

ANNUAL REPORT

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2004/2005



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NEWCASTLE CITY COUNCIL'S COMMITMENT TO INDIGENOUS PEOPLE

A Commitment by Newcastle City Council To Aboriginal and Torres Strait Islander Peoples of the City of Newcastle

The Council of the City of Newcastle acknowledges that Aboriginal and Torres Strait Islander peoples, in this council area Awabakal and Worimi, were the first peoples of this land, and are the proud survivors of more than two hundred years of continuing dispossession.

Newcastle Council recognises that the British invasion initiated massive changes to the land and its peoples.

As a vital step towards building a just, common future, Newcastle Council recognises the loss and the grief held by Aboriginal and Torres Strait Islander peoples. Council acknowledges that this loss and grief has been caused by alienation from their traditional lands, the loss of their lives and their freedom, and the forced removal of their children.

Newcastle Council supports the right of Aboriginal and Torres Strait Islander peoples to live according to their own values and cultures.

Newcastle Council recognises the vital importance of Aboriginal and Torres Strait Islander peoples' contribution to strengthening and enriching our city and region.

Newcastle Council, in consultation with local Aboriginal and Torres Strait Islander peoples is committed to:

respecting and conserving their cultural practices, traditional sites and significant places,

promoting activities which increase cultural sensitivity and awareness of Aboriginal and Torres Strait Islander peoples,

developing an agreement between local Aboriginal and Torres Strait Islander communities and other community members for the care of the local environment,

working towards the recovery of their languages, health, cultural practices and lost kinship.

Newcastle Council will look towards Aboriginal and Torres Strait Islander cultures for practical knowledge which could help to secure a sustainable future for our community.

Newcastle Council, in negotiation with local Aboriginal and Torres Strait Islander peoples, will further reconciliation between Aboriginal and Torres Strait Islander communities and other community members by working together for a treaty and/or other agreements of reconciliation.

Newcastle City Council, in negotiation with local Aboriginal and Torres Strait Islander peoples, will develop an action plan to redress disadvantages and attain justice for Aboriginal and Torres Strait Islander peoples of this community.



Signed for and on behalf of
Newcastle City Council by:

The Right Worshipful
The Lord Mayor of Newcastle
Councillor Greg Heys

Greg Heys

Mr Robert Clabons
General Manager, Newcastle City Council

R Clabons



Signed for and on behalf of the
Aboriginal Community of the
Newcastle Local Government Area by:

Mrs Iris Russell
Iris Russell

ATSIAC Commissioner NSW East Zone
Mr Jim Wright

Jim Wright

Mr Rodney Smith

Rodney Smith

14 April 1998

INTRODUCTION

Newcastle City Council's 2004/2005 Annual Report has been prepared to satisfy the requirements of section 428 of the Local Government Act, 1993. The Annual Report incorporates the State of the Environment Report, which has also been produced as a separate publication available on request.

Since December 1998, Council has produced four quarterly editions of *Council News each year*, Council's newspaper, which is delivered to every home in the City and has had considerable positive feedback from the community. *Council News* is a key tool in assisting the Council to comply with the spirit of Chapter 3 of the Local Government Act, 1993, *What is Council's Charter*. Specifically, it helps Newcastle City Council to keep the local community informed about its activities and facilitates the involvement of members of the public and particularly users of facilities and services in the development, improvement and co-ordination of Council's activities.

This year's December edition of *Council News* will include an overview of Council's performance and significant achievements for the 2004/2005 year.

Major consultation was conducted with internal and external users of Council's website with view to improving its use as a key information and marketing tool.

STATUTORY REPORTING

Local Government Act 1993 - Section 428 (2) (a) Financial Statements

All figures are in thousands of dollars. Statement of Revenue and Expenses for the year ended 30 June 2005:

| Principal activities | 2003/04 | | | 2004/05 | | |
|------------------------------|----------------|----------------|-------------------|---------------|---------------|-------------------|
| | Expenses | Revenues | Operating Results | Expenses | Revenues | Operating Results |
| Executive Management | 3,789 | 116 | -3,673 | 3579 | 65 | -3514 |
| Corporate Services | 7,357 | 1,476 | -5,881 | 8147 | 1568 | -6579 |
| Community Development | 31,792 | 18,725 | -13,067 | 32970 | 18306 | -14664 |
| City Strategy | 22,773 | 10,196 | -12,577 | 29700 | 11549 | -18151 |
| City Services & Presentation | 55,684 | 19,593 | -36,091 | 53910 | 18231 | -35679 |
| Development & Environment | 8,484 | 4,188 | -4,296 | 9274 | 3976 | -5298 |
| Governance | 3,930 | | -3,930 | 3754 | | -3754 |
| General purpose revenues | | 89,929 | 89,929 | | 93992 | 93992 |
| Total | 133,809 | 144,223 | 10,414 | 141334 | 147687 | 6353 |

Assets acquired from 1/7/2004 – 30/6/2005 and held at 30/6/2005:

| | 2003/04 | | 2004/05 | |
|------------------------------|------------------------------|---------------------------|------------------------------|---------------------------|
| | At cost acquired during year | Assets held at period end | At cost acquired during year | Assets held at period end |
| Executive Management | 36 | 141 | 24 | 115 |
| Corporate Services | 453 | 102,834 | 1195 | 114936 |
| Community Development | 5,946 | 201,449 | 10136 | 215274 |
| City Strategy | 8,495 | 575,462 | 7804 | 499628 |
| City Services & Presentation | 8,942 | 575,917 | 8705 | 634909 |
| Development & Environment | 4 | 16 | 163 | 171 |
| Governance | 12 | 24 | 59 | 44 |
| Total | 23,888 | 1,455,393 | 28086 | 1465077 |

Local Government Act 1993 - Section 428 (2) (b) Performance of Principal Activities

The 2003/04 Management Plan sets out strategies to achieve Council's Strategic Direction and establishes Key Performance Indicators for each Service Unit. Council reviews progress towards achievement of the targets set within the Management Plan on a quarterly basis. The June 2005 Quarterly Strategic Review is attached.

A full report on progress towards the ten objectives contained in Council's Strategic Direction is included in Appendix 1 of the June Quarterly Review. At the end of the June quarter 84% of the 2004/05 Actions were completed and 13% were in progress.

With respect to the key performance indicators, 89% met their target and 11% were below target. Section 2.2 of the June Quarterly Strategic Review details the indicators that did not meet target and the reason for non-achievement.

A summary of Council's financial performance is included in Section 3 of the June Quarterly Strategic Review. This comprises information on operational performance and delivery of Council's major projects and major asset preservation programs. Full details of Council's overall financial performance for the year are included in the annual financial statements.

Local Government Act 1993 - Section 428 (2) (c)

State of the Environment Report

State of the Environment (SOE) reporting is an annual requirement of Councils under the NSW Local Government Act 1993. SOE reports cover a range of environmental sectors. For each sector, the report provides a description of the current conditions and the pressures that human activity place on these conditions. The report also describes actions that have been taken to address the issues, and future plans in the area.

In accordance with the requirements of the Act, "indicators" are required to provide information on environmental conditions and trends. An indicator is described as "*an aspect of the natural world or built environment that can be monitored to provide information on environmental conditions and trends.*" This presents challenges in finding meaningful and relevant measures for which data is available. The SOE report attempts to provide clear statements of trends for indicators, or, at least, identify gaps in available information.

This SOE report has been structured to correspond with the 2004 Newcastle Environment Management Plan's (NEMP) environmental themes. The nine NEMP themes are addressed in turn, and additional information on the Environmental Levy, Environmental Education and Enforcement included as appendices. The revised structure supports a move toward greater consistency and transferable data amongst Council's planning and reporting processes through the "systems approach" utilised in the creation of the 2004 NEMP.

The SOE report covers the period from 1 July 2004 to 30 June 2005. A separate report has been completed and is available as an attachment to the annual report.

CONDITION OF PUBLIC ROADS

Road Pavement

There are 6,682,834 square metres of local load pavement under the care of Council. For ease of management these pavements have been grouped into 4,962 pavement sections. The following table shows the condition of these pavements. The condition rating is on a 1 to 5 scale based on the condition of the pavement surface.

| Condition Rating | Surface Condition | Number of Sections | Pavement Area (m) |
|------------------|-------------------|--------------------|-------------------|
| 1 | Excellent | 2,379 | 3,204,062 |
| 2 | Good | 927 | 1,248,161 |
| 3 | Fair | 337 | 453,690 |
| 4 | Poor | 160 | 216,015 |
| 5 | Failed | 1,159 | 1,560,907 |
| Total | | 4,962 | 6,682,834 |

Kerb and Gutter

There are 1,129,519 metres of kerb and gutter under the care of Council control within the City. As with roads, this length has been grouped into 9127 sections for ease of management. The sections are similar to the road sections except that there are two potential kerb and gutter sections for each pavement section. The condition rating is similar to that for road pavement. The following table shows the condition of the kerb and gutter assets in the City.

| Condition Rating | Condition | Number of Sections | Kerb and Gutter Length (m) |
|------------------|-----------|--------------------|----------------------------|
| 1 | Excellent | 1,035 | 128,134 |
| 2 | Good | 2,115 | 261,687 |
| 3 | Fair | 4,283 | 529,962 |
| 4 | Poor | 1,642 | 203,246 |
| 5 | Failed | 52 | 6,490 |
| Total | | 9,127 | 1,129,519 |

Foot Paving

There are 663,250 metres of foot paving under the care of Council control within the City. The grouping of the lengths of foot paving is similar to that of kerb and gutter. The asset condition rating is similar to that for road pavement and this is shown in the following table.

| Condition Rating | Condition | Number of Sections | Foot Paving (m) |
|------------------|-----------|--------------------|-----------------|
| 1 | Excellent | 810 | 94,209 |
| 2 | Good | 1,332 | 154,872 |
| 3 | Fair | 2,709 | 314,588 |
| 4 | Poor | 837 | 97,282 |
| 5 | Failed | 49 | 5,659 |
| Total | | 5,734 | 666,610 |

Condition Summary

The following information is provided as a definition of acceptable condition in respect of road pavement, kerb and gutter and foot paving.

Road Pavement

The average condition of the pavement network is between fair and poor. To achieve an acceptable condition the network should be upgraded so that there is at any one time no more than 5% of the network in failed condition. Currently there is 23.4% of the pavement surface in failed condition.

Kerb and Gutter

The average condition of the network's kerb and gutter is fair. To achieve an acceptable condition the network should be upgraded to where there are no failed sections of kerb and gutter. Currently there is 0.6% of the network in failed condition

Foot Paving

The average condition of the local road network's foot paving is fair. To achieve an acceptable condition the network should be upgraded to have no failed sections and a maximum of 400 sections in poor condition. Currently there are 886 sections or 15.5% of the network in poor or failed condition.

Estimate of expenditure required to bring roads up to a satisfactory standard

Road Pavement

To upgrade the local road network's pavement surface to an acceptable average condition would require the resurfacing of 1,229,641 square metres of pavement at a cost of \$24,590,000. This would be done over a five-year program in which case the expenditure would be \$4,918,000 per annum.

Kerb and Gutter

There are 6,490 metres of kerb and gutter in failed condition and to upgrade this to an acceptable condition would cost \$1,427,000.

Foot Paving

Upgrading the foot paving would require the reconstruction of 56,600 metres of pavement. The cost of reconstructing 56,600 metres of additional pavement would be \$8,830,000. This program would be taken over 5 years with an annual expenditure of \$1,766,000.

