3.1 Strategic items;
 - 9.3.2 Operational items; and
 - 9.3.3 Behaviours including leadership.
- 9.4 The Performance Agreement will be presented to Council in a closed meeting together with the outcomes of the previous Performance Review Period.
- 9.5 The Performance Agreement may be varied from time to time during the term of the Performance Agreement by agreement between the employee and the Review Panel, such agreement not to be unreasonably withheld.

10 Link to Director's Performance Agreements

- 10.1 The General Manager will ensure that the Performance and Development Plans of Directors:
 - 10.1.1 Align with the Performance Agreement;
 - 10.1.2 Support the achievement of the Council's expectations of the General Manager; and
 - 10.1.3 Ensure the General Manager's strategic, operational and behavioural expectations of the Director are clearly articulated.

Part D Performance Review Process

11 Quarterly Performance Update

- 11.1 During October and March each year, the General Manager will provide a quarterly report on the progress of Agreed Projects .
- 11.2 The quarterly report will be provided to the Councillors for their information.

12 Mid Year Performance Review

- 12.1 During December/January, the General Manager will submit a Self Assessment regarding achievement of managerial, project and behavioural requirements for the six month period ending December to the Review Panel.
- 12.2 The Review Panel will:
 - 12.2.1 Meet to consider the Self Assessment; and
 - 12.2.2 Provide feedback to the General Manager on any issues requiring attention during the remainder of the Annual Performance Review Period.
- 12.3 The Performance Agreement will be amended to reflect any agreed changes.
- 12.4 A Lord Mayoral Minute on the progress of the Performance Agreement will be presented to a closed session of the next available Council Meeting.

13 Annual Performance Review

13.1 Notification by General Manager

At least 21 days prior to the Annual Performance Review due date, the General Manager will:

- 13.1.1 Submit a Self Assessment to the Facilitator; and
- 13.1.2 Notify the Elected Council that the Annual Performance Review is due.

13.2 Assessment by elected Council

- 13.2.1 The General Manager's Self Assessment and a questionnaire relating to performance against the Performance Agreement will be distributed to Councillors and the Lord Mayor by the Facilitator.
- 13.2.2 Councillors and Lord Mayor will individually and independently, rate the performance of the General Manager against the Performance Agreement using the assessment scale outlined in it.
- 13.2.3 Any extreme scores will be discussed with the relevant Councillor and the Facilitator prior to inclusion in the Performance Review meeting.
- 13.2.4 The Facilitator will receive and collate the assessments of the elected Council in preparation for the formal Performance Review meeting.

13.3 Review panel meeting

The Review Panel will meet to:

- 13.3.1 Assess the responses received from Councillors and the Lord Mayor; and
- 13.3.2 Assign a draft rating for each part of the Performance Agreement.

13.4 Review Panel meeting with General Manager

- 13.4.1 Council will provide the General Manager at least 10 days' notice that a Performance Review meeting is to be conducted.

- 13.4.2 A meeting between the General Manager and the Review Panel will be held to discuss the ratings and opportunities for future development of the General Manager. The meeting will:
- (a) Concentrate on constructive dialogue about the General Manager's performance against all sections of the agreed performance plan;
 - (b) Identify any areas of concern and agreed actions to address those concerns; and
 - (c) Ensure fairness, natural justice and the laws and principles of anti-discrimination are complied with.
- 13.4.3 The Review Panel will decide on a final assessment for each part of the Performance Agreement using the assessment scale (Part F).

14 Reporting

14.1 To General Manager

Within six weeks from the conclusion of the Performance Review, the Lord Mayor will prepare and send to the General Manager a written statement that sets out:

- 14.1.1 Council's conclusions about the General Manager's performance during the performance review period;
- 14.1.2 Any proposal by Council to vary the performance criteria as a consequence of a performance review, and
- 14.1.3 Any directions or recommendations made by Council to the General Manager in relation to the General Manager's future performance of the duties of the position.

14.2 To Council

The Review Panel will report the findings and recommendations of the Performance Review to a closed meeting of the elected Council as soon as practicable following the annual Performance Review. This is not an opportunity to debate the results or re-enact the review. The General Manager should not be present when the matter is considered.

Part E Reward and Remuneration

15 Statutory and Other Officers Remuneration Tribunal Increases

- 15.1 An annual increase in the Total Remuneration Package (**TRP**) equivalent to the latest percentage increase in remuneration for senior executive officer holders as determined by the Statutory and Other Officers Remuneration Tribunal (**SOORT**) is available to the General Manager on each anniversary of the employment contract.

16 Discretionary Remuneration Increases

- 16.1 The Review Panel will determine by consensus any changes to the General Manager's employment conditions, including remuneration adjustments (exclusive of SOORT increases).
- 16.2 Discretionary increases to the General Manager's TRP will be:
- 16.2.1 Conditional on performance being assessed by the Review Panel as being of better than satisfactory standard (refer to Part F);
 - 16.2.2 Modest and in line with community expectations;
 - 16.2.3 Endorsed by resolution of the elected Council together with the reasons for the increase, reported to an open meeting of Council; and
 - 16.2.4 in line with the Standard Contract.

Part F Timeline of Annual General Manager Performance Review Process

Month	Activity	Clause
July	Annual Performance Review Discretionary Remuneration Increases	12 15
August	Development of the Performance Agreement	8
September	Director's participate in Council's Performance Management Framework	9
October	Appointment of Facilitator Quarterly Performance Update	7.1 10
November	Training of Review Panel Members	6.1
December/January	Mid Year Performance Review	11
March	Quarterly Performance Update	10

Part H Roles & Responsibilities

17 The Review Panel

17.1 The Review Panel is responsible for:

- 17.1.1 Developing a Performance Agreement in consultation with the General Manager.
- 17.1.2 Undertaking a performance assessment of the General Manager in December/January and July/August each year.
- 17.1.3 Appointing a suitably qualified Facilitator in consultation with the General Manager.
- 17.1.4 Determining the following in relation to the Performance Agreement:
 - (a) A final list of projects to be included in the Performance Agreement; and
 - (b) Any managerial or behavioural actions that they would like the General Manager to address during the review year.
- 17.1.5 Recommending any discretionary increase to the General Manager's total remuneration package as provided in clause 15.2.

18 The General Manager

18.1 The General Manager is responsible for:

- 18.1.1 Submitting a list of projects (maximum of six) that they considers are of sufficient importance to warrant their personal attention in the year to the Review Panel.
- 18.1.2 Preparing a Self Assessment of their performance and providing it to the Facilitator at least 21 days prior to the mid year and annual Review Panel meetings.
- 18.1.3 Providing a quarterly progress report on Agreed Projects to Council as provided in clause 10.1.

19 The Lord Mayor

19.1 The Lord Mayor is responsible for:

- 19.1.1 Being a member of the Review Panel.
- 19.1.2 Preparing and presenting a Lord Mayoral Minute on progress of the Performance Agreement to Council following the mid year review.
- 19.1.3 Presenting a report on the Review Panel's assessment to the elected Council and the General Manager following the annual review.
- 19.1.4 Formally advising the General Manager, Facilitator and Review Panel of any decisions of Council.

20 The elected Council

20.1 The elected Council is responsible for:

- 20.1.1 Holding an election at the beginning of each term to elect one Councillor to participate in the Review Panel in accordance with clause 5.1. If there is more than one nominee, Council elects the position from the nominees by open voting (show of hands) in accordance with clause 251 of the Local Government (General) Regulation 2005 (NSW).

- 20.1.2 Completing a questionnaire relating to General Manager's performance against the agreed criteria and returning it confidentially to the Facilitator within timeframes nominated by the Facilitator.
- 20.1.3 Justifying any extreme scores to the Facilitator.

21 The Facilitator

21.1 The Facilitator is responsible for:

- 21.1.1 Ensuring that the interests of both the General Manager and Council are adequately protected throughout the Performance Review Process, including ensuring reviews are conducted fairly and in accordance with principles of natural justice.
- 21.1.2 Preparing and distributing a questionnaire relating to performance against the Performance Agreement for all Councillors and the General Manager four weeks prior to the Performance Review Due Date.
- 21.1.3 Receiving the confidential completed questionnaires and compiling a summary report for the annual Review Panel meeting.
- 21.1.4 Conducting the annual Review Panel meeting.
- 21.1.5 Updating the Performance Agreement to reflect any changes agreed at the mid year Performance Review including obtaining required signatures, assisting in drafting a Lord Mayoral Minute and/or and formally providing any feedback to the General Manager.

22 The Manager Human Resource Services

22.1 The Manager Human Resource Services is responsible for:

- 22.1.1 Coordinating the Performance Review Process including scheduling of all required meetings, sourcing an appropriate options for appointment of a Facilitator, formal recording of all documentation and implementation of any changes required to the General Manager's Total Remuneration Package.
- 22.1.2 Ensuring the Review Panel members receive appropriate Performance Management training, including:
 - (a) The provision of written information regarding performance management;
 - (b) An outline of the Performance Review Process; and
 - (c) Guidelines for both Review Panel members and the General Manager on how to manage the Performance Review Process from their perspectives.

Part I Assessment Scale

23 The Rating Scale

23.1 The following rating scale will be used to assess the General Manager's performance:

Score	Rating
10	Significant Strength An outstanding display that brings credit to the General Manager and the organization. Best practice - a model for others Significantly exceeds expectations
8	Area of Strength Has a reputation for achieving in that area. Displays a consistent approach to performance Recognised as an expert in that area
6	Area of Ability Good performance Standards are constantly met and at times exceeded throughout the year. A valued, commendable achievement. What is expected of the General Manager on a consistent basis
4	Development Need Development needed in this area to consistently reach the standard expected. Often meets standards but not on a consistent basis. Attention is required to achieve objectives
2	Significant Development Need Performance has an adverse impact on the performance of the organization. Urgent attention is required and rapid improvement essential

23.2 For the purpose of calculating an increase in TRP (exclusive of SOORT) the General Manager's Performance Assessment from the Review Panel must be greater than satisfactory, that is greater than 6 on the rating scale as follows:

- 23.2.1 Overall rating of 7 – 3% increase in TRP
- 23.2.2 Overall rating of 8 – 4% increase in TRP
- 23.2.3 Overall rating of 9 – 5% increase in TRP
- 23.2.4 Overall rating of 10 – 6% increase in TRP

**ORDINARY COUNCIL MEETING
27 AUGUST 2019**

**CCL 27/08/19
EXECUTIVE MONTHLY PERFORMANCE REPORT – JULY 2019**

Item 68 - Attachment A: Executive Monthly Performance Report – July 2019

DISTRIBUTED UNDER SEPARATE COVER

Monthly Performance Report

July 2019



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City of
Newcastle

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Operating progress at a Glance as at 31 July, 2019

Over budget by more than 5% and \$100,000	
Over budget by less than 5% or \$100,000	
Result within budget	

Department / Service Unit	Indicator	Comments	Variance (\$,000)	Variance %
CEO's Office				
CEO's Office			52	38%
Governance				
Governance Director			7	19%
Finance			37	0%
Legal			194	32%
Regulatory & Assessment			157	25%
Transport & Compliance			32	6%
Strategy & Engagement				
Strategy & Engagement Director			0	0%
Information Technology			88	14%
Major Events & Corporate Affairs			154	42%
Corporate & Community Planning			13	5%
People & Culture				
People & Culture Director			0	0%
People & Culture			114	16%
Infrastructure & Property				
Infrastructure & Property Director			5	14%
Depot Operations			137	-85%
Assets & Projects			35	1%
Civil Construction & Maintenance			192	13%
Property			82	8%
City Wide Services				
City Wide Services Director			3	9%
Art Gallery			2	1%
Museum			3	2%
Civic Services			78	20%
Libraries & Learning			47	7%
Customer Services			34	14%
Waste Services			403	36%
Facilities & Recreation			119	10%

Income Statement

Result for the financial period ending 31 July, 2019

Full Year Budget	YTD Budget	YTD Actual Result	Variance (\$)	Variance (%)
\$'000	\$'000	\$'000	\$'000	\$'000
Income from Continuing Operations				
181,677	15,231	15,231		0%
89,366	7,047	7,358	311	4%
10,210	971	953	(18)	-2%
12,015	1,020	1,087	67	7%
15,977	923	917	(6)	-1%
12,830		18	18	0%
				0%
322,075	25,192	25,564	372	1%
Expenses from Continuing Operations				
111,942	8,660	7,921	(739)	-9%
4,761	341	339	(2)	-1%
67,646	3,550	2,412	(1,138)	-32%
48,374	3,981	3,981		0%
58,623	5,006	4,882	(124)	-2%
5,948	495	495		
297,294	22,033	20,030	(2,003)	-9%
24,781	3,159	5,534	2,375	75%
11,951	3,159	5,516	2,357	75%

Operating Analysis as at 31 July, 2019

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		311	4%	Summerhill - \$0.4m	- The Summerhill waste management centre has generated above budget income due to additional tonnes received.
Interest		(18)	-2%		
Other operating revenues		67	7%		
Grants & contributions - Operating		(6)	-1%		
Grants & contributions - Capital		18	0%		
Net Gain from disposal of assets		0	0%		

Operating Expenses

Employee costs		(739)	-9%	Staff costs	- Lower than forecast staff costs due to timing of the project program and general vacancies
Borrowing costs		(2)	-1%		
Materials & Contracts		(1,138)	-32%	Works program OPEX - \$0.3m	- Operational expenditure generated through delivery of the works program is below the forecast.
Depreciation & Amortisation		0	0%		
Other operating expenses		(124)	-2%	State waste levy - \$0.2m	- Expenditure on the NSW State Waste Levy is above budget due to higher than forecast tonnages. The higher levy is offset by above budget income.

Capital Statement

Result for the financial period ending 31 July, 2019

Full Year Budget \$'000		YTD Budget \$'000	YTD Actual Result \$'000	Variance (\$) \$'000	Variance (%) \$'000
Capital funding					
48,422	General fund contribution to capital	6,717	9,026	2,309	26%
7,326	2012 Special Rate Variation	611	611		0%
1,990	Stormwater Management Service Charge	166	166		0%
12,830	Capital Grants & Contributions		18	18	100%
1,700	Proceeds from the sale of assets	142	190	48	25%
(3,868)	Net Loans Borrowings / (Repayments)	(322)	(322)		0%
68,400	Funding available for capital expenditure	7,313	9,688	2,375	25%
Capital Expenditure					
18,102	Asset Renewal	1,577	799	(778)	-97%
38,998	New / Upgrade	479	384	(95)	-25%
1,825	Priority Projects	222	15	(207)	-1380%
58,925	Total capital expenditure	2,278	1,198	(1,080)	-90%
9,475	Transfer to or (Draw down on) reserves	5,035	8,490	3,455	41%

Commentary on capital spend

Council's total capital spend at the end of July is \$1.2m. This result is \$1m below the YTD budget of \$2.3m. The total project spend inclusive of operational and capital expenditure is \$2.1m compared with a YTD budget of \$3.2m.

Newcastle City Council

For the month ending 31 July, 2019

	CEO Office		Governance		Strategy & Engagement		People & Culture		Infrastructure		City Wide Services		Capital Works Program		Airport		The City of Newcastle			
	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	Var (\$)	Var(%)
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000		
Operating Revenue																				
1 Rates & charges			13,118	13,118	101	101			170	170	1,842	1,842					15,231	15,231		0%
2 User charges & fees			946	855	39	53			334	280	4,446	4,886	2		1,282	1,282	7,047	7,358	311	4%
3 Interest			943	925											28	28	971	953		0%
4 Other operating revenues			312	378	8			18	436	486	264	205					1,020	1,087	67	7%
5 Grants & contributions - Operating			853	835	7	26	19	21	41	32	3	3					923	917	(6)	-1%
6 Net Gain from disposal of assets									92	92							92	92		0%
Total Operating Revenue			16,172	16,111	155	180	19	39	1,073	1,060	6,555	6,936	2		1,310	1,310	25,284	25,638	372	1%
Operating Expenses																				
6 Employee costs	97	77	1,499	1,386	785	703	750	639	2,549	2,383	2,507	2,323	207	144	266	266	8,660	7,921	(739)	-9%
7 Borrowing costs			274	275					4	4	46	43			17	17	341	339	(2)	-1%
8 Materials & contracts	19	1	439	153	399	263	22	39	638	393	1,261	1,096	750	445	22	22	3,550	2,412	(1,138)	-32%
9 Depreciation & amortisation			46	46	92	92	9	9	2,325	2,325	1,353	1,353	1	1	155	155	3,981	3,981		0%
10 Other operating expenses	22	8	599	509	167	155	1	1	507	454	3,173	3,217		1	537	537	5,006	4,882	(124)	-2%
11 Net Loss from disposal of assets									583	583	2	2			2	2	587	587		0%
Total Operating Expenses	138	86	2,857	2,369	1,443	1,213	782	688	6,606	6,142	8,342	8,034	958	591	999	999	22,125	20,122	(2,003)	-9%
Total Operating Revenue Less Operating Expenditure	(138)	(86)	13,315	13,742	(1,288)	(1,033)	(763)	(649)	(5,533)	(5,082)	(1,787)	(1,098)	(958)	(589)	311	311	3,159	5,516	2,357	75%

Governance

For the month ending 31 July, 2019

	Director		Finance		Legal		Regulatory, Planning & Assessment		Transport & Compliance		Governance				
	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	Var (\$)	Var(%)	
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000		
Operating Revenue															
1 Rates & charges			13,118	13,118								13,118	13,118		0%
2 User charges & fees			34	29	1	1	252	235	659	590	946	855	(91)	-10%	
3 Interest			943	925							943	925		0%	
4 Other operating revenues			14	4			1	13	297	361	312	378	66	21%	
5 Grants & contributions - Operating			851	835	2						853	835	(18)	-2%	
6 Net Gain from disposal of assets														0%	
Total Operating Revenue			14,960	14,911	3	1	253	248	956	951	16,172	16,111	(43)	0%	
Operating Expenses															
7 Employee costs	32	28	225	220	254	217	748	684	240	237	1,499	1,386	(113)	-8%	
8 Borrowing costs			274	275							274	275	1	0%	
9 Materials & contracts	4	1	80	31	129	35	140	46	86	40	439	153	(286)	-65%	
10 Depreciation & amortisation			3	3	7	7			36	36	46	46		0%	
11 Other operating expenses			308	275	215	150	5	1	71	83	599	509	(90)	-15%	
12 Net Loss from disposal of assets														0%	
Total Operating Expenses	36	29	890	804	605	409	893	731	433	396	2,857	2,369	(488)	-17%	
Total Operating Revenue Less Operating Expenditure	(36)	(29)	14,070	14,107	(602)	(408)	(640)	(483)	523	555	13,315	13,742	427	3%	