Estimate of the annual expenses of maintaining the roads at that standard:

Roads will require an expenditure of \$800,000 on pavement maintenance, \$3,000,000 on resurfacing and \$900,000 on rehabilitation to maintain the higher level of service.

Kerb and gutter will require an expenditure of \$400,000 per annum to maintain the higher level of service.

Foot Paving will require an expenditure of \$900,000 to maintain the increased level of service.

Program of maintenance for that year in respect of roads:

| | |
|-----------------|--------------------|
| Road pavement | \$5,100,339 |
| Kerb and Gutter | \$519,677 |
| Foot paving | \$1,467,675 |
| Total | \$7,087,691 |

CONDITION OF BRIDGES

There are 499 bridges/culverts within the Newcastle City area of which 245 are the direct responsibility of Council.

Of these 245 structures, 160 are on local roads, 51 in parks, 12 on regional roads and 22 are located on State Highways. The number of bridges/culverts exceeding 6 metres in length total 146.

The majority of Council's bridges are reinforced concrete structures. The average age of the assets is 38 years old and range from 4 to 87 years old.

A survey and condition rating of 160 bridges on local road bridges are shown below.

| Number of Bridges | Condition Index |
|-------------------|---------------------------------|
| 8 | 1 - Near perfect |
| 118 | 2 - Superficial deterioration |
| 32 | 3 - Serious deterioration |
| 2 | 4 - Major reconstruction needed |
| 0 | 5 - Unserviceable |

Estimate of expenditure required to bring bridges up to a satisfactory standard

The cost to upgrade the bridge assets to a condition index of two is estimated at \$1.9 million. This equates to 7 % of the asset value of \$26.7 million.

Estimate of the annual expenses of maintaining the bridges at that standard:

Council surveys 20% of its bridges annually. Each bridge is assessed to determine its compliance with the nominated "acceptable" condition rating index and the cost of upgrading the bridge to that acceptable condition rating. The estimated costs are as indicated in the following table.

An estimate for the annual expense required for maintaining these bridges at a condition index of two is \$200,000 annually.

Program of maintenance for 2005/06 in respect of bridges:

An annual prioritised periodic and routine maintenance works program was provided for bridges/culverts in the 2005/06 budget. Funding commitments:

| | HISTORICAL | CURRENT | FORECAST |
|-------------|------------|----------|-----------|
| PERIOD | 2004-05 | 2005-06 | 2006-10 |
| EXPENDITURE | \$110,000 | \$50,000 | \$345,000 |

As part of Council's management of bridges an alternate method of bridge inspection and capture of field data has commenced. Field trials are expected to commence in the first half of 2005-06 and 50% Council's bridge stock surveyed by the end of the financial year. The end result is expected to impact on the above data.

Under the 2005-06 Budget, Minmi Rd Br (over Back Creek) widening project is scheduled at an estimated budget of \$885,000 under the Roads Recovery Program.

CONDITION OF PUBLIC STRUCTURES

There are 518 public “structures” (includes buildings, inland pools, ocean baths, monuments, memorials and fountains but excludes “road” bridges) under the care of Council. The condition of each structure is rated in accordance with the following rating scale.

| | | |
|---|-------------|--|
| A | Exceptional | To preserve the facility in “as new” condition continuously & indefinitely, and to correct unacceptable conditions swiftly and unobtrusively. |
| B | High | To preserve the facility in good condition both visually & functionally, and to respond promptly in the event of failures. |
| C | Standard | To preserve the facility for essential functionality, complying with statutory health, safety & environment obligations, and rectifying faults before consequential damage incurs additional costs. |
| D | Minimal | To preserve the facility for essential functionality for operational purposes and complying with statutory obligations to the maximum possible. The standard is normally applied where the expected life of the facility is less than five years or where little use is expected. |
| E | Mothball | This standard applies to facilities which have been closed or vacated, and are not in current use. Maintenance is aimed at maintaining safety and security, protecting against vandalism or other damage, and limiting any cost penalties. Cleaning only takes place to ensure essential hygiene and safety. |

For the purpose of this report structures are categorised under “land use”. This represents the primary function and purpose for which the structure is used. Using the current condition rating and land use categories for buildings provides the following relationship.

| Land Use | A | B | C | D | E | Grand Total |
|--------------------|----------|----------|------------|------------|-----------|-------------|
| COMMERCIAL | 0 | 1 | 21 | 23 | 6 | 51 |
| COMMUNITY | 0 | 3 | 38 | 34 | 0 | 75 |
| OPEN SPACE | 0 | 0 | 80 | 275 | 7 | 362 |
| OPERATIONAL | 0 | 0 | 9 | 19 | 2 | 30 |
| Grand Total | 0 | 4 | 148 | 351 | 15 | 518 |

Estimate of expenditure required to bring Council’s structures up to a satisfactory standard and annual expenditure (Note: Excludes “Road” Bridges)

Council surveys 20% of its “structures” stock annually. Each structure is assessed to determine its compliance with the nominated “acceptable” condition rating and the cost of upgrading the structure to that acceptable condition rating. The estimated costs over the next five years are shown in the following table.

| LAND USE | HISTORICAL | CURRENT | FORECAST | | | |
|--------------|------------------|------------------|------------------|------------------|------------------|------------------|
| | 2004/05 | 2005/06 | 2006/07 | 2007/08 | 2008/09 | 2009/10 |
| COMMERCIAL | 536,700 | 1,660,500 | 1,216,700 | 937,600 | 657,900 | 1,213,900 |
| COMMUNITY | 969,200 | 1,096,400 | 1,643,000 | 1,633,500 | 2,526,100 | 2,332,200 |
| OPEN SPACE | 2,457,500 | 1,391,600 | 2,202,200 | 4,072,300 | 1,467,300 | 1,227,400 |
| OTHERS | - | - | 105,000 | 195,000 | 45,000 | 125,000 |
| OPERATIONAL | 460,100 | 981,500 | 925,600 | 1,035,000 | 1,392,000 | 109,000 |
| TOTAL | 4,423,500 | 5,130,000 | 6,362,500 | 7,894,400 | 6,113,300 | 5,032,500 |

| | | | | | | |
|--|------------------|------------------|------------------|-------------------|------------------|------------------|
| Breakdown Maintenance & Essential Services | 2,862,893 | 3,027,295 | 3,127,196 | 3,230,393 | 3,359,609 | 3,460,397 |
| GRAND TOTAL | 7,286,393 | 8,157,295 | 9,489,696 | 11,124,793 | 9,472,909 | 8,492,897 |

Based on the above table, the current plus 4 year projected expenditure to upgrade the structures to the nominated standard is estimated at **\$46,737,590**. Council anticipates that it will maintain the surveyed structures over that period of time at an average expenditure of approximately **\$9,347,518** per annum.

C O N D I T I O N O F D R A I N A G E

Council manages 434,800 metres of stormwater drainage pipes, 15,781 metres of culverts and 17,121 drainage pits.

This infrastructure varies in age from over 110 years old to new, ie constructed in 2005.

A new estimate of the value of the network was undertaken in 2004_05 using updated estimates and including culverts. The current replacement value is \$519,360,000. Current value of the network is estimated at \$353,164,000.

Council undertakes a planned inspection program for its drainage assets consisting of visual survey and CCTV. The following table shows the extent of the surveys to date. The surveys were commenced in the late 1990's.

| Drainage Element | Extent Surveyed | Percentage of Network |
|------------------|-----------------|-----------------------|
| Pipes | 139,384 | 32% |
| Culverts | 4,881 | 31% |
| Pits | 3,946 | 23% |

Findings indicate that the condition of the network is good in areas where there is no tidal influence and where the system is self-cleansing. Significant problem areas are the older parts of the city where vitreous clay pipes have been installed and where land has been reclaimed in tidal zones. Areas of the City that have concrete pipes, both butt and rubber ring jointed are in good condition.

The following table summaries the structural condition of the network based on the surveys undertaken. Note culverts have not been structurally assessed. The condition scale is Good, Fair and Poor. Good requires no maintenance, fair requires minor maintenance and poor requires considerable maintenance.

| Drainage Element | Pipes | Pits |
|------------------|-------|------|
| Good | 59% | 61% |
| Fair | 10% | 35% |
| Poor | 31% | 4% |

Estimate of expenditure required to bring drainage up to a satisfactory standard

The cost to upgrade the drainage assets to a condition index of fair or good is estimated to be \$161 million. This equates to 31% of the asset value of \$519 million. However only 10% of the asset in poor condition would require replacement to ensure a satisfactory standard. This equates to 3.1% of the network or \$16.1 million.

Estimated of the annual expenses of maintaining drainage at that standard:

An estimate for the annual expense required for maintaining these assets at condition index of fair or good is 0.5% of the asset replacement value which is \$2.596 million. This estimate is based on incomplete information on the total network's condition and will require on-going assessment programs to better refine the cost of maintaining this asset.

Program of maintenance for that year in respect of drainage:

Routine and periodic maintenance expenditure is \$944,914.

Local Government Act 1993 - Section 428 (2) (e)
Legal Proceedings

The following matters were lodged in the courts during the financial year:

| Matter | Court | Legal Expenses incurred by Council – exclusive of GST | Status and Costs Awarded |
|---|--------------|--|---|
| PD Anderson Holdings Pty Ltd DA 97/0048 | L&EC | \$29,309 | Ongoing: Mediation arranged under which Council agreed to use best endeavours to construct stairway and footpath in reserve. Council to amend Plan of Management. Council proceeding with amendment to Plan of Management |
| PD Anderson Holdings Pty Ltd DA 03/0499 | L&EC | \$36,899 | Council's favour: Judgment handed down 19/1/05 dismissing the appeal and refusing the development application. Awaiting written judgment. Matter closed. |
| Curk Anthony - DA 99/3077 | L&EC | \$39,339 | Against Council: judgment & orders handed down on 15 October 2004 upholding the appeal & approving the development application. File closed. |
| Delany Hotel - DA 03/2350 | L&EC | \$24601 | Council's favour: Proceedings concluded on 27/5/04. Appeal dismissed (DA refused). File closed. |
| Ronald William Harris - Landfill | L&EC | \$93,612 | Ongoing: The respondent (Mr Harris) failed to file the relevant Flood Assessment and contamination reports before the 23 May 2005 deadline. At a telephone callover registrar made the following directions: - flood assessment due on 22 July and next callover on 1 August 2005. |
| Hoake Pty Ltd - Niagara Café - DA 02/1562 | L&EC | \$11,470 | Council's favour: orders complied with and costs paid |
| Anthony Hughes - Wool Stores Darby Street & Nautilus Apartments Wharf Road Newcastle | L&EC | \$32,372 | Ongoing: Further evidence for contempt proceedings currently being gathered. |
| JTCW Savage - DA 01/1829 (Toymasters) | L&EC | \$6,656 | Ongoing: Council ordered to pay costs of the costs motion. Assessment forwarded to Council - \$12,000 to be paid. |
| Pefeni Pty Ltd (Crowhurst - Charles & Rosemary) - DA 03/2031 | L&EC | \$42,655 | Against Council: Consent orders made. File closed. |
| Westfield - DA 02/2426 | L&EC | \$60,248 | Discontinued: Notice of Discontinuance has been filed by Applicant following Council determination to approve proposed development. File closed. |