Strategy & Engagement

For the month ending 31 July, 2019

	Director		Information Technology		Major Events & Corporate Affairs		Corporate & Community Planning		Strategy & Engagement			
	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	Var (\$)	Var(%)
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000		
Operating Revenue												
1 Rates & charges							101	101	101	101		0%
2 User charges & fees			36	32	3	21			39	53	14	36%
3 Interest												0%
4 Other operating revenues					8				8		(8)	-100%
5 Grants & contributions - Operating					3	16	4	10	7	26	19	271%
6 Net Gain from disposal of assets												
Total Operating Revenue			36	32	14	37	105	111	155	180	25	16%
Operating Expenses												
7 Employee costs	29	30	259	292	300	169	197	212	785	703	(82)	-10%
8 Borrowing costs												0%
9 Materials & contracts	2	1	276	151	71	71	50	40	399	263	(136)	-34%
10 Depreciation & amortisation			92	92					92	92		0%
11 Other operating expenses			18	18	9	9	140	128	167	155	(12)	-7%
12 Net Loss from disposal of assets												0%
Total Operating Expenses	31	31	645	553	380	249	387	380	1,443	1,213	(230)	-16%
Total Operating Revenue Less Operating Expenditure	(31)	(31)	(609)	(521)	(366)	(212)	(282)	(269)	(1,288)	(1,033)	255	20%

People & Culture

For the month ending 31 July, 2019

	Director		People & Culture		People & Culture			
	YTD Budget \$'000	YTD Actual \$'000	YTD Budget \$'000	YTD Actual \$'000	YTD Budget \$'000	YTD Actual \$'000	Var (\$)	Var(%)
Operating Revenue								
1 Rates & charges								0%
2 User charges & fees								0%
3 Interest								0%
4 Other operating revenues				18		18	18	0%
5 Grants & contributions - Operating			19	21	19	21	2	11%
6 Net Gain from disposal of assets								
Total Operating Revenue			19	39	19	39	20	105%
Operating Expenses								
7 Employee costs	45	45	705	594	750	639	(111)	-15%
8 Borrowing costs								0%
9 Materials & contracts	0	0	22	39	22	39	17	77%
10 Depreciation & amortisation			9	9	9	9		0%
11 Other operating expenses	0	0	1	1	1	1		0%
12 Net Loss from disposal of assets								0%
Total Operating Expenses	45	45	737	643	782	688	(94)	-12%
Total Operating Revenue Less Operating Expenditure	(45)	(45)	(718)	(604)	(763)	(649)	114	15%

Infrastructure & Property

For the month ending 31 July, 2019

	Director		Depot Operations		Assets & Projects		Civil Construction & Maintenance		Property & Facilities		Infrastructure & Property			
	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	Var (\$)	Var(%)
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000		
Operating Revenue														
1 Rates & charges					166	166			4	4	170	170		0%
2 User charges & fees			7	7			57	68	270	205	334	280	(54)	-16%
3 Interest														0%
4 Other operating revenues						3			436	483	436	486	50	11%
5 Grants & contributions - Operating			41	32							41	32	(9)	-22%
6 Net Gain from disposal of assets			92	92							92	92		0%
Total Operating Revenue			140	131	166	169	57	68	710	692	1,073	1,060	(13)	-1%
Operating Expenses														
7 Employee costs	31	31	228	190	470	462	1,023	930	797	770	2,549	2,383	(166)	-7%
8 Borrowing costs			1	1					3	3	4	4		0%
9 Materials & contracts	5		(398)	(524)	52	30	475	393	504	494	638	393	(245)	-38%
10 Depreciation & amortisation			433	433	1,629	1,629	2	2	261	261	2,325	2,325		0%
11 Other operating expenses			37	55	346	344	6		118	55	507	454	(53)	-10%
12 Net Loss from disposal of assets					583	583					583	583		0%
Total Operating Expenses	36	31	301	155	3,080	3,048	1,506	1,325	1,683	1,583	6,606	6,142	(464)	-7%
Total Operating Revenue Less Operating Expenditure	(36)	(31)	(161)	(24)	(2,914)	(2,879)	(1,449)	(1,257)	(973)	(891)	(5,533)	(5,082)	451	8%

City Wide Services

For the month ending 31 July, 2019

	Director		Art Gallery		Museum		Civic Services		Libraries & Learning		Customer Service		Waste Services		Parks & Recreation		Infrastructure				
	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	YTD Budget	YTD Actual	Var (\$)	Var(%)	
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000			
Operating Revenue																					
1 Rates & charges													1,842	1,842					1,842	1,842	0%
2 User charges & fees			21	22		16	10		60	63		102	99		24	20			3,919	4,334	10%
3 Interest																			304	338	0%
4 Other operating revenues			8	9		5			120	145		31	30						86	8	-22%
5 Grants & contributions - Operating						1	1			2						2			14	13	0%
6 Net Gain from disposal of assets																			2	3	0%
Total Operating Revenue			29	31	22	11		180	210	133	129	24	20	5,847	6,184	320	351	6,555	6,936	381	6%
Operating Expenses																					
7 Employee costs	29	30	94	120	91	85	247	270	506	527	237	193	585	422	718	676	2,507	2,323	(184)	-7%	
8 Borrowing costs													46	43			46	43	(3)	-7%	
9 Materials & contracts	4		45	28	33	23	111	70	92	58	34	42	638	585	304	290	1,261	1,096	(165)	-13%	
10 Depreciation & amortisation			31	31	49	49	153	153	152	152	1	1	547	547	420	420	1,353	1,353		0%	
11 Other operating expenses			49	40	14	16	65	35	43	5	2		2,919	3,072	81	49	3,173	3,217	44	1%	
12 Net Loss from disposal of assets									2	2							2	2		0%	
Total Operating Expenses	33	30	219	219	187	173	576	528	795	744	274	236	4,735	4,669	1,523	1,435	8,342	8,034	(308)	-4%	
Total Operating Revenue Less Operating Expenditure	(33)	(30)	(190)	(188)	(165)	(162)	(396)	(318)	(662)	(615)	(250)	(216)	1,112	1,515	(1,203)	(1,084)	(1,787)	(1,098)	689	39%	

Debtors Report as at 31 July, 2019

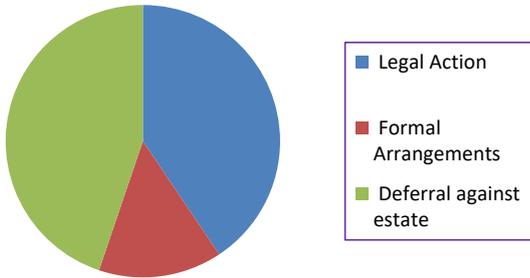
Outstanding Rates

Debt Recovery Action	No. of Properties	\$ Amount
Legal Action	173	638,662
Formal Arrangements	179	229,231
Deferral against estate	30	705,053
Total	382	1,572,945

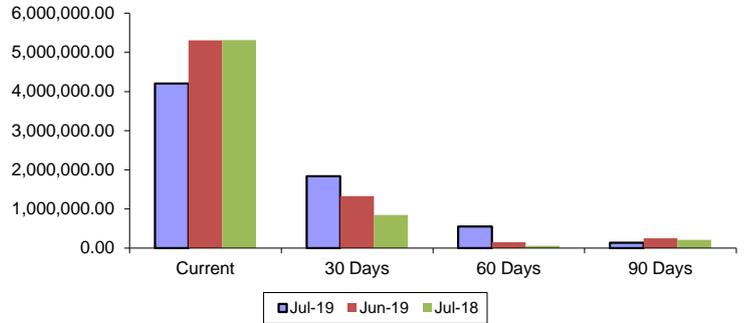
Aged Debtors Report (Major Debtors Report)

Period	Jul-19 \$	Jun-19 \$	Jul-18 \$
Current	4,204,403	5,307,773	5,318,030
30 Days	1,834,095	1,330,943	844,234
60 Days	553,123	149,171	58,519
90 Days	140,286	253,794	213,751
Total	6,731,907	7,041,681	6,434,534

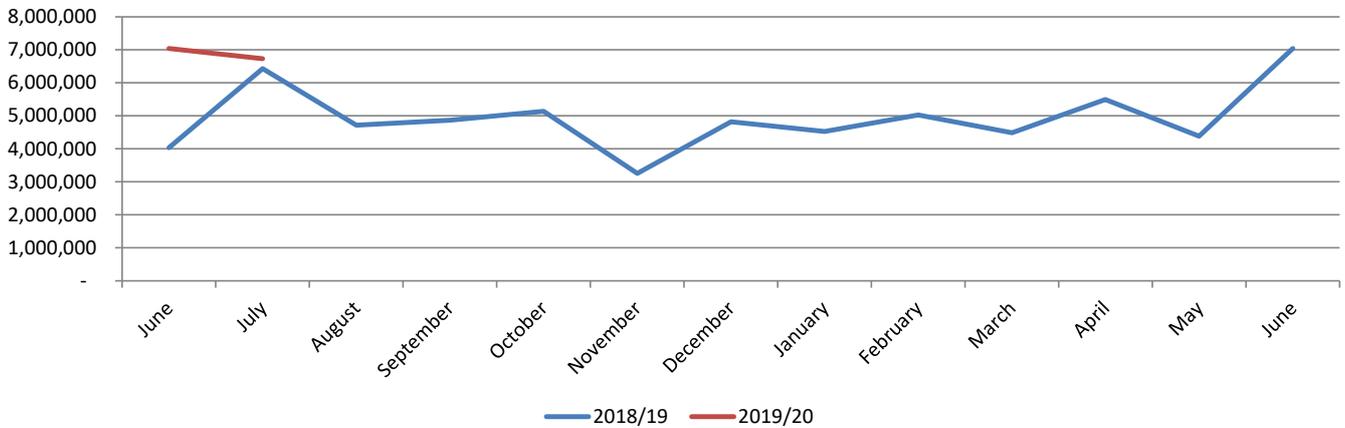
Outstanding Rates (\$)



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 \$
Cleanaway	Waste Management	\$ 662,489	328,305	334,184	-	-
Veolia Environmental	Waste Management	\$ 355,585	355,585	-	-	-
Enviroacific	Waste Management	\$ 1,890,715	1,086,105	746,028	58,583	-
Lantrak NSW	Waste Management	\$ 408,559	85,386	-	323,173	-
Cleanaway	Waste Management	\$ 771,738	771,738	-	-	-
RTC Services	Waste Management	\$ 356,884	241,317	115,567	-	-
Treasury/Crown Finance	Strategy & Engagement	\$ 385,486	-	385,486	-	-
Hunter Central Coast Dev Corp	Infrastructure & Property	\$ 582,282	582,282	-	-	-
Anambah Electrical Sers	Strategy & Engagement	\$ 164,043	-	164,043	-	-

Commentary on Material Debtors greater than 90 days

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Works Program Summary

For the month ending 31 July, 2019

Full Year Revised Budget \$,000	Portfolio/Program	YTD Revised Budget \$,000	YTD Actual Result \$,000	Variance to YTD budget (%)	% of FY Budget Spent
14,221	Buildings, Structures and Places	569	369	-35%	3%
150	Aquatic Centres	6		-100%	0%
30	Blackbutt Reserve	1		-100%	0%
5,340	Buildings - Council Support Services	214	150	-30%	3%
	Caravan Parks and Commercial Properties			0%	0%
50	Cemeteries	2		-100%	0%
996	City Centre Revitalisation	40	16	-60%	2%
2,375	Coastal Revitalisation	95	7	-93%	0%
	Community Buildings		2	0%	0%
2,122	Cultural Facilities	85	67	-21%	3%
603	Libraries	24	53	120%	9%
1,505	Recreation Parks and Sporting Facilities	60	66	10%	4%
50	Public Toilets	2	3	50%	6%
1,000	Retaining Walls	40	5	-88%	1%
9,730	Roads	389	557	43%	6%
2,500	Bridges	100	10	-90%	0%
350	Footpaths	14	40	186%	11%
730	Road Furniture	29	4	-86%	1%
3,150	Road Rehabilitation	126	490	289%	16%
3,000	Road Resurfacing	120	13	-89%	0%
4,035	Transport	161	183	13%	5%
1,110	Cycleways	44	2	-95%	0%
1,085	Local Area Traffic Management	43	100	130%	9%
230	Parking Infrastructure	9	5	-46%	2%
1,610	Pedestrian Access and Mobility Plan	64	76	18%	5%
5,440	Stormwater	218	362	66%	7%
75	Flood Planning	3		-100%	0%
5,365	Stormwater System	215	362	69%	7%
35,831	Environment	1,433	139	-90%	0%
1,210	Bushland and Watercourses	48	73	51%	6%
1,430	Coast, Estuary and Wetlands	57	6	-90%	0%
950	Street and Park Trees	38	38	0%	4%
32,241	Waste Management	1,290	22	-98%	0%
4,595	Information Technology	184	254	38%	6%
1,155	Implementation and Upgrade of Applications	46	199	331%	17%
3,170	Infrastructure Improvements	127	40	-68%	1%
270	Strategic and Systems Analysis	11	15	39%	6%
2,095	Strategic	84	103	23%	5%
2,005	Smart City	80	71	-11%	4%
90	Strategic Plans	4	32	789%	36%
5,000	Fleet Replacement	200	115	-43%	2%
5,000	Fleet Replacement	200	115	-43%	2%
80,947	Total Works Program	3,238	2,082	-36%	3%

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

Ward 4 Capital Works at 31 July, 2019

Item	Due Date	Actual Date	Reason for delay
(i) Wallsend bridge replacement/upgrade			
Tyrell St bridge concept design		Completed	Completed
Tyrell St detail design		Completed	Completed
Tyrell st bridge anticipated construction 2018	2018	Expected 2020	early Construction commencement delayed due to Ausgrid's live works pause. Ausgrid's pause on live works due to an electrical fatality incident and subsequent works backlog are delaying the engagement of the Principal Contractor. Upon engagement works will commence within 4 weeks with works planned to take 10 months to complete
Boscawan Bridge detailed design	2020/2021		Scheduled for 2020/2021 Financial Year
Cowper St Bridge	Jun-19		Works to be included within the detailed design for Stage 2 - Kokera St/Cowper St intersection
Nelson St Bridge concept design		Completed	Completed
Channel Widening Concept Design		Completed	Completed
(ii) Wallsend and Beresfield Local Centre Public Domain Plans			
Wallsend Public Domain Plan Draft Concept Plan	Late March 2017	Late March 2017	n/a
Report to Council for adoption of PDP	Jul-17	Council adopted 22 May 2018	n/a
The Plan was broken in stages for preliminary costing and budgeted for in CN's forward program	2018	2018	Integration with Ironbark Creek, Wallsend Flooding Assessment and Wallsend Drainage design
Stage 1 - Bunn St Bus stop relocation (outside childcare centre) accelerated.	Design March 2019. Construction Q1 2019/20 FY		Detailed design complete, works to commence following the Wallsend Winter Fair.
Stage 2 - Kokera St/Cowper St intersection. Detailed design and implementation. Nelson/Cowper St Intersection. Newcastle/Cowper St Intersection	Jun-19		Draft schedule splits detailed design into sections over the next three financial years: - Kokera/Cowper detailed design to be complete by December 2019. - Construction tender by end of 2019/2020 financial year, ready for construction 2021/2022.
Beresfield Local Centre Public Domain and Traffic Plan	Completion of Construction July 2019		Final planting, footway drainage, smart pole installation and footway concreting in Beresford Avenue scheduled for completion by mid-August 2019.
Shortland Local Centre	Initiation		CN officers met with Shortland Village business owners on 9 April 2019 to discuss their issues which included: timed parking, illegal dumping of household waste, smell from public waste bins and public seating in disrepair. Project planning for improvement works is budgeted for the 2019/20 financial year.

Investment Policy compliance report

July 2019

Executive summary:

1 City of Newcastle's (CN) temporary surplus funds are invested consistent with its adopted Investment Policy and The Local Government Act and Regulations.

2 **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)*".

3 **Investment Portfolio Holdings:**

CN's overall investment portfolio holdings are \$346.7million comprising \$337.8million of invested funds, and \$8.9million Cash At Call.

4 **Investment monthly movements:**

New investments placed during July 2019 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.

5 **Performance:**

CN has a mandated Key Performance Indicator (KPI) for income on investments benchmarked at 0.50% above the 12month rolling Bloomberg AusBond Bank Bill Index.

CN achieved a Net Yield on the investment portfolio for the 12 months to 31 July of 3.18%, against a Key Performance Indicator (KPI) of 2.40%.

6 **Interest Income Budget:**

The adopted budget for 2019/20 investment income is \$9.64million (excluding Newcastle Airport and non-investment portfolio sources of interest income).

In the time since the construction of the 2019/20 budget several underlying assumptions, derived from financial markets, are no longer reasonable. Resultantly, it is improbable that the full year adopted budget will be achievable.

Analysis of a revised 2019/20 budget remains ongoing and will be presented to Councillors as part of the September 2019 quarterly review.

7 **Interest Income Actual:**

Cumulative 2019/20 interest income from CN's cash and investments was \$0.92million (excluding Newcastle Airport and non-investment portfolio sources of interest). This result is in alignment with the budgeted year to date estimate of \$0.92million.

The budget to actual interest report as at 30 June 2020 is submitted to Council later in this report.

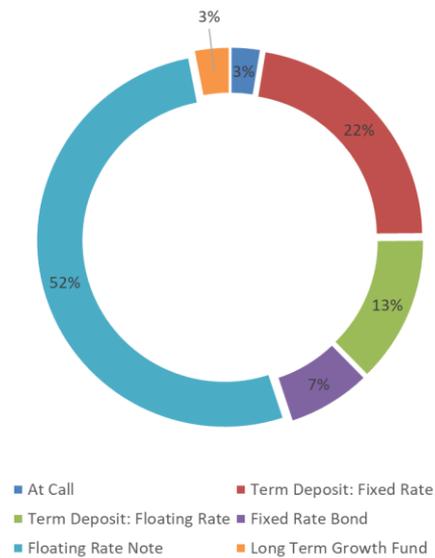
8 In accordance with Council's resolution of 30 May 1995, the schedules of investments (new placements and maturities) from the two previous meetings of Council are provided in detail at the conclusion of this report.