| Matter | Court | Legal Expenses incurred by Council – exclusive of GST | Status and Costs Awarded |
|---|-------|---|---|
| Winwood David; McGee Marilyn - DA 02/2426 | L&EC | \$113,086 | Ongoing: Proceedings stopped due to subsequent DA. Costs hearing held on 31/5. Judgement handed down 3/6. Each party is to bear its own costs. Judgement ordered that the Respondent pay half of Council's costs of the proceedings \$51,000. Bill of costs forwarded to to respondent 20 June 2005 and given fortnight to respond. Respondent has requested itemised bill of cost. |
| Jackson Teece Architecture v NCC DA 04/0929 | L&EC | \$31,452 | Council's favour: Commissioner Hussey handed down judgement refusing development application and dismissing appeal on 30/5/05. Matter Finished. |
| Toner Design Ltd v NCC | L&EC | \$21,351 | Against Council: Appeal heard at an on-site hearing on 17 December 2004. Sealed copy of Court Orders and Conditions received from the Court in January 2005 and have been forwarded to Council. File closed. |
| DA 02/1546 - 984 Hunter Street Newcastle - Hilltop Planners | L&EC | \$4,598 | Ongoing: Applicant has lodged new DA for subject site. Council presently considering DA. Off public notification on 31 May 2005. Letter sent to applicant requesting noise report and stormwater management plan. Noise monitoring currently underway. |
| Xiao Ping Ai 7 Denny Street Broadmeadow | L&EC | \$8,250 | Against Council: The Court allowed the appeal in January 2004. File closed. |
| H Thambar/A V Jennings 41 Light Street, Bar Beach - DA 04/2160 | L&EC | \$1,555 | Discontinued: Council issued consent to the subject DA. On 28 February 2005 the Court adjourned the proceedings to 14 March 2005 to allow the Applicant to consider the terms of the Consent and whether she would continue with her appeal. The Applicant decided to discontinue. |
| Australian Super Motor Cross development without consent | L&EC | \$5,967 | Discontinued: Matter resolved without need to continue in Court. |
| DA 04/0673 Pepperwood Ridge Aged Care Facility | L&EC | \$30,261 | Council's favour: Matter heard on the 13 May 05. Justice Pain ruled that SEPP - Senior Living does not apply to the 7c Environmental Protection zone and hence the applicant's appeal has failed. |

| Matter | Court | Legal Expenses incurred by Council – exclusive of GST | Status and Costs Awarded |
|--|--------------------|---|--|
| Tregilgas 6 Rowan Crescent Merewether DA 04/0985 Class 4 Proceedings | L&EC | \$2,552 | Discontinued: Applicant discontinued the proceedings just prior to the adjourned call-over on 25 April 2005. The applicant agreed and has since paid \$1000.00 to Council as settlement of costs issues. |
| Trajcevski 71 Henry Street Merewether - Retaining wall | L&EC | 0 | Ongoing: Owner given one final opportunity to rectify the above breaches of consent 01/2372 prior to Council commencing appropriate proceedings. Council advised to carry out a further inspection to determine if the wall has been modified as required. |
| DA 04/0673 Pepperwood Ridge Aged Care Facility | L&EC | 0 | Ongoing: Adjourned until 15 August 2005. |
| Leaway Pty Limited - Newcastle Transfer Station - DA consent 00/1738 | L&EC | \$305,629 | Ongoing: Attempts being made to recover outstanding fines and costs associated with previous Class 4 proceedings relating to development not in accordance with consent and subsequent contempt proceedings. Further contempt proceedings on foot relating to a failure to pay the court fine and for further breaches of development consent. |
| 102 Lake Road Wallsend - Land Clearing | L&EC | \$36,149 | Ongoing: Proceedings against Proctor & Hunter Valley Care are adjourned to 21 July 2005 for further mention. Cost assessment process for initial guilty plea still underway. |
| Pace Farm No 2 | L&EC | \$225,412 | Ongoing: Judgement handed down 23 June 05: Conviction. Further costs and penalty hearing set down for 4 August 2005. |
| Adamstown Hot Bread Shop - Food Prosecution | Local Court | \$4,440 | Council's favour: 13 August 2004: Mr Nguyen fined \$12500 plus \$756 court costs, plus \$2000 legal costs. Total \$15256. Matter referred to state debt recovery office. |
| Representation: Lim New Lambton Hot Bread Shop Prosecution | Local Court | \$10,015 | Council's favour: Defendant convicted of 4 charges. Fined a total of \$14152.00. Amount paid in full 20 May 2005. |
| DA 01/2073 Lucky Country: Objection to variation of hotel trading hours for the Lucky Country Hotel | Licensing Court | \$6,209 | Discontinued: Objection withdrawn pursuant to instructions. File closed. |

| Matter | Court | Legal Expenses incurred by Council – exclusive of GST | Status and Costs Awarded |
|--|--------------------------------------|---|--|
| Richo's Hotels Pty Ltd - King St Hotel - Supreme Court Proceedings | Supreme Court | \$7,463 | Ongoing: Application dismissed with costs. Application for assessment of costs has been served on the solicitors for Richo's Hotels Pty Ltd totalling \$7310. Cost assessment process commenced. |
| Engineroom on Madison Avenue Pty Ltd: Music Jingle | Local Court | \$1,924 | Discontinued: Matter resolved without need to proceed to Court. |
| S & A Etwell: easement | Supreme Court | \$1,821 | Ongoing: Council as respondent to application for easement over community land. Listed for directions 20/9/05 |
| The Owners Corporation Strata Plan 11224 | Consumer Trader and Tenancy Tribunal | nil | Council's favour: Council were removed as party to proceedings |

Elected Representatives Fees and Expenses

Council's current policy on the payment of expenses and provision of facilities to the Lord Mayor and Councillors is attached (Appendix A).

Total Council expenditure on fees and expenses for the financial year 2004/2005 was as follows:

| | \$ 2003/04 | | \$ 2004/05 | |
|--|---------------|------------------|---------------|------------------|
| Lord Mayoral Allowance | | 53,064 | | 56,505 |
| Councillors Fees | | 241,838 | | 252,616 |
| <u>Councillors Expenses and Facilities</u> | | | | |
| <i>Lord Mayor's Office</i> | | | | |
| • Salaries (Secretary/Clerical Staff /Personal Assistants) | 117,456 | | 117,121 | |
| • Travel Expenses and Vehicle Expenses | 7,544 | | 6,546 | |
| • Conference/Seminars/Training | 2,144 | | 1,725 | |
| • Printing & Stationery | 15,092 | | 11,684 | |
| • Miscellaneous Expenses | - | | 6,589 | |
| • Purchase Souvenirs | 16,601 | | 8,368 | |
| <i>Councillors Expenses</i> | | | | |
| • Conferences/Seminars | 24,825 | | 26,145 | |
| • Facsimile/Mobile Phone/Pager Charges | 22,830 | | 22,960 | |
| • Miscellaneous Expenses – Professional Services / Printing & Stationery/Councillor Induction/Courier Deliveries | 49,635 | | 57,959 | |
| • Councillors Room Expenses | 1,075 | | 2,345 | |
| <i>Meeting Expenses</i> | | | | |
| • Travel | 12,217 | | 10,771 | |
| • Meals | 34,668 | | 45,905 | |
| • Room Hire | 4,708 | 308,795 | 5,661 | 323,779 |
| | | \$603,697 | | \$632,900 |

Local Government Act 1993 - Section 428 (2) (g)**Senior Staff Employed**

As at 30 June 2005, Council employed a total of 6 senior staff (1 General Manager and 5 Group Managers).

Details of the total amount of money payable in respect of the employment of senior staff during the financial year are shown below.

| Year | Salary | Superannuation | Non Cash Benefits | Fringe Benefits Tax | Total |
|-----------|---------|----------------|-------------------|---------------------|-------------|
| 2004/2005 | 884,783 | 100,772 | 60,000 | 49,125 | \$1,094,680 |
| 2003/2004 | 832,680 | 94,750 | 60,000 | 45,846 | \$1,033,276 |

Local Government Act 1993 - Section 428 (2) (h)**Contracts Awarded in Excess of \$100,000**

Council awarded the following contracts in the 2004/2005 financial year:

| Contractor | Contract | Contract Price (\$) | Total Amount Paid (\$) |
|--|--|---------------------|------------------------|
| Babic Constructions Pty Ltd | Restoration Works Civic Park Fountain | 913,000.00 | 487,160.50 |
| Macdonald Johnson Pty Ltd | Purchase of 2 Road Road Suction Sweepers | 574,794.00 | Nil |
| DHI Water & Environment Pty Ltd | Stockton Beach Coastal Process Study | 198,650.00 | 97,482.00 |
| SNP Security | Security Services | 442,000.00 | 165,641.22 |
| SafetyWorks Australia Pty Ltd | Behavioural Safety Program | 119,500.00 | 75,403.48 |
| WBM Pty Ltd | Hunter River Estuary Study | 165,000.00 | 56,700.60 |
| Fair Go Services Pty Ltd | Turnstile/Cashier Services at Lambton Swim Centre | 130,012.16 | 64,045.40 |
| Campus Catering Services Pty Ltd | Turnstile/Cashier/Kiosk Services at Beresfield, Mayfield & Wallsend Swim Centres | 102,690.00 | 32,550.00 |
| Construction Equipment Australia Pty Ltd | Purchase of 4 new Backhoes | 510,642.00 | Nil |
| Mapinfo | Mapinfo Software Licenses 2004 - 2009 | 340,709.60 | 40,040.00 |
| ATPM Pty Ltd | Management of Stockton Beach Tourist Park | 1,662,055 | 200,523.92 |
| CHS Parking Systems | Pay & Display Ticket Parking Machines | 569,959.00 | 569,959.00 |
| Sporting Services (Construction) Pty Ltd | Shortland Esplanade Cliff Face Stabilisation | 1,600,000.00 | 1,102,972.42 |
| Abtrot P/L t/a Ray Dorling & Associates | Provision of Employee Assistance Program | 197,120.00 | 13,458.50 |
| Strategic Business Consulting Pty Ltd | SIMS Management Software | 156,320.00 | 96,289.00 |
| RSPCA NSW | Management of Impounded Animals | 1,010,000.00 | Nil |
| Computer Systems Australia Pty Ltd | Supply & Install IT Network Infrastructure | 300,505.00 | 300,505.00 |
| F & D deVitis | Construct Amenities Block Adamstown outer Ground | 219,730.00 | 140,800.00 |
| Neumann Contractors Pty Ltd | Excavation of Cell 5 Summerhill Waste Management Centre | 826,449.00 | 666,741.51 |
| F & D deVitis | Reconstruct residence 49 Phoebe St Islington | 114,100.00 | 114,100.00 |
| Scuttle Clothing Pty Ltd | Supply of Corporate Wardrobe | 120,000.00 | Nil |
| Neumann Contractors Pty Ltd | Synthetic Liner for Cell 5 Summerhill Waste Management Centre | 1,348,835.00 | Nil |
| Waeger Group | Rockfall Protection Fence Shortland Esplanade | 376,955.70 | Nil |
| Mack Trucks Australia Pty Ltd | Purchase 2 x Cab Chassis with tipping bodies | 373,319.00 | Nil |
| Newcastle Alliance Pty Ltd | CBD Precinct Support Services | 658,853.00 | Nil |

In addition, Council paid over \$100,000 to the following suppliers:

| Name of Supplier | Amount (\$) | Service/Product |
|---|--------------|--|
| Accent Office Interiors | 125,138.10 | Supply and install workstations |
| Australian Pavement Maintenance Systems Pty Ltd | 319,485.65 | Road resurfacing services |
| Australia Post | 482,015.26 | Postal services |
| Australian Tourist Park Management Pty Ltd | 200,523.92 | Stockton Tourist Park / Swim Centre Management |
| Babic Construction | 1,751,368.00 | Various building & construction works |
| Baker & Taylor | 250,999.49 | Supply library books |
| Seedwall P/L T/as Barry Robertson Holden | 110,824.34 | Supply motor vehicles |
| Bass Floor Company (Newcastle) | 183,348.00 | Supply & install floor coverings - various works |
| J Blackwood & Son Inc | 248,718.05 | Supply miscellaneous hardware |
| Boral Construction Materials (NSW) | 4,252,733.09 | Road resurfacing services and materials |
| Bolans Tree Service | 194,053.63 | Tree lopping and pruning |
| Kelly Holden | 118,171.09 | Supply motor vehicles |
| Cash Handling Systems Pty Ltd | 717,211.66 | Supply and install parking machines |
| Capital Rent Pty Limited | 313,518.34 | Lease of parking pay & display machines |
| Cessnock City Motor Group Pty Ltd | 219,044.13 | Supply of motor vehicles |
| Brambles Aust. T/a Cleanaway | 496,556.89 | Residential bulky goods collection |
| CMG Concrete | 106,064.54 | Supply & deliver ready mixed concrete |
| CFC Holdings Pty Ltd t/a CEA Construction Equipment Australia | 284,592.00 | Supply 4 new backhoes |

| Name of Supplier | Amount (\$) | Service/Product |
|---|--------------|---|
| Coates Hire Operations Pty Limited | 151,899.19 | Hire of miscellaneous plant & equipment |
| Computer Systems (Australia) Pty Ltd | 791,555.95 | Supply of IT products |
| Corporate Express Australia Ltd | 422,153.84 | Supply of stationery & furniture |
| Davis Earthmoving & Quarrying P/L | 167,265.62 | Hire of miscellaneous plant & equipment |
| Dealquip Newcastle | 146,153.38 | Hire of miscellaneous plant & equipment |
| Denis Veitch & Associates P/L | 279,845.40 | Mercantile agent collection services |
| F + D De Vitis | 341,735.50 | Various building & construction works |
| DHI Water & Environment | 122,122.52 | Stockton Beach coastal process study |
| D & P Fencing Contractors | 126,594.60 | Installation of guardrail - various locations |
| Emeco International Pty Ltd | 325,003.77 | Hire of miscellaneous plant & equipment |
| Energy Australia (Revenue Collection) | 2,763,054.58 | Supply electricity and maintain infrastructure |
| Environmental Protection Authority | 2,486,917.78 | Waste levy |
| Gilbert & Roach | 392,074.02 | Supply trucks and spare parts |
| GHD Pty Ltd | 178,298.90 | Specialist engineering services - various works |
| Harris Wheeler | 141,964.73 | Legal services |
| Hunter-Central Rivers Catchment Management Authority (HCRCMA) | 1,701,108.03 | Membership fees |
| HeadJam | 100,716.98 | Marketing and promotional services - various projects |
| Hunter Electrical Services | 143,722.43 | Contract electrical services |
| Hunter Farm & Irrigation Supplies | 141,467.98 | Supply and install irrigation equipment |
| Hunter Councils (formerly HROC) | 162,971.40 | Membership fees |
| Hunter Valley Research Foundation | 135,790.60 | Specialist research / surveys |
| Infringement Processing Bureau Maitland Maitland Office | 527,353.21 | Parking infringement processing |
| The James Bennett Group | 388,887.93 | Supply library books |
| J.A.G.Power & Data Solutions P/L | 212,647.12 | Contract electrical services |
| Jardine Lloyd Thompson Pty Ltd | 428,037.34 | Insurance premiums |
| Jennings Print | 133,711.60 | Printing various forms |
| John Church Advertising | 166,634.92 | Marketing and promotional services - various projects |
| John Fairfax Publications P/L | 305,309.84 | Newspaper advertising |
| John Deere Limited | 465,693.79 | Supply tractors & ride-on mowers |
| Kentan Machinery Pty Ltd | 256,860.26 | Supply ride-on mowers and tractors |
| The Kloster Group | 222,223.59 | Supply motor vehicles |
| Labourco Newcastle P/L | 1,047,185.28 | Casual day labour hire |
| Lahey Constructions Pty Ltd | 2,350,969.72 | Construction of Wallsend District Library |
| Lake Macquarie City Council | 218,801.88 | Payments re contributions to various joint projects |
| Lear & Smith Pty Ltd | 308,654.76 | Supply miscellaneous electrical materials |
| L & H Distributors | 127,039.48 | Supply miscellaneous electrical materials |
| GHD Longmac | 269,414.95 | Specialist engineering services - various works |
| Long Service Payments Corporation | 603,756.20 | Remit payments |
| Lovick Engineering | 150,000.00 | Processing (mulching) green waste |
| MacDonald Johnston Pty Ltd | 463,112.62 | Supply road suction sweepers and garbage trucks |
| Moodie Outdoor Products P/L | 164,324.60 | Supply and install various outdoor structures / furniture |
| Newcastle City Holden | 547,309.88 | Supply motor vehicles |
| Neumann Contractors Pty Ltd | 293,908.55 | Construct land waste cell |
| The Newcastle Alliance Inc.Livesites | 330,000.00 | Manage "Livesites" city promotional activities |
| The Newcastle Alliance Inc. | 325,635.95 | Coordination services for CBD precinct committees |
| Newcastle Toyota | 661,460.19 | Supply motor vehicles and light commercials |
| N I B Health Funds Ltd | 324,902.75 | Remit payroll deductions |
| Koppman Earthmoving P/L T/A Noraville Earthmovers | 127,153.82 | Hire of miscellaneous plant & equipment |
| N S W Fire Brigades | 1,677,066.00 | Annual contributions |
| Nuturf P/L | 130,987.38 | Supply fertilisers, herbicides and weedicides |
| Planning NSW - Plan First Fee | 305,921.68 | Remit Plan First State Gov. Levy |

| Name of Supplier | Amount (\$) | Service/Product |
|---|--------------|---|
| Premier Concrete (NSW) Pty Ltd | 136,808.70 | Supply & deliver ready mixed concrete |
| Premium Brakes | 107,849.06 | Automotive brake supplies and services |
| Priestley Electrical | 451,575.48 | Contract electrical services |
| Protector Alsafe | 111,949.32 | Supply personal protective equipment |
| Queens Wharf (Holdings) Pty Ltd t/as Blue Star Catering | 256,554.29 | Contract catering - Civic Precinct |
| Readymix Holdings Pty Limited | 186,517.41 | Supply & deliver ready mixed concrete |
| Rich Computing | 148,504.40 | Supply of IT products |
| Scott Hoadley's Earthmoving Pty Ltd | 314,228.85 | Hire of miscellaneous plant & equipment |
| Security Mailing Services Pty Ltd | 137,770.73 | Produce and distribute rate notices |
| Shell Company of Australia Ltd | 1,641,370.51 | Supply of ULP and Distillate |
| SNP Security | 778,303.37 | Contract security services |
| Sparke Helmore Lawyers | 1,075,635.97 | Legal services |
| Sporting Services (Construction) Pty Ltd t/a Pan Civil Services | 1,102,972.42 | Stabilisation of South Newcastle Beach Cliff Face |
| Statewide | 2,026,053.45 | Insurance Premiums |
| Suters Architect | 155,042.03 | Architectural and project management services |
| Telstra | 959,236.24 | Telephone charges |
| Thiess Services Pty Ltd | 2,732,473.60 | Collection of residential recyclables |
| Thurnham Teece Pty Ltd | 276,844.19 | Marketing and promotional services - various projects |
| Todaytech IT Solutions | 538,275.31 | Supply of IT products |
| T S G Australia Pty Ltd | 177,911.61 | Software licensing |
| URS Australia Pty Ltd | 102,766.15 | Consultancy re Cleaner Production Program |
| Waratah Professional Tree Care | 260,841.00 | Tree lopping and pruning |
| Waterway Constructions Pty Ltd | 1,377,730.50 | Construct disabled access to Queens Wharf Ferry |
| WBM Pty Ltd | 194,418.95 | City wide flood study |
| Workcover Authority | 100,272.00 | WorkCover Fund contributions |
| Xerox Business Centre (Newcastle & New England) Pty Ltd | 145,502.55 | Supply and maintain photocopiers |
| Zurich Australian Insurance Limited | 225,196.50 | Insurance premiums |

Local Government Act 1993 - Section 428 (2) (i1) Bush Fire Hazard Reduction Activities

B U S H F I R E M A N A G E M E N T

The Newcastle Local Government Area encompasses urban bushland remnants that belong to the following broad vegetation types; eucalypt forest, freshwater and saltwater wetlands and coastal scrub. Topography of all bushland remnants within the Newcastle district could be described as average and wildfire is deemed a threat to the confined urban bushland reserves within the Local Government Area (LGA).

There exists the potential risk for loss of life and property from wildfire wherever people choose to live in or adjacent to bushland. Newcastle City Council utilises various fire management techniques to alleviate this risk. Council officers undertake regular hazard assessments and co-ordinate fire mitigation activities in bushland reserves. Areas are assessed for the potential of wildfire and this information is then used to initiate hazard reduction and develop asset protection zones.

Newcastle City Council is a member of The Newcastle Bush Fire Management Committee and works closely with The New South Wales Fire Brigade and The New South Wales National Park and Wildlife Service. Together these groups have developed a District Bush Fire Management Plan of Operations and a Bush Fire Risk Management Plan.

The Newcastle District Bush Fire Management Committee – Plan of Operations outlines the requirements for coordinated fire management practices for the protection of life and property, community assets and values, natural and cultural heritage and to decrease the severity and intensity of wildfires.

The Newcastle Bush Fire Risk Management Plan identifies the level of risk posed by bush fires to community and environmental assets and establishes strategies, which the responsible land managers will implement to manage the bush fire risks identified.

HAZARD REDUCTION PROGRAM

A key management activity of Newcastle City Council for the management of wildfire is hazard reduction. The intent of the Hazard Reduction Program is to identify areas of potential fire risk and to co-ordinate fire management practices.

Control burns are carried out in conjunction with New South Wales Fire Brigade. The main objective of burning for fire protection is to reduce fuel levels during mild weather conditions. It is understood that these activities will reduce the intensity and damage of any subsequent wildfire burning under hot, windy conditions that may be experienced during the fire season which extends from October to March. During the 2004/2005 financial year control burns were undertaken at three (3) bushland sites with the total area burned being 4 hectares.

Council also utilises non fire-based processes of hazard reduction and fuel reduction. This involves the clearing of ground fuels by mechanical means. During the 2004/2005 financial year major hazard reduction activities were carried out on twenty eight (28) bushland sites identified as high priority. This resulted in 23.5 hectares of land being cleared. In addition to this maintenance (slashing/mowing) was undertaken for fire mitigation works on 53 bushland sites within the LGA.

For further Information contact Councils Bushcare Officer (02) 4904 3306

Local Government Act 1993 - Section 428 (2) (j) Multicultural and Linguistic Programs

ART GALLERY

NAIDOC Week - July 2004

To celebrate NAIDOC Week, the Art Gallery arranged a lecture on Aboriginal Art, and also *screened Night Cries*, an important work by aboriginal artist, Tracey Moffatt

People with Disabilities Week - December 2004

The Art Gallery provided a program of guided tours and hands on workshops for people with disabilities

Seniors Week - March 2005

Volunteer Gallery Guides hosted guided tours and a morning tea followed by a hands on drawing workshop

Local Government Act 1993 - Section 428 (2) (k) Work Carried Out On Private Land

No work was carried out on private land during the financial period.