Investment Policy compliance report

July 2019

Portfolio Summary:

Asset Class allocation	
Investment type	Current month July
Cash At Call	8,903,378
Term Deposit: Fixed rate	77,278,847
Term Deposit: Floating rate	44,500,000
Floating Rate Note	180,337,249
Fixed Rate Bond	25,120,135
Long Term Growth Fund	10,579,077
Total	346,718,686

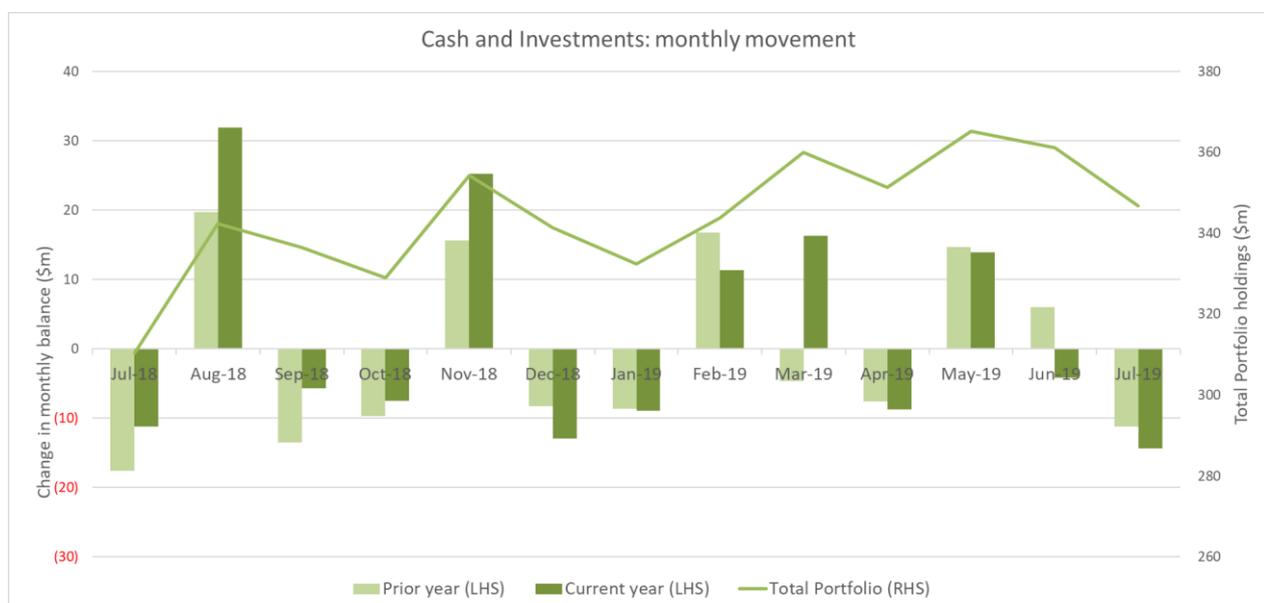


Commentary:

During the month of July 2019 there were limited new investments due to significant cash outflows. Those new investments that were made focused on the key areas of:

- ensuring projected short-term liquidity requirements are maintained in excess of minimum requirements;
- maintaining the maturity profile of defensive income producing medium term allocations; and
- remaining cognisant of market conditions (historical, current, and projected) whilst considering CN's risk profile and objectives.

The balance of cash and investments declined well in excess of the prior year for both June and July due to the delivery of CN's record works program leading to increased cash outflows combined with reduced cash inflows as these months are cyclically low cash inflow months.



Investment Policy compliance report

July 2019

New and matured Investments:

Matured Investments:

Date matured	Institution	Asset Class	Principal value	Rate of Return	Original Term	Original date invested
12 July 2019	Newcastle Permanent	Term Deposit: Fixed rate	\$2,500,000	2.90%	2.8 years	6 Sept 2016
12 July 2019	NAB	Term Deposit: Fixed rate	\$4,000,000	2.43%	91 days	12 Apr 2019
18 July 2019	CBA	Floating rate note	\$2,000,000	90d bbsw + 0.98%	3.2 years	18 Apr 2016
18 July 2019	ME Bank	Floating rate note	\$3,000,000	90d bbsw + 1.40%	2.6 years	28 Nov 2016
18 July 2019	ME Bank	Floating rate note	\$3,000,000	90d bbsw + 1.10%	1.9 years	31 Aug 2017
18 July 2019	ME Bank	Floating rate note	\$1,450,000	90d bbsw + 1.10%	1.8 years	15 Sept 2017
23 July 2019	Bendigo Bank	Term Deposit: Fixed rate	\$3,000,000	3.00%	3 years	22 July 2016

New Investments:

Contract date	Settlement date	Institution	Asset Class	Principal value	Rate of Return	Term	Maturity date
12 July 2019	12 July 2019	Newcastle Permanent	Term Deposit: Fixed rate	\$2,500,000	2.00%	105 days	25 Oct 2019
31 July 2019	31 July 2019	NAB	Term Deposit: Fixed rate	\$6,000,000	1.84%	139 days	17 Dec 2019

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.



Alissa Jones
Responsible Accounting Officer

Investment Policy compliance report

July 2019

Performance measurement:

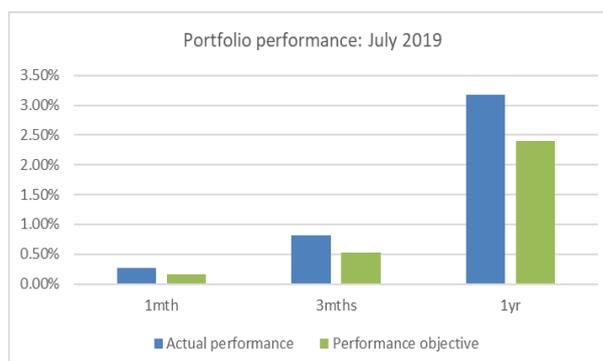
Total portfolio:

	3 year (% p.a.)	1 year %	3 months %	FYTD %	1 month %
Council return	3.06%	3.18%	0.81%	0.27%	0.27%
Performance objective	2.34%	2.40%	0.53%	0.16%	0.16%
Excess return	0.72%	0.77%	0.28%	0.11%	0.11%

The above table provides a snapshot of historical performance for the entire CN investment portfolio.

CN's Investment and Borrowing Policy mandates the KPI for income on investments as being the 12month rolling Bloomberg AusBond Bank Bill Index plus 0.50%.

As per the above table for the 12months to 31 July the KPI was 2.40%, CN's portfolio provided returns in excess of this KPI by 0.77%.

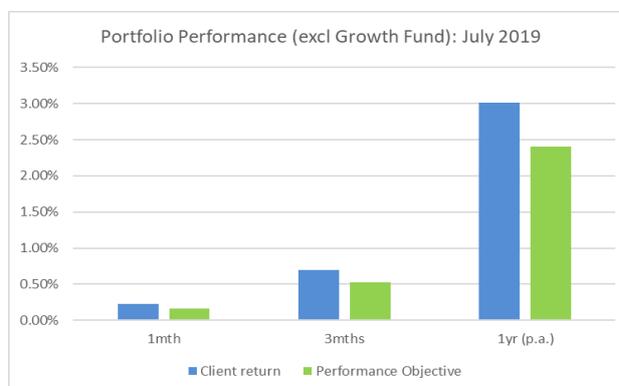


As Councils exposure to the long term growth fund continues to increase it is now relevant to separately report on the performance of this fund. Therefore, below provides a summary of historical portfolio performance separating out the Long Term Growth Fund.

Total Portfolio (excluding Long Term Growth Fund):

	3 year (% p.a.)	1 year %	3 months %	FYTD %	1 month %
Council return	3.00%	3.02%	0.70%	0.22%	0.22%
Performance objective	2.34%	2.40%	0.53%	0.16%	0.16%
Excess return	0.66%	0.62%	0.17%	0.06%	0.06%

For much of calendar year 2019 interest rate swaps have been in a steady decline across the yield curve as concerns surrounding both domestic and global economic growth have grown. This downward trend has accelerated in May and into June and July as markets have priced in continued downward movements in interest rates throughout the remainder of 2019 and beyond, with all durations of the curve now at historically low levels.



Additionally, there has been a coinciding and sustained tightening trend in ADI credit margins. A contributing factor to this is that lending growth in the Australian economy has slowed, this has diminished ADI's needs to raise additional monies to fund their growth. Simplistically, this has contributed to fixed income supply not maintaining pace with pent up demand, leading to the laws of demand and supply tightening ADI credit margins.

Investment Policy compliance report

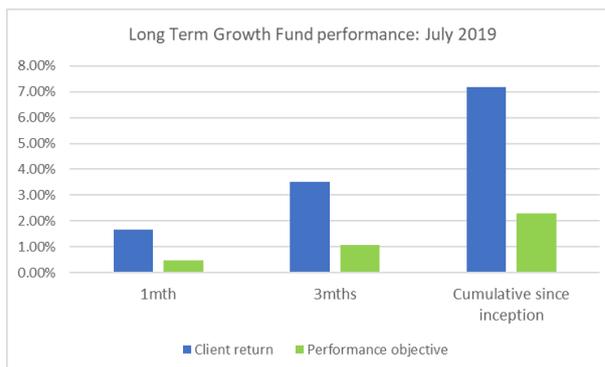
July 2019

Long Term Growth Fund:

	3 year (% p.a.)	1 year %	3 months %	FYTD %	1 month %	Since Inception
Council return	n/a	n/a	3.52%	1.67%	1.67%	7.19%
Performance objective	5.29%	4.83%	1.06%	0.48%	0.48%	2.29%
Excess return	n/a	n/a	2.46%	1.19%	1.19%	4.90%

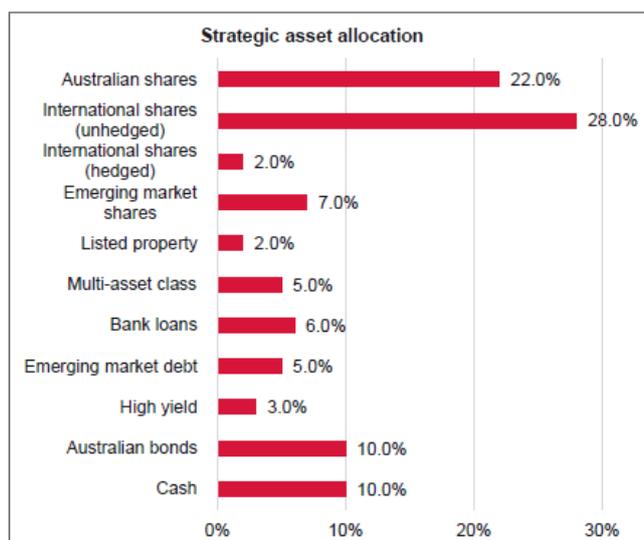
As highlighted in the above table the Long Term Growth Fund has performed well in excess of its performance objective since inception, being the date of CN's initial investment into the fund on 20 February 2019.

The performance objective displayed in the above table aligns to TCorp's performance objective for the fund, which is CPI + 3.50% (over a 10year period).



Due to the exposure to growth asset classes within this fund its performance will be more volatile month to month than CN's other investments, which will be demonstrated by short term performance fluctuations month to month. The expectation remains unchanged that the investment of money into this fund will improve performance over the long term.

Below is a snapshot of asset allocations as well as the performance of each class for the month of June 2019 (July 2019 data unavailable at the time of report finalisation). Although the data is not for the current month it provides a timely update on underlying asset class allocations and the contribution each class will have on the overall performance of the fund.



1 month performance by asset class	Asset class actual return %
Australian shares	3.88
International shares (unhedged)	5.15
International shares (hedged)	5.80
Emerging market shares	5.05
Listed property	0.53
Multi-asset class	2.18
Bank loans	0.25
Emerging market debt	3.81
High yield	2.32
Australian bonds	1.11
Cash	0.19

Source: TCorpIM Funds Monthly Report – June 2019

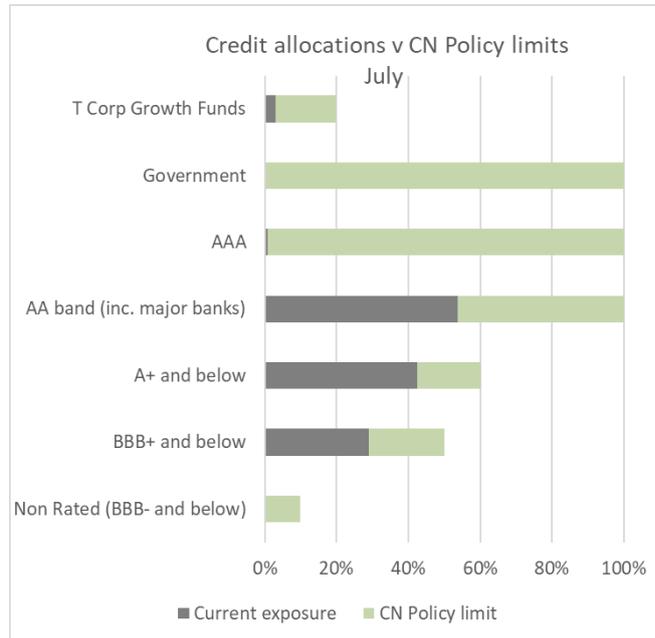
Investment Policy compliance report

July 2019

Credit Risk compliance:

Investment credit rating	Current month July
Government	-
AAA	2,495,571
AA band (inc. major banks)	186,033,555
A+ and below *	147,610,482
BBB+ and below *	100,593,2016
Non Rated (inc. BBB- and below) *	639,424
T Corp Growth Funds	10,579,077

* Excludes T Corp Growth Funds

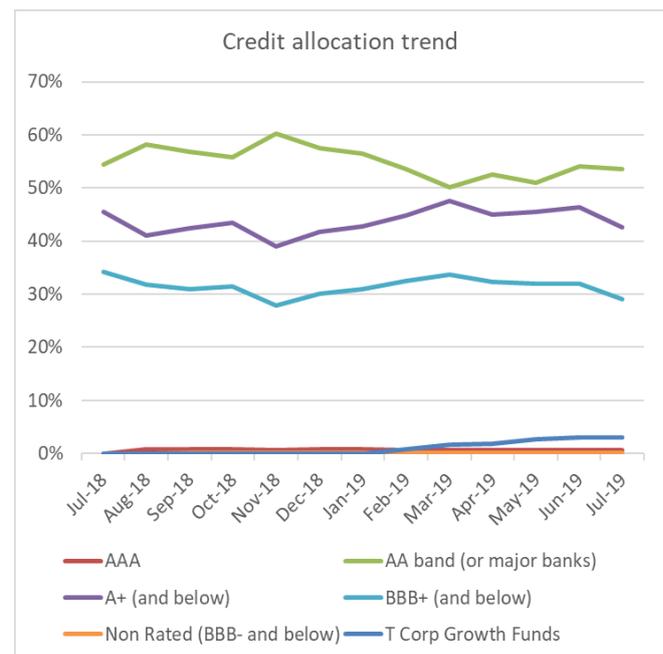


Commentary:

Allocations remain conservative from a credit risk perspective and remain well within CN's Policy limits.

As at 31 July 2019 all investments managed by CN are in Authorised Deposit Taking Institutions (regulated by ASIC) except for those funds which are invested in the "Long Term Growth Fund". The Long-Term Growth Fund is a growth focused managed fund, administered by NSW Treasury Corporation, that maintains an average underlying asset class mix of approximately 80% to Growth investments and 20% to Defensive investments.

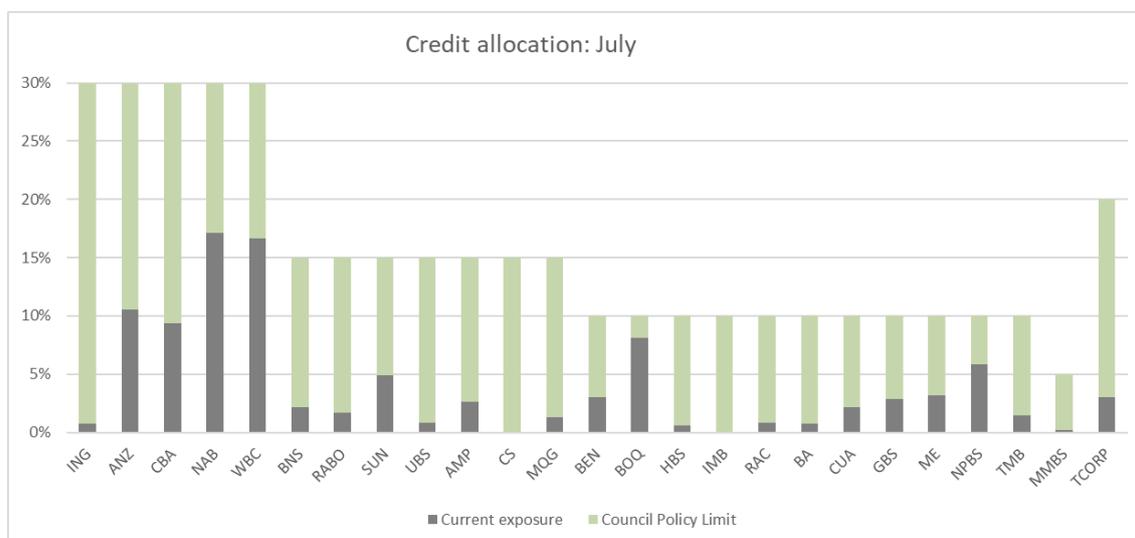
Additional Policy measures are in place to limit credit risk exposure via individual ADI exposure limits and term to maturity limits.