**Local Government Act 1993 - Section 428 (2) (l)
Donations Made Under Section 356**

Council has made the following donations under Section 356 (all figures are rounded to the nearest dollar)

| Organisation/Event | 2002/03 Amount | 2003/04 Amount |
|--|----------------|----------------|
| 2 Til 5 Youth Theatre | 11,586 | 5,100 |
| 4 Seasons Opera | 1,000 | 558 |
| 8 th International Soke Cup | 5,000 | 0 |
| Advocates for Survivors of Child Abuse | 3,033 | 0 |
| Anxiety Disorders Alliance | 1,584 | 0 |
| Asian Tsunami Appeal | 0 | 10,000 |
| Australia Day Celebrations | 34,899 | 37,224 |
| Australian Facetors Guild | 0 | 1,100 |
| Australian Guitar Competition & Festival | 10,000 | 0 |
| Australian Heritage Fleet | 0 | 5,000 |
| Carols By Candlelight | 5,000 | 5,000 |
| Cathedral Music Festival | 3,500 | 3,000 |
| Christmas Tree Angel | 0 | 5,000 |
| Classical Ballet Eisteddfod | 5,000 | 0 |
| Computerpals for Seniors | 2,269 | 0 |
| CONDA Awards | 4,000 | 4,000 |
| Corporate Triathlon | 0 | 881 |
| Croquet Carnival | 0 | 500 |
| Cultures in Action – Cultural STOMP | 5,000 | 0 |
| Dept of School Education – Star Struck | 7,000 | 7,000 |
| Emerging Artist Prize | 1,500 | 3,000 |
| Ethnic Communities Council | 4,212 | 5,2500 |
| Ex-Service Ceremonials | 16,662 | 19,803 |
| Festival of Sport | 5,000 | 5,000 |
| Fiesta | 15,000 | 10,000 |
| Fort Scratchely Historical Society | 2,000 | 0 |
| Free Use of Mobile Stage | 24,369 | 26,167 |
| Hall Rental – Various | 77,238 | 79,070 |
| Howfest | 2,000 | 0 |
| Hunter Institute of Technology | 3,000 | 3,000 |
| Hunter Regional Botanic Gardens | 10,000 | 0 |
| Hunter SLSA | 10,000 | 10,000 |
| Hunter Star Foundation | 10,000 | 20,000 |
| Hunter Valley Research Foundation | 20,000 | 20,000 |
| Hunter Writers | 0 | 7,000 |
| Life Without Barriers | 4,755 | 5,000 |
| Lions Club Warners Bay | 0 | 5,000 |
| Local Anaesthetic Inc | 3,000 | 0 |
| Loud Mouth Festival | 10,000 | 0 |
| Maitland PCYC | 0 | 100 |
| Mattara – Festival of Newcastle | 35,000 | 35,000 |
| National Basketball Championship | 2,000 | 0 |
| National Young Writers Festival | 15,000 | 15,000 |
| New Lambton Garden Festival | 1,818 | 2,500 |
| Newcastle Harbour Foreshore Regatta | 20,000 | 18,930 |
| Newcastle Longboard Pro-am | 0 | 1,500 |
| Newcastle Mater Misericordiae Hospital | 0 | 5,000 |

| Organisation/Event | 2002/03 Amount | 2003/04 Amount |
|--------------------------------------|------------------|------------------|
| Newcastle Music Week | 5,000 | 5,000 |
| Newcastle PCYC | 0 | 23,500 |
| Newcastle Poetry Prize | 5,000 | 0 |
| Newcastle Show | 4,967 | 4,050 |
| Newcastle Studio Potters | 0 | 2,600 |
| Newcastle World Duathlon | 0 | 28,063 |
| Northern NSW Canary & Cage Bird Club | 880 | 0 |
| Novocastrian Arts Orchestra | 1,700 | 0 |
| Official Reception/Functions | 59,973 | 0 |
| Rainbow Visions | 1,473 | 909 |
| Road Closures | 4,044 | 8,963 |
| Road Transport Awareness | 0 | 689 |
| Rocket Art | 2,000 | 5,000 |
| Samaritans Foundation | 0 | 2,000 |
| Shakespeare ET AL | 1,989 | 0 |
| Shoot Out | 15,000 | 15,000 |
| Sister City – Ube | 483 | 0 |
| Sister City Committee | 1,995 | 0 |
| Surfest | 20,000 | 20,000 |
| Swansea Surf Life Saving Charity Day | 2,000 | 0 |
| Technical Aid to the Disabled | 0 | 5,040 |
| Tennis Vets NSW | 0 | 5,000 |
| University Games | 10,000 | 0 |
| University of Newcastle | 0 | 2,000 |
| Vocal & Coral Eisteddfod | 2,000 | 0 |
| Waratah Brass Band | 0 | 2,500 |
| Waratah Girls Choir | 2,500 | 0 |
| Wetlands Centre | 10,000 | 0 |
| Wig Ball | 0 | 3,000 |
| Woodberry Public School | 17,500 | 10,000 |
| Xmas Lunch in Park | 1,000 | 0 |
| YNOT U-NITE | 0 | 3,720 |
| Youleo-Ta Development Association | 0 | 4,000 |
| Yumalong Association Incorporated | 4,500 | 0 |
| Total | \$565,429 | \$578,967 |

Local Government Act 1993 - Section 428 (2) (m) Human Resource Activities

During the financial year, the following projects / activities were undertaken in the Human Resources Management Unit:

PERSONNEL

The competency system covering employees in Salary Points 1 to 6 was reviewed and revised. The new system was implemented from 1 June 2005. Work has commenced on finalising OHS competencies for Salary Points 7 and above.

The 2005 Salary Review for employees in Salary Point 7 to 24 will be conducted between July and August. This review is based on employee performance over the period 2004/05 against defined criteria.

In early 2005 the OHS Training functions were placed within the Learning and Development Team. The structure of three Human Resource Business Partners, each with allocated group responsibilities and specialist functions, has operated effectively.

A review of the recruitment system is currently under way and is expected to be completed in December 2005.

INDUSTRIAL RELATIONS

Negotiations for an award to replace the existing awards have commenced. There has been an exchange of issues between parties, and a commitment that the agreement reached will be honoured by all parties irrespective of changes to the industrial legislative framework.

OCCUPATIONAL HEALTH, SAFETY AND REHABILITATION

As a self-insurer for Workers' compensation, Council is required to implement and maintain OHS Management Systems to satisfy the WorkCover OHS Model for Self-Insurers. Council is periodically audited by WorkCover to ensure compliance with self-insurance requirements. Council is also audited annually to ensure compliance with rehabilitation and the return to work process.

Satisfactory OHS Management Systems are also a requirement to undertake contract work for the Roads and Traffic Authority.

A 2nd Party (internal audit conducted by external consultant auditors) audit of Council's OHS systems was conducted in September 2004. The audit found Council's performance level to be satisfactory.

During the last 12 months Council has developed and implemented and integrated data system for recording and investigating incidents, managing return to work cases and managing workers' compensation and general insurance claims.

A Behavioural Safety Program has been introduced into operational areas involving approximately 400 claims. The program is known as "newSAFE 4 Mates" and introduces peer observation of work activities reporting behaviours as "at risk" or "safe".

Over the last year there has been a reduction in the Lost Time Injury Frequency Rate of approximately 30%. This reduction is attributable to the development and implementation of safety systems over recent years combined with the introduction of the newSAFE program.

LEARNING AND DEVELOPMENT

To assist Council in achieving its strategic objectives regarding promotion of employment a total of 4 new trainees and 11 new apprentices were recruited in 2005. Trainees were recruited in the areas of Business Administration, IT, Civil Construction and Development & Environment. Apprentices were recruited in the trade's areas of Plumbing, Mechanics, Carpentry, Painting and Parks and Gardens.

As an organisation we are looking at strategies of how we attract, retain and develop our intellectual capital. Leadership development has been discussed during the consultation of NCC Ageing Workforce Strategy as one of the possible initiatives that support the actions arising out of the Strategy. The Developing Leaders program, which is a strategy for corporate leadership development for Newcastle City Council commenced in 2004.

In support of the Aboriginal employment strategy, L&D commenced the roll-out of Cultural Awareness training. The program seeks to provide participants with a greater understanding of the cultural issues affecting aboriginal people in the workplace. To date all Managers and Supervisors of staff have been offered this program, along with our EEO committee. The scheduling of this program to all employees across Council continues.

To assist new employees in their induction into Council, L&D developed and commenced delivery of the 'New Employee Orientation' program. This program provides participants with an organisational overview and also reinforces the concepts of workplace diversity through the facilitation of 'The Diversity Game' as part of the program.

Council continued to contribute to the Hunter Councils' HR & Joint Training team, through continued involvement in regular forums.

Training was provided to Council employees in the following areas during the 2004-2005 financial year:

| Professional Development: | OHS Training: |
|--|---|
| Armed Hold Up Safety | Asbestos Awareness – Management |
| Armed Hold Up Safety Refresher | Asbestos Awareness – Trades |
| Assertiveness Skills | Accident Investigations and Reporting |
| Conflict Resolution Skills | Plan, Conduct & Review Assessments |
| Conflict Management for Managers | Pendent Controlled Overhead Crane |
| Community Engagement: Consultation & Participation | Safe Operation of Chainsaws |
| Cultural Awareness for Managers | Confined Space Work – Initial |
| Cultural Awareness for employees | Confined Space Work – Refresher |
| Introduction to EEO | Confined Space Work – Awareness |
| EEO Training For Managers, Supervisors and Team Leaders | Crane Plant & Electrical Safety – Initial |
| Effective Cash Handling | Crane Plant & Electrical Safety – Refresher |
| Finance for Non-finance Managers | Emergency Evacuation |
| Giving & Receiving Feedback | First Attack Fire Fighting |
| Improving your business writing | Manual Handling |
| Introduction to project management | OHS Consultation |
| Managing for performance | General OHS Induction – Construction Work |
| Media Awareness | OHSR&E Employee Induction |
| Negotiation Skills | OHS Risk Management |
| New Employee Orientation | Oxy-Acetylene Safety |
| Opening your mouth in public - Presentation Skills | Height Awareness Safety |
| Satisfying difficult clients | Resuscitation & Emergency Care |
| Self Protection Training Men | Senior First Aid – Initial |
| Self Protection Training Women | Senior First Aid – Refresher |
| Time & Self Management | Subsite Detector |
| Working with difficult people: Managing anger & emotions | Traffic Control at Worksites – Initial |
| Union interaction Workshops | Traffic Control at Worksites – Refresher |
| | Traffic Control 'Stop/Slow' – Initial |
| | Traffic Control "Stop/Slow" – Refresher |
| | Vehicle Loading Crane |

| IT Training |
|---------------------------|
| Computer Fundamentals |
| Dataworks Essentials |
| Dataworks Intermediate |
| Dataworks Registration |
| Excel 97 |
| Finance One |
| Impala Essentials |
| Information Management |
| Internet Essentials |
| Managing your Images |
| Outlook 97 |
| PowerPoint 97 |
| Windows 2000 |
| New employee IT Induction |
| Intro to computers |
| Minutes Manager |

\$22,523 was spent on Staff Education Assistance, spending on internal training activities, including the developing leaders program was \$129,210
The L&D training KPI of 90% attendance at scheduled in-house training courses was achieved with 91.62%.

Local Government Act 1993 - Section 428 (2) (n) Equal Employment Opportunity Management Plan Implementation

Activities undertaken in accordance with implementation of Council's EEO Management Plan included:

- ½ day EEO training sessions have been conducted by the Anti-Discrimination Board for employees throughout all levels of the organisation covering issues of Discrimination, Harassment, Bullying in the Workplace and the Council's related policies and procedures. The training addresses employer obligations to ensure staff awareness of their rights and responsibilities to meet legislative and organisational regulations. Training will continue on an ongoing basis for all staff to attend the program.
- An EEO survey was conducted in 2003 in relation to the Council's EEO, Harassment and Discrimination policies. Survey results showed a high level of awareness and understanding of the policies and the current workplace climate. Feedback from survey is currently being used to assist in the development of a new EEO Management Plan.
- Contact Officers have been appointed across the organisation and provided with appropriate training to ensure complaints and grievances under the Equal Employment Opportunity and Harassment Policy can be raised in a confidential manner and facilitate quick and appropriate resolution to matters. There are currently eleven trained contact officers across the organisation.
- Contact Officer awareness campaigns are to be undertaken during September and October 2005 to assist staff in understanding who the contact officers are and their role within the organisation.

- Council's Eliminating Workplace Harassment Policy and Complaint Resolution Procedures are currently under review. The new policy and procedures are expected to be in place by January 2006.
- A Work/Life Balance booklet and strategy were launched in December 2004 to assist employees to manage conflicting work and personal responsibilities. The booklet includes employee information on leave, flexible arrangements and support mechanisms such as the EAP available at Council.
- The Aboriginal Employment Strategy was endorsed by the Council establishing a formal recruitment and appointment process under the Aboriginal Employment Program.
- Newcastle City Council appointed an Aboriginal Employment Coordinator in April 2004. At present Aboriginal employment programs such as work experience placements, traineeships and cadetships are successfully being implemented. Formal partnerships have been established with a number of local Aboriginal organisations and groups with an aim to increase the number of indoor and outdoor staff at Council.

Local Government Act 1993 - Section 428 (2) (o) External Bodies Exercising Functions Delegated by Council

Council delegated functions to the following external bodies:

| Body | Function |
|---|---|
| Newcastle Airport Ltd | To manage the development and operation of Newcastle Airport. |
| City East Precinct Committee | To advise on, promote and encourage the physical enhancement and business development of Newcastle's City East |
| Darby Street Precinct Committee | To advise on, promote and encourage the physical enhancement and business development of Darby Street |
| City West Precinct Committee | To advise on, promote and encourage the physical enhancement and business development of Hunter Street West area and Civic area |
| Hamilton Business District Committee | To advise on, promote and encourage the physical enhancement and business development of Hamilton |
| Mayfield Business District Committee | To advise on, promote and encourage the physical enhancement and business development of Mayfield |
| Wallsend Town Committee | To advise on, promote and encourage the physical enhancement and business development of Wallsend |
| New Lambton Mainstreet Committee | To advise on, promote and encourage the physical enhancement and business development of New Lambton |
| S355 BBC Housing Management and Development Committee | To aid the revitalisation of Newcastle through demonstration housing projects. |

| Body | Function |
|---|--|
| Adamstown Park Outer Grounds Committee | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |
| Adamstown Park Oval Committee | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |
| Beresfield/Tarro Parks Committee | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |
| Elernore Vale Reserve Committee | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |
| Federal Park Committee | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |
| Heaton-Birmingham Gardens Parks Committee | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |
| Hexham Park Local Committee | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |
| Kotara Parks Local Committee | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |
| Myambalah Crescent Oval and Local Parks Committee | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |

| Body | Function |
|------------------------------|--|
| New Lambton Ovals Board | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |
| Stevenson Parks Committee | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |
| Stockton Parks Committee | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |
| Tuxford Park Local Committee | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |
| Waratah Park Oval Committee | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |
| Wickham Park Oval Committee | The objects of the Park Committee shall be the care, control and management (subject to Newcastle City Council and the Ordinances) of their designated sportsgrounds and associated facilities |

Local Government Act 1993 - Section 428 (2) (p) Companies in which Council Held a Controlling Interest

Council held no controlling interests in companies during 2004/2005.

Local Government Act 1993 - Section 428 (2) (q) Partnerships, Co-operatives or Other Joint Ventures to Which Council was a Party

The Art Gallery has participated in the following joint ventures:

- Partnership with WEA to present a weekly series of Art Appreciation lectures at the Gallery
- Partnership with ADFAS, who provided funding to conduct a series of art workshops for disadvantaged children in the Hunter.
- Partnership with Back to Back - following an exhibition of collaborative works by Hunter artists to be show at Back to Back Galleries, the Gallery hosted an auction of the ceramic works.

- Partnership with Rainbow Visions, the Gallery hosted a presentation by renowned photographer William Yang, as part of this annual festival.
- Partnership with the University of Newcastle, the Gallery hosted a drawing symposium.
- Partnership with the Medical Department of the University of Newcastle. Medical students utilised the collection to develop skills in observation.
- Partnership with the Fine Art Department of the University of Newcastle. Second year art students utilised exhibitions on display on a weekly basis to study art history.
- Partnership with Artslaw, the Gallery hosted a lecture and reception for Hunter artists.
- Partnership with the Conservatorium of Music and Drama, the University of Newcastle. The Gallery provided a venue for monthly concerts.
- Partnership with the Youth Venue, which involved one of their artists in residency program. The artist worked with a group of young people to create a response to an exhibition in the Gallery which culminated in a performance of a musical work.
- Partnership with the Department of Education & Training, the Gallery hosted the launch of Education Week.

"Newcastle City Council together with Lake Macquarie City Council, Maitland City Council and Cessnock City Council have formed a company, Hunter Integrated Resources (HIR) to establish an environmentally sustainable and economically viable waste management system for the Hunter Region as an alternative to land filling."

Newcastle City Council is involved in a joint venture with Port Stephens Council for the operation of civil aviation facilities at Newcastle Airport. The Council has a 50% interest in the assets, liabilities and output of this joint venture. The Councils have a lease with the Commonwealth Government for 20 years to operate the civil aviation facilities. Control over the airport's operations on behalf of the two Councils is exercised by Newcastle Airport Limited, a company limited by guarantee, which collects revenues, incurs expenses and operates assets.

"Newcastle & Lake Macquarie Councils joined forces to present the Trans Tasman Masters Games in the Hunter Region. The Games were held from 9 April - 16 April 2005. Chad Griffith was employed on a contract basis as Project Coordinator. The two Councils are planning to host the event again locally in 2007 and in the meantime will promote the 2006 Games which will be held in New Zealand."

Local Government (General) Regulation 1999 - Clause 31(1)(a) Details of Overseas Visits Undertaken by Persons While Representing Council

| Person | Place / Purpose | Duration | Cost to Council |
|---|---|----------|-----------------|
| Priscilla Radice Tourism Destination Development Officer | Miami Florida, US - Sea trade World Cruise Shipping Convention & World Tourism Shipping Summit | 12 days | Nil |
| Chanti Richardson Business Development & Marketing Coordinator | Auckland Climate Change Conference & Presentations to Mayors and CEOs at Palmerston North and Russell New Zealand | 6 days | Nil |

| Person | Place / Purpose | Duration | Cost to Council |
|--|---|-----------------|------------------------|
| Kristy McIntyre Business Development & Marketing Coordinator REFIT | Auckland Climate Change Conference & Presentations to Mayors and CEOs at Palmerston North and Russell New Zealand | 6 days | Nil |
| Peter Dormand City Energy and Resource Manager | Presentations to Mayors and CEOs at Palmerston North and Russell New Zealand | 3 days | Nil |
| Chanti Richardson Business Development & Marketing Coordinator | Presentations to Mayors and CEOs at Whakatane New Zealand | 3 days | Nil |
| Peter Dormand | Presentations to Mayors and CEOs at Whakatane New Zealand | 3 days | Nil |
| John Tate Lord Mayor | Ube, Japan-Kusunoki Amalgamation Ceremony | 2 days | \$2,382.96 |
| John Tate Lord Mayor | Ube, Japan-25th Anniversary of Sister City Relationship | 4 days | \$2,906.68 |
| Councilor Eade | Ube, Japan-25th Anniversary of Sister City Relationship | 4 days | \$1,461.09 |
| Councilor Jackson | Ube, Japan-25th Anniversary of Sister City Relationship | 4 days | \$1,461.09 |
| Janet Dore General Manager | Ube, Japan-25th Anniversary of Sister City Relationship | 4 days | \$2,882.18 |
| Christine Minehan Executive Assistant to General | Ube, Japan-25th Anniversary of Sister City Relationship | 4 days | \$2,882.18 |
| Michael McMahon Corporate Services Group Manager | Ube, Japan-25th Anniversary of Sister City Relationship | 4 days | \$2,882.18 |
| Nick Mitzevich Director Newcastle Region Art Gallery | Ube, Japan-25th Anniversary of Sister City Relationship | 4 days | \$2,906.68 |
| Eddie Stewart Risk & Administrative Services Manager | United Kingdom, NSW Local Government Public Liability Insurance Mutual | 8 days | Nil |
| Janet Dore General Manager | Oxford United Kingdom - Advanced Management | 28 days | \$30,000* |

*Council contribution of \$30,000.00 equates to current year professional development entitlement in addition to advance payment of residual contract entitlement (5 year contract period).

Local Government (General) Regulation 1999 - Clause 31(1)(b) Remuneration Packages for Senior Staff

Details of the total remuneration comprised in the remuneration package of each senior staff member employed during 2004/2005 is as follows:

| Position | Total |
|---|--------------------|
| General Manager | \$234,000 |
| Group Manager, Corporate Services | \$166,000 |
| Group Manager, City Services and Presentation | \$161,114 |
| Group Manager, Community Development | \$158,436 |
| Group Manager, Development and Environment | \$165,000 |
| Group Manager, City Strategy | \$161,005 |
| 2004/2005 Total | \$1,045,555 |
| 2003/2004 Total | \$987,430 |

Local Government (General) Regulation 1999 - Clause 31(1)(c) Activities Undertaken by the Council to Develop and Promote Services and Programs that Provide for the Needs of Children

ART GALLERY

At the Newcastle Region Art Gallery guided tours and exhibition related workshops were held for children and youth groups. These included:

| | |
|--------------------------|------|
| Total Workshops | 65 |
| Total Guided Tours | 465 |
| Total Number of Schools | 130 |
| Total Number of students | 7500 |

Special educational programs of interest to children and young people included:

Auto Fetish: *The mechanics of desire*, a project devised and curated by Gallery successfully targeting non-Gallery users in the 15-45 age category by employing an engaging theme of local relevance.

During the year, 65 Children's workshops were held with 750 participants. These employed locally based artists in studio practise workshops, from casting and ceramic workshops to sculpture with recycled materials, in the Art Gallery Pavilion. The more unique workshops proved to be popular with sculpture and alternative photographic process workshops being over subscribed which demonstrates a real need in these areas.

Teacher training and development took place with a series of seminars for art teachers and student forums with 55 schools involved from the Hunter Region.

The Gallery was once again involved in the subsidised Westfest activities for the 12-15 age group.

Art Express an exhibition of 2004 NSW Higher School Certificate Students was presented by the Department of Education in conjunction with a series of student and teacher forums.

HUMAN SERVICES

Council sponsors two Family Day Care Schemes and one Long Day Care Centre which offer affordable options for quality childcare in the city.

Currently the number of children enrolled with these services is 731. The Family Day Care schemes have achieved Quality Assurance accredited under The Family Day Care Association. Beresfield Community Children's Education Centre is currently accredited until 2006 with high levels achieved in all areas. Staff design and implement development programs, and continue to develop the centre as an environment conducive for each child to reach their potential.