Investment Policy compliance report

July 2019

Credit risk compliance cont:



Institution	Institution abbreviation	Credit rating (S&P)	Current month July '19		Prior month June '19		Prior year July '18	
ING Bank (Australia)	ING	AAA*	2,495,571	1%	2,495,571	1%	-	0%
ANZ	ANZ	AA-	36,497,655	11%	36,497,655	10%	26,490,209	9%
Commonwealth Bank	CBA	AA-	32,445,105	9%	36,016,394	10%	35,580,395	11%
National Australia Bank	NAB	AA-	59,468,369	17%	57,467,727	16%	52,597,935	17%
Westpac	WBC	AA-	57,622,426	17%	57,622,539	16%	49,500,540	16%
Bank of Nova Scotia	BNS	A+	7,501,601	2%	7,501,601	2%	-	0%
Rabobank	RABO	A+	6,000,000	2%	6,000,000	2%	5,000,495	2%
Suncorp Metway	SUN	A+	17,011,490	5%	17,011,490	5%	13,003,121	4%
UBS Australia	UBS	A+	3,000,000	1%	3,000,000	1%	3,000,000	1%
Credit Suisse AG	CS	A	-	0%	-	0%	3,000,000	1%
Macquarie Bank	MQG	A	4,500,000	1%	4,500,000	1%	7,500,000	2%
AMP Bank	AMP	A-	9,004,186	3%	11,504,186	3%	8,506,113	3%
Bendigo Bank	BEN	BBB+	10,500,000	3%	13,500,000	4%	25,505,130	8%
Bank of Queensland	BOQ	BBB+	28,157,753	8%	28,157,753	8%	15,167,263	5%
Heritage Bank	HBS	BBB+	2,050,000	1%	2,050,000	1%	2,050,000	1%
IMB Bank	IMB	BBB+	-	0%	-	0%	2,500,000	1%
RACQ Bank	RAC	BBB+	3,000,000	1%	3,000,000	1%	2,000,000	1%
Bank Australia	BA	BBB	2,500,000	1%	2,500,000	1%	-	0%
Credit Union Australia	CUA	BBB	7,501,077	2%	7,501,077	2%	2,000,000	1%
Greater Bank	GBS	BBB	10,000,000	3%	10,000,000	3%	15,500,000	5%
ME Bank	ME	BBB	11,002,084	3%	18,456,786	5%	18,470,704	6%
Newcastle Permanent	NPBS	BBB	20,242,741	6%	20,240,241	6%	13,982,894	5%
Teachers Mutual	TMB	BBB	5,000,128	1%	5,000,251	1%	5,000,612	2%
Maitland Mutual	MMBS	Non Rated	639,424	0%	639,424	0%	-	0%
NSW Treasury Corp (TCorp)	TCORP	Non Rated	10,579,077	3%	10,401,900	3%	-	0%
Total			346,718,686		361,064,592		310,355,412	

Commentary:

* = ING Bank (Australia) maintains a long term credit rating with S&P of "A". However the sole investment CN maintains with ING is assigned a "AAA" rating due to additional credit support assigned to it.

Investment Policy compliance report

July 2019

Maturity risk compliance:

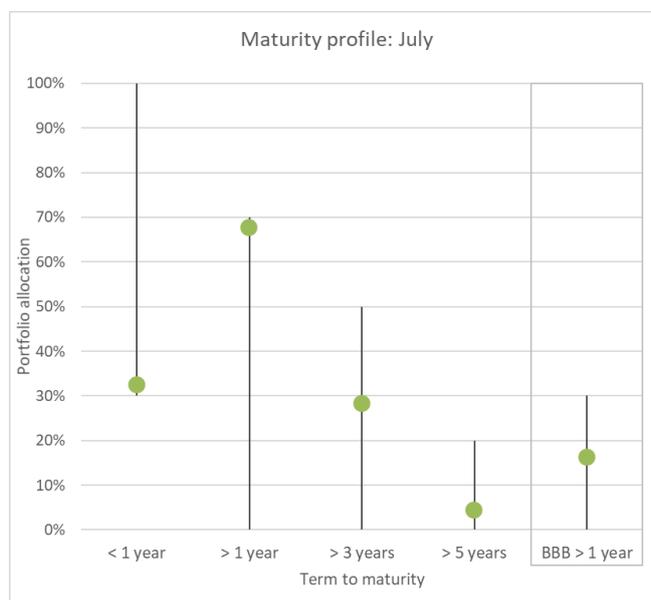
Term to Maturity	Actual allocations		Policy Framework		
	July		Minimum	Maximum	Minimum rating of Investment at purchase
	\$	%	%	%	
0 - 1 Year	112,259,491	32%	30%	100%	
> 1 Year	234,459,194	68%		70% (maximum of 30% to BBB)	BBB
> 3 Years	97,706,162	28%		50%	BBB
> 5 Years	15,201,433	4%		20%	AA- (or major bank) and TCorp IM Growth Funds

Commentary:

CN's Investment Policy mandates that it holds a minimum of 30% of cash and investments with a maximum term to maturity of less than 12months. This limit is established to ensure CN always retains a comfortable liquidity buffer whilst also ensuring sufficient additional capacity to maintain a long-term maturity profile to enable improved yields and efficient capital management.

TCorpIM Growth Funds are being utilised to match investment duration with specific underlying long-term liabilities. Although TCorpIM Growth Funds are liquid due to CN's investment strategy for these funds, in conjunction with the recommended minimum duration of investment advised by TCorp the term to maturity of this fund is categorised as greater than 5 years.

As at 31 July 2019 CN's portfolio was conservatively positioned to focus on future short-term funding requirements as well as providing scope to assess and determine allocations to new long-term investments as and when opportunities arise.



Interest Income Variance analysis:

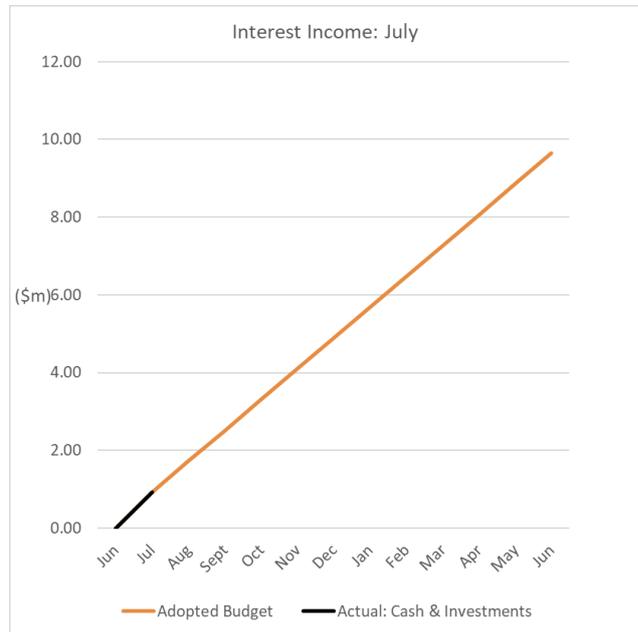
Commentary:

The adopted budget for 2019/20 investment income is \$9.64million (excluding Newcastle Airport and non-investment portfolio sources of interest income).

In the time since the construction of the 2019/20 budget several underlying assumptions, derived from financial markets, are no longer reasonable. Resultantly, it is improbable that the full year adopted budget will be achievable.

Analysis of a revised 2019/20 budget remains ongoing and will be presented to Councillors as part of the September 2019 quarterly review.

Cumulative 2019/20 interest income from CN's cash and investments was \$0.92million (excluding Newcastle Airport and non-investment portfolio sources of interest). This result is in alignment with the budgeted year to date estimate of \$0.92million.



Investment Policy compliance report

June 2019

New and matured Investments:

Matured Investments:

Date matured	Institution	Asset Class	Principal value	Rate of Return	Original Term	Original date invested
7 June 2019	Greater Bank	Floating Rate Note	\$2,500,000	90d bbsw + 1.60%	3 years	1 June 2016
7 June 2019	NAB	Term Deposit: Fixed rate	\$3,000,000	2.71%	126 days	1 Feb 2019
14 June 2019	ANZ	Term Deposit: Floating rate	\$2,000,000	90d bbsw + 1.00%	5 years	16 June 2014
21 June 2019	NAB	Term Deposit: Fixed rate	\$4,000,000	2.71%	154 days	18 Jan 2019
21 June 2019	NAB	Term Deposit: Fixed rate	\$3,000,000	2.65%	129 days	12 Feb 2019
28 June 2019	ME Bank	Term Deposit: Fixed rate	\$4,000,000	2.65%	121 days	27 Feb 2019

New Investments:

Contract date	Settlement date	Institution	Asset Class	Principal value	Rate of Return	Term	Maturity date
7 June 2019	12 June 2019	Westpac	Fixed rate Bond	\$4,622,356	2.15%	5.2 years	16 Aug 2024
19 June 2019	19 June 2019	NAB	Term Deposit: Fixed rate	\$6,000,000	2.00%	1.0 years	12 June 2020
26 June 2019	26 June 2019	NAB	Term Deposit: Fixed rate	\$2,000,000	2.00%	128 days	1 Nov 2019
28 June 2019	28 June 2019	Bank of QLD	Term Deposit: Fixed rate	\$1,000,000	2.10%	126 days	1 Nov 2019

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

Investment Policy compliance report

May 2019

New and matured Investments:

Matured Investments:

Date matured	Institution	Asset Class	Principal value	Rate of Return	Original Term	Original date invested
3 May 2019	IMB Bank	Term Deposit: Fixed rate	\$3,000,000	2.70%	142 days	12 Dec 2018
6 May 2019	IMB Bank	Term Deposit: Fixed rate	\$3,031,512	1.50%	3 days	3 May 2019
10 May 2019	Westpac	Floating Rate Note	\$2,500,000	90d bbsw + 1.00%	3.2 years	8 Mar 2016
27 May 2019	NAB	Term Deposit: Floating rate	\$3,000,000	90d bbsw + 1.00%	5 years	26 May 2014

New Investments:

Contract date	Settlement date	Institution	Asset Class	Principal value	Rate of Return	Term	Maturity date
2 May 2019	2 May 2019	NAB	Term Deposit: Fixed rate	\$4,000,000	2.35%	141 days	20 Sept 2019
3 May 2019	6 May 2019	IMB Bank	Term Deposit: Fixed rate	\$3,031,512	1.50%	3 days	6 May 2019
15 May 2019	23 May 2019	RACQ Bank	Floating Rate Note	\$1,000,000	90d bbsw + 1.05%	3 years	23 May 2022
24 May 2019	24 May 2019	NAB	Term Deposit: Fixed rate	\$4,500,000	2.25%	133 days	4 Oct 2019
29 May 2019	30 May 2019	TCorp NSW	Long Term Growth Fund	\$4,000,000	N/A*	N/A**	N/A**
30 May 2019	30 May 2019	Suncorp	Term Deposit: Fixed rate	\$5,000,000	2.25%	134 days	11 Oct 2019
31 May 2019	31 May 2019	Bank of QLD	Term Deposit: Fixed rate	\$5,000,000	2.40%	3 years	31 May 2022

* TCorp Growth Funds do not have a contracted rate of return. However, TCorp provides guidance on Long-Term Return expectations over a 10year period of CPI + 3.50%p.a with a greater than 50% probability.