Human Services staff continue to work in cooperation with State Government Departments and community support services to increase access by residents to service provision and the ongoing delivery of required services.

The Westfest School Holiday Program for 12 to 15 year olds was organised in the July school holidays offering 41 free activities with an attendance of 612. Events include a wide range of active and passive activities at venues across the city.

COMMUNITY FACILITIES

Council provides facilities from which children's services and programs are offered to the community. These include eight purpose built childcare centres in addition to the community facilities which are used for vacation care, playgroups, early childhood health, family support programs, out of school hours care and recreational activities.

Council also maintains a range of recreational areas and sporting venues for use by children in structured and unstructured activities.

YOUTH COUNCIL

Council provides funding for the operation of the Newcastle Youth Council which provides an opportunity for young people aged between fifteen and twenty five to participate in a group which, can:

- Reflect the interests of young people
- Raise awareness on issues affecting young people
- Organise activities in which young people can participate
- Provide an advisory group for organisations wishing to develop programs and activities for young people
- Allow for interaction between people with diverse interests and backgrounds.

The group is supported by Newcastle City Council who have recognised the importance of providing the young people of the city a suitable forum to encourage input into community issues.

Youth Council also provides an opportunity for young people to develop leadership skills through planning and staging events during Youth Week each year and participating on Council committees such as the Community Safety Panel, Social Strategy Advisory Committee and the Australia Day Committee.

YOUTH WEEK

Council allocates funding for activities during Youth Week to promote a positive image of young people and an opportunity for open discussion on relevant issues. Events were staged by several community based organisations and the Palais Youth Venue. The Newcastle

Youth Council organised a Forum on "Money Stuff" covering; choosing a mobile, buying a car, renting, tips and traps and young people's rights as a consumer. Approximately 2,000 young people attended 14 events.

Y O U T H P R O G R A M

Newcastle City Council supports a range of youth cultural development activities including festivals and events, youth cultural business incubators and the Palais Royale Youth Venue. The programs offered aim to develop young people's skills as the organisers and managers of their own activities and events. The Youth Venue provides resources, mentoring and space for a diverse range of activities and events including Inzine, a publication for local young writers, a visual arts program, an aerosol art program, all-age gigs, internet access, artists-in-residence, school holiday programs and a volunteers program. In addition the Venue undertakes a number of special projects including Artist in Residencies, Operation Pipedown (MAA funded road safety project) and Ninja radio, a youth online radio station.

Attendances at following Youth Venue events include:

| | |
|---------------------------|-------|
| 18 gigs staged in 2004-05 | 10858 |
| After School activities | 3372 |
| Holiday Programs | 686 |

In addition weekly attendances (eg computing, meetings, playing pool, skateboarding, band rehearsal etc) are estimated at 3820.

Total attendance 18735

M U S E U M

The exhibitions and public programs presented by the Newcastle Regional Museum are child and family centred. Specific programs aimed at children of a range of ages in 2004/2005 were:

- Promotion and staging major exhibition of particular interest for families and children *Intech 2003, Earthquest, Sport: more than heroes and legends, Waste as art, Intel Young Scientist 2004, AQIS Open Day*
- Holiday programs in the form of Science Shows which included the development of 4 new shows, under the umbrella of "Science in Action".
- Development of a program specifically for pre-schoolers – *Who wears this hat?* addressing roles in the community and how to read the "signals".
- Presentation of holiday programs at a major retail shopping complex.
- Further development of NRM Science & Technology Challenge for Primary students. This is the largest competition of its kind in Australia.
- Collaboration with Palais Youth Venue to host young indigenous people on a cultural awareness exercise.

The following numbers of children took advantage of formally organised education programs delivered by Museum staff and Volunteers. This does not account for the program at the Shopping Centre in January.

| | 2002-2003 | 2003-2004 | 2004-2005 |
|------------------|-----------|-----------|-----------|
| Preschool | 540 | 386 | 362 |
| Primary | 10 951 | 11 171 | 8 314 |
| Secondary | 3 192 | 3 781 | 3 731 |
| Child recreation | 1 242 | 1 332 | 1 197 |

COMMUNITY EDUCATION PROGRAM

Programs for multicultural and linguistic groups.

In 2005 the Australia Day Committee worked closely with the Ethnic Communities Council to integrate their Fiesta Event into Australia day activities. Planning is underway to extend the involvement of Fiesta in Australia Day activities in 2006.

Programs for residents

The 'Sustainable Living At Home' program offers free workshops that improve resident's skills and knowledge on how to reduce their environmental impact at home. Topics include gardening, home cleaning, saving energy and water and reducing waste.

Newcastle assisted in running the annual Waste as Art competition. We also offer tours of waste and recycling facilities to all community groups.

Programs for Children

Nature Watch and Coastcare ran a combined Summerfest of activities for children aged 5 – 15 and their parents. Activities included guided bush walks, canoeing, rock platform walks and adventures for youth. 500 people attended in all

During the Waste as Art Exhibition we held a series of Waste Monster Workshops for children at the Regional Museum. Under the guidance of local artist, Ken O'Regan, the children found new and creative uses for waste materials.

The Community Partnerships team also offers a range of environmental education services to schools. These include nature journaling workshops, environmental and waste audits, tours of waste and recycling facilities, competitions and support to facilitate school participation in Clean Up Australia Day, and speakers on issues such as catchment management, recycling and litter.

Whilst not specifically targeting at children the **Creeks Alive Water Bug Surveys** continually receive high attendance by children and their families.

The following is a list of some Community and Children activities council was involved in throughout 2004/2005.

- **Creeks Alive Water Bug Surveys** (EL Project) - Reconnecting the community to their local waterway in addition to assessing and monitoring creek health across the city.
- **Waratah Clean Streets - Clean Creek Project** (EL Project co-sponsored by Hunter Water) - Stormwater Education Project that aimed to raise community awareness and promote better behaviours for the improvement of stormwater and the health of Throsby Creek.
- **Clean Streets - Clean Beach Project (Dixon Park and Bar Beach)** (EL Project co-sponsored by Hunter Water) - Stormwater Education Project that aimed to raise community awareness and promote better behaviours for the improvement of stormwater and the health of the coastal and marine environments.
- **Sustainable Living at Home** – free workshops on the simple things we can do around the home to reduce our impact on the environment and live more sustainably
 - 13 workshops were held in that period with approx 230 people attending for general community
 - topics included: Waste Wise Tour, Energy & Water Conservation, Living Chemical Free, Waste Wise Gardening, Gardening without Chemicals

- **Waste As Art 2004** – community art competition and exhibition which demonstrates to 'waste to resource' concept
 - 135 artworks exhibited
 - visited by 25 school groups (1033 kids)
 - visitors to museum during period WAA was on exhibition = 5700
- **National Recycling week** – free community tours of Materials Recycling Facility at Thornton
 - 40 participants
- **Newcastle Show** – waste edu display at Newcastle Show

LIBRARY

Newcastle Region Library hosted a number children's program including exhibitions, author visits, Storytime, Children's Book Week, Summer Reading, National Simultaneous Storytime and author visits.

Highlights for the 2004/05 year included:

- Participation in programs by a total of 10175 children
- Hosting the *Possum Magic* exhibition. Original Art work from Australia's best selling children's picture book
- Developing the new interactive *Just for Kids* website which includes homework help
- Achieving over 1000 entries in the Summer Reading Program
- Hosting award winning authors and illustrators
- Sydney Writers Festival Event in Newcastle including *Kids Night Out*

Highlights 2004/05

- Number one public library in NSW loaning over 2 million items
- Special events for NAIDOC Week, Seniors Week and Disability day

CIVIC PRECINCT

The Civic Precinct Newcastle's venues programme live performances for children and host hirers who present their live performances often with subsidy and or support through ticketing, production, marketing and front of house.

| | Primary | | Secondary | |
|---------------|---------|------------|-----------|------------|
| | Events | Attendance | Events | Attendance |
| CPN Programme | 1 | 1,500 | 3 | 2,300 |
| Hirers | 8 | 7,500 | 10 | 7,600 |
| Totals | 9 | 9,000 | 13 | 9,900 |

Typical live performances include:

Comedy of Errors (Bell Shakespeare), *Alice in Wonderland* (Qld Ballet), *Second Childhood* (Hothouse), *Angela & Penny's Holiday*, *Rock Eisteddfod*, *Best of 30* (Marie Walton Mahon Dance Academy), *World Festival of Magic* (Newcastle Rotary), *ANZAC Day School Service*, *Kid's Night Out* (Sydney Writers' Festival), *In the Spotlight* (Hunter Secondary Schools).

Local Government (General) Regulation 1999 - Clause 31(1)(d)(i) Programs Undertaken to Promote Services and Access to Services for Residents and Other Users of Services

The Disability Action Plan, lodged with the Equal Opportunity and Human Rights Commission in 1997, has been reviewed and the draft Disability Action Plan 2005-2009 is currently on Public Exhibition.

The Access Advisory Committee offers an opportunity for people with a range of disabilities to provide valuable advice to Council on a range of access issues and continues to be resourced by Council's Community Worker for Aged and Disability Services.

A mobility Map of Stockton has been produced, following completion of the new accessible Queens Wharf Ferry Terminal. An accessible cabin and beach wheelchair has been purchased for Stockton Caravan Park.

Council continues to allocate funds for installation and upgrading of kerb ramps throughout the city.

Council facilities are used for programs for the Home and Community Care target group of frail aged persons, people with a disability and their carers. Three Senior Citizens Centres and a centre based meals service target the needs of older residents.

In addition, Council continued to support Seniors Week with assistance to the Seniors Week Advisory Panel and sponsorship towards events. Working in partnership with Lake Macquarie City Council the Seniors Week Advisory Panel staged 20 events with approximately 1,400 seniors attending. The major event "Newcastle Seniors Tea Dance" attracted over 600 participants.

Council continues to work in close cooperation with the community sector and government departments to ensure that a broad range of services and programs are available for residents in the city. Council facilities based at localities across the city are used to provide a range of programs for all sectors from families with young children to older residents.

In 04/05 the Civic Precinct reopened the Playhouse after a \$1.6 million refurbishment. The venue was closed due to fire safety and access concerns.

The new facility incorporates a lift for the foyer and a specialised lift for stage access. Auditorium Audio loop and full tactile indication was installed throughout the venue and a communications plan via box office and *Paraquad Magazine* was put in place to encourage use and access.

Council operates under a Consultation Policy, which promotes a pro-active approach for equitable access and encourages all sections of the community to participate in Council decision making processes.

Local Government (General) Regulation 1999 - Clause 31(1)(d)(ii) Category 1 Business Activities

Council by resolution on 17 November 1998, identified the following business operations as Category 1.

Waste Management Disposal Services

This business operation provides disposal facilities for domestic, commercial and industrial waste streams, construction and demolition waste separation, green waste stockpiling and processing together with the operation of a small vehicle receival centre and on site resource recovery and recycling operation.

Waste Management Collection Services

This business operation provides for a weekly domestic and commercial waste collection service, weekly 'drop-off' centres for the collection of small quantities of green waste, a quarterly kerbside green waste collection service together with servicing of street, park and beach litter bins.

Civic Theatre

The principal objective of the Civic Theatre is to make a positive contribution to the cultural life of the Hunter through the provision of a quality performing arts program. Performances of a wide range of plays, concerts, musical and dance works and other cultural events make up the program.

The business operates on normal not-for-profit company lines and requires annual grants and subsidy for continued operation.