**TCorp Growth Funds do not have a contracted maturity date. However, CN's Internal Strategy specifies that the minimum time horizon for the Long-Term Growth Fund is 5 years from the date of initial deposit.

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.



Alissa Jones
Responsible Accounting Officer



Three developments promoted by MECA in July confirmed the City of Newcastle's (CN) growing smart city achievements.

Broad media coverage of Newcastle's first driverless vehicle ensued when the Lord Mayor unveiled the autonomous shuttle bus at Keolis Downer's Hamilton Depot ahead of a 12-month trial in Newcastle East.

New digital technology that guides drivers to available parking spaces was added to CN's popular EasyPark app, which allows users to pay for parking and top up remotely on their smart phones.

The Smart City Infrastructure component of the Hunter Innovation Project (HIP) won the 'Land Use and Planning' category at the IDC Smart Cities Asia-Pacific Awards. The City's Smart Moves Newcastle - Mobility Projects, which includes the driverless vehicle, also shared top honours in the 'Connected and Autonomous Vehicles, Public Transit and Rideshare' category.

The City also announced it would step in to fund the Park and Ride Service for the next 12 months, maintaining the commuter convenience and freeing up inner-city parking spaces.

MEDIA, COMMUNICATIONS & ENGAGEMENT



819

Media items relating to City of Newcastle

10

Media Releases

60

Media Inquiries



MEDIA HOT TOPICS

Bathers Way – Newcastle Beach

Park and Ride

Special Business Rate funding

Find and Park

Driverless Vehicle

Safe Cycling

National Tree Day

West End Streetscape Plan

We provided marketing and communications to promote:

National Tree Day: CN celebrated National Tree Day with a planting day with local school students on Friday 26 July and an open community planting day on Sunday 28 July, both at Bull and Tourle Street Reserve, Mayfield West.

Carrington Local Centre Upgrade: A locally produced video was released on social media to promote the first of our local centres to be completed in Carrington.

Fletcher Street playground opening, Adamstown: The Lord Mayor met with former students from St Columbas Catholic Primary School to help test out the new playground.

Street Gardens: We celebrated our Urban Forest Program with a light hearted, educational video.

Water Safety Program: As part of the rebrand we have updated the program collateral and produced new signage.

We updated our community on these infrastructure projects:

Fletcher Street Reserve, Adamstown: An official opening of Fletcher Street Reserve playground was conducted in July.

Council Street renewal, Cooks Hill: Ongoing communication on the work in Council Street is continuing, with work extending east from Bruce Street. Changes to construction schedules are being communicated in line with project plans.

Newcastle East – Shortland Esplanade: Cliff and stormwater rehabilitation works between Fort Drive and Shortland Esplanade.

Bathers Way – Newcastle Beach: Updated concept designs for Bathers Way – Newcastle Beach were released to the community for review.

Our community was involved and provided feedback on:

Community Participation Plan Public Exhibition: The draft Plan commenced Public Exhibition with a dedicated Have Your Say web page. The Plan can be reviewed online with writer submissions open until Sunday 25 August.

James Street Plaza workshop: A key stakeholder workshop occurred on Saturday 27 July to contribute to the plans to improve the Hamilton plaza. Several participants, including two Councillors were informed about the Place Partners, PX scoring and what we've heard to date from the community and took part in discussion around designing a new space.

Special Business Rate Policy Public Exhibition: Comments are currently invited on the draft Policy through a dedicated Have Your Say web page.

Victory Parade, Wallsend online survey: Feedback about combined pedestrian-cycle crossing via an online survey occurred. Questions were for all crossing users, whether they are cyclists, pedestrians or drivers, with over 70 participants completing the survey.



PROMOTING OUR CITY

BUSINESS EVENTS AND DESTINATION MARKETING

Urban Enterprise has been appointed as the consultancy firm to deliver the 2020-2024 Destination Management Plan (DMP) for the City. The Destination Management Plan will involve considerable stakeholder and community engagement, extensive research, and result in a comprehensive, actionable Plan. The project is expected to be finalised by the end of the year.

The redevelopment of the Visit Newcastle website is progressing ahead of schedule and is due for completion in August. The website is being built on the Kentico platform to ensure consistency amongst Council digital assets.

Channel 7's program, Sydney Weekender, filmed in Newcastle during July. The program, with host Mike Whitney, has an audience of approximately 255 000, and the three minute placement is valued at approximately \$30, 000. The episode will feature key Newcastle experiences including the ANZAC Memorial Walk and Merewether Ocean Baths as well as various attractions/activities and accommodation.

Within the Business Events team we are finalising new marketing pieces including the Bid Template and the Planner Guide. The Business Events Facilitator attended The Associations Forum in Canberra. Associations are a key target market for Newcastle Business Events. Events bids won this month include: Telstra Legal and Corporate Conference 2019, the Australian Sign Language Interpreter's Association Conference 2020 and NewTech 2019 conference (delivered by Novotel Newcastle Beach).

SUPPORTING EVENTS IN OUR CITY

(including weddings & private bookings)

36 NEW EVENT BOOKINGS
& ENQUIRIES

10 EVENT AUTHORISATIONS

6 FILMING PERMITS ISSUED

VIBRANT AND ACTIVE PUBLIC SPACES

EVENT SPONSORSHIP

THE CITY SPONSORED
TWO EVENTS THIS MONTH:

Waller Roos v Japan

Newcastle hosted its first ever International Women's Rugby Test Match between the Wallaroos (Australian national women's team) and the Japanese national women's team. The match was historical for a range of reasons, including it being the first ever test series between Australia and Japan. With two curtain-raiser matches and a dedicated #GoldBlooded fan zone, the test match delivered a family-friendly day of high-class entertainment both on and off the field. The Wallaroos claimed their first win on home soil, defeating Japan 34-5 in their opening match of 2019 at No. 2 Sportsground.

Regional Tourism Awards

The Destination Sydney Surrounds North Regional Tourism Awards celebrated operators from across the region in Newcastle on Monday 29 July. The City was a Gold Sponsor of the awards that saw winners gain entry to the NSW State Tourism Awards, and if successful, go on to the National Tourism Awards.

CULTURAL FACILITIES



There was plenty of offer for our community to enjoy during the July school holidays at the Libraries, Newcastle Art Gallery, Museum and Blackbutt Reserve, ranging from free to paid activations. The diversity of activities was promoted via our regular school holiday guide, distributed at all facilities, via a social media video produced internally, and advertising on targeted channels including Newcastle Live, Newcastle Herald website and Newcastle Weekly.

The Earthquake Then and Now and Again Exhibition opened at Newcastle Museum. It reflected on the 1989 natural disaster that claimed 13 lives and tested the resolve of so many Novocastrians. The exhibition, which gained national media attention when it was first held in 2014, marks the beginning of commemorations across the city for the earthquake's 30th anniversary, and will be on display until the end of October.

SOCIAL MEDIA



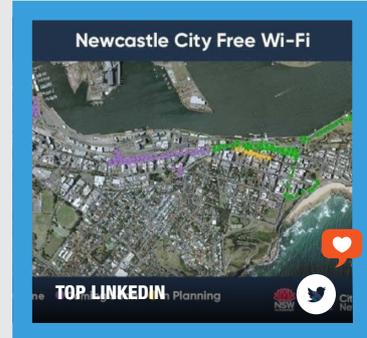
34,685
PEOPLE REACHED
(5,810 ENGAGEMENT)

Did you know there are over 120 local playgrounds?
 These school holidays check out an old favourite or one of our newest additions.



15,700
IMPRESSIONS
(53 LIKES & RETWEETS)

A bit of off-field fun at Blackbutt Reserve today.



9,138
IMPRESSIONS
(626 ENGAGEMENTS)

This stunning mural by local Aboriginal artist Jasmine Cracian was unveiled at our Waratah Depot during NAIDOC week.



14,671
PEOPLE REACHED
(947 ENGAGEMENTS)

Spectacular in any light, Photo credit: Dr Chris Brown



11,004
PEOPLE REACHED
(1,600 ENGAGEMENTS)

How lucky are we to see these amazing creatures in our very own backyard?



NEWCASTLE HAVE YOUR SAY
507
MEMBERS
(118 NEW MEMBERS, 142 ENGAGEMENTS)

TOP POST

27
ENGAGEMENTS

Following community and stakeholder feedback we've revised the design for the Bathers Way – Newcastle Beach project.

TOTAL COMBINED FOLLOWERS
134,773

4,080 NEW FOLLOWERS
INCREASED BY 3.12%