Local Government (General) Regulation 1999 - Clause 31(1)(d)(iii) Category 2 Business Activities

By resolution on 17 November 1998, Council identified the following business operations as Category 2.

Road Construction

The Construction section undertakes the construction, preservation and rehabilitation of road assets within the City as well as the civil components of projects within parks and reserves.

As the majority of roads within the City are already constructed, road projects generally involve the provision of traffic management devices such as roundabouts, traffic signals, pedestrian facilities and auxiliary lanes. Rehabilitation of road pavements, kerb and gutter, stormwater drainage and footways is also carried out.

Other activities include enhancements to the pedestrian and cycleway networks and streetscape improvements by landscaping, lighting and installing street furniture. Public recreation facilities including playgrounds, skateboard areas, pathways, paving and seating are also provided by the section.

City Hall

The operation of Newcastle's City Hall concurrently provides a commercial function centre, community facility, civic building and houses Council's computer facility. Virtually all food and beverage services and the management of many of its commercial functions are licensed to a commercial operator in the form of an agreement for catering services. Council staff manage the City Hall and nearby Council Training Rooms. It is a subsidised business.

Off Street Parking Stations

Council provides three multi-storey off street parking stations. These are located within the central business district at The Mall (King Street), Civic West (Gibson Street) and the Court House (Bolton Street). The facilities are operated by Council employees. Revenue is raised through a schedule of charges set annually by resolution of Council and the activity is designed to return a profit.

Commercial Properties

Council owns a range of properties that are leased on a commercial basis.

Many of the properties are in Council ownership due to historical circumstances (eg previous Council Chambers and ex School of Arts buildings).

Residential properties in the portfolio have generally been purchased for road widening schemes and are being leased until such time as the roadwork is undertaken.

Other properties have been purpose built financial investments whilst at the same time providing a community function (eg Queens Wharf development).

Newcastle's Stockton Beach Tourist Park

Council operates a medium sized caravan park on Crown beachfront reserve The facility is operated under a contract management arrangement.

Beresfield Golf Course

Council operates a public 11-hole golf course on land dedicated as public reserve. The management of the course is by contract with the contractor also operating a pro shop, coaching and small kiosk. Fairway and greens maintenance is provided by Council day labour staff.

Beresfield Community Children's Education Centre

This 59 place Child Care Centre has been operating for 27 years. Income is derived from a scale of fees with a small subsidy from the State Government. The budget is structured on a break-even basis.

**Local Government (General) Regulation 1999 - Clause 31(1)(d)(iv)
Expenses, Revenues & Assets for Category 1 Activities**

| | Revenues | Expenses | Assets |
|-----------------------|-----------------|-----------------|---------------|
| | \$'000 | \$'000 | \$'000 |
| Collection | 7449 | 7645 | 1420 |
| Disposal | 11507 | 9647 | 7887 |
| Civic Precinct | 2098 | 3797 | 72 |

**Local Government (General) Regulation 1999 - Clause 31(1)(d)(v)
Implementation of Competitive Neutrality Principles**

Council at its meeting of 17 November 1998 adopted the categorisation of business activities reported under Clause 31 (1)(d)(ii) & (iii). In doing so, Council considered a report on each business activity under the headings of:

- General
- Objectives of the Service
- Community/Public Benefit
- Cost
- Scale
- Revenue Raising
- Competition
- Conclusion

A financial model has been developed to satisfy all corporatisation requirements including full cost attribution for the two Category 1 Waste Management businesses.

**Local Government (General) Regulation 1999 - Clause 31(1)(d)(vi)
Competitive Neutrality Pricing Requirements in Relation to Category 1
Business Activities**

Council's Category 1 businesses have full cost attribution to satisfy competitive neutrality requirements.

**Local Government (General) Regulation 1999 - Clause 31(1)(d)(vii)
Complaints Handling Mechanism for Competitive Neutrality Complaints**

Council adopted a Complaints Handling Procedures Policy on 17 November 1998, incorporating a complaints handling system for competitive neutrality issues.

Council's Electronic Document Management System records, tracks and reports on all public verbal and written requests or complaints.

Local Government (General) Regulation 1999 - Clause 31(1)(d)(viii) Actual vs Projected Performance for Category 1 Activities

| Service Element | Performance Standards | | Budget | Comments |
|------------------|--|--------------------------|-----------------------|--|
| | Measures | 2002/2003 Target | 2002/2003 Actual | |
| Site Operations | Compaction density of landfill | 0.75t/m ³ | 1.006t/m ³ | Target achieved. |
| | Waste diverted from landfill | 18.0% | 27.4% | Target achieved. |
| Waste Collection | Reduce the number of missed services | Maximum of 155 per month | 116 average per month | Target achieved . There were no exceedences in any month. |
| Civic Theatre | No fines for breaches of applicable legislation or unresolved complaints under the AEIA "Code of Proactice For Event Ticketing in Australia" | Nil | 0/0 | No fines for y/e 30/6/2005. 100% achievement of KPI |
| | Completion of contractual settlements obligations within specified time periods | 100% | 58/62 = 93% | KPI not achieve due to settlement delays created by third parties which are beyond the Civic's control |

Local Government (General) Regulation 1999 - Clause 31(1)(d)(ix) Summary of Competitive Neutrality Complaints

There have been no Competitive Neutrality complaints made against Council during 2004/2005.

Local Government (Rates and Charges) Regulation 1999 - Clause 15 Rates and Charges Written Off

During the period, Council wrote off the following rates and charges:

| | 2003/2004 | 2004/2005 |
|--|------------------|------------------|
| Pensioner Write-offs | 1,567,789 | 1,518,326 |
| Postponed Rates and Charges | 43,272 | 32,848 |
| Written Off as a Result of Rounding Down | 12 | 13 |
| Changes in Category | 70,217 | 83,040 |
| Write Off Debtors | 32,652 | 0 |
| Section 600* | 111,962 | 177,106 |
| Total | 1,825,904 | 1,811,334 |

*Section 600 of the Local Government Act entitles a public body to be given a rebate on any land vested in the public body *if access to the land is wholly or substantially over land for which the public body provides services which benefit the vested land at its own cost.*

Freedom of Information Act 1989 - Freedom of Information Statistical Return

Period: Financial Year ended 30 June 2005

NIL RETURNS

| | 2002/2003 | 2003/2004 |
|-------------------------------------|-----------|-----------|
| Are all figures in SECTION A "nil"? | No | No |
| Is the figure for SECTION C "nil"? | Yes | Yes |
| Are all figures in SECTION E "nil"? | Yes | Yes |
| Is the figure for SECTION F "nil"? | Yes | Yes |
| Are all figures in SECTION L "nil"? | Yes | Yes |

If you answered "Yes for these five questions this is a nil return.

Is this a "NIL" return? No

Contact details for queries relating to this return:

Name: Michael McMahon
Telephone: (02) 4974 2109

SECTION A - Numbers of new FOI requests - Information relating to numbers of new FOI requests received, those processed and those incomplete from the previous period.

| FOI Requests | Personal | | Other | | Total | |
|-----------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| | 2003/2004 | 2004/2005 | 2003/2004 | 2004/2005 | 2003/2004 | 2004/2005 |
| A1 New (including transferred in) | 31 | 26 | 40 | 41 | 71 | 67 |
| A2 Brought forward | Nil | Nil | 6 | Nil | 6 | Nil |
| A3 Total to be processed | 31 | 26 | 40 | 47 | 71 | 73 |
| A4 Completed | 31 | 23 | 33 | 42 | 64 | 65 |
| A5 Transferred out | Nil | Nil | Nil | Nil | Nil | Nil |
| A6 Withdrawn | Nil | 1 | 1 | 2 | 1 | 3 |
| A7 Total processed | 31 | 24 | 33 | 44 | 64 | 68 |
| A8 Unfinished | Nil | 2 | 6 | 3 | 6 | 5 |

SECTION B - What happened to completed requests?

| FOI Requests | Personal | | Other | |
|--------------------|-----------|-----------|-----------|-----------|
| | 2003/2004 | 2004/2005 | 2003/2004 | 2004/2005 |
| B1 Granted in full | 23 | 7 | 22 | 25 |
| B2 Granted in part | 5 | 15 | 6 | 17 |
| B3 Refused | 2 | 1 | Nil | Nil |
| B4 Deferred | 1 | Nil | 5 | Nil |
| B5 Completed | 31 | 23 | 33 | 42 |

SECTION C - Ministerial Certificates Issued

| | 2003/2004 | 2004/2005 |
|------------------------------------|-----------|-----------|
| C1 Ministerial Certificates issued | Nil | Nil |

SECTION D - Formal Consultation

| | 2003/2004 | 2004/2005 |
|---|-----------|-----------|
| D1 Number of requests requiring formal consultation | 13 | 36 |

SECTION E - Amendment of personal records

| Result of Amendment Request | 2003/2004 | 2004/2005 |
|----------------------------------|-----------|-----------|
| E1 Result of amendment – agreed | Nil | Nil |
| E2 Result of amendment – refused | Nil | Nil |
| E3 Total | Nil | Nil |

SECTION F - Notation of personal records

| | 2003/2004 | 2004/2005 |
|------------------------------------|-----------|-----------|
| F1 Number of requests for notation | Nil | Nil |

SECTION G - FOI Requests granted in part or refused

| Basis of Disallowing or Restricting Access | Personal | | Other | |
|--|-----------|-----------|-----------|-----------|
| | 2003/2004 | 2004/2005 | 2003/2004 | 2004/2005 |
| G1 Application incomplete - S19 | Nil | Nil | Nil | Nil |
| G2 Deposit not paid - S22 | 2 | 1 | Nil | Nil |
| G3 Diversion of resources - S25(1)(a1) | Nil | Nil | Nil | Nil |
| G4 Exempt - S25(1)(a) | 2 | 15 | 3 | 17 |
| G5 Otherwise available - S25(1)(b),(c) & (d) | Nil | Nil | Nil | Nil |
| G6 Documents not held - S28(1)(b) | 3 | Nil | 3 | Nil |
| G7 Deemed refused over 21 days - S24(2) | Nil | Nil | Nil | Nil |
| G8 Released to medical practitioner - S31(4) | Nil | Nil | Nil | Nil |
| G9 Totals | 7 | 15 | 6 | 17 |

SECTION H - Costs and fees of requests processed during the period

| | Assessed Costs | | FOI Fees Received | |
|---------------------------|----------------|-----------|-------------------|-----------|
| | 2003/2004 | 2004/2005 | 2003/2004 | 2004/2005 |
| H1 All completed requests | 4471.78 | 3332.73 | 3961.78 | 2642.73 |

SECTION I - Discounts allowed

| Type of Discount Allowed | Personal | | Other | |
|---|-----------|-----------|-----------|-----------|
| | 2003/2004 | 2004/2005 | 2003/2004 | 2004/2005 |
| I1 Public interest | Nil | Nil | Nil | Nil |
| I2 Financial hardship – Pensioner/child | 3 | 1 | 2 | Nil |
| I3 Financial hardship – Non-profit organisation | 1 | Nil | Nil | Nil |
| I4 Totals | 4 | 1 | 2 | Nil |
| I5 Significant correction of personal records | Nil | Nil | Nil | Nil |

SECTION J - Days to process

| Elapsed Time | Personal | | Other | |
|-----------------|-----------|-----------|-----------|-----------|
| | 2003/2004 | 2004/2005 | 2003/2004 | 2004/2005 |
| J1 0 – 21 days | 22 | 4 | 25 | 6 |
| J2 22 - 35 days | 3 | 7 | 3 | 7 |
| J3 Over 35 days | 6 | 12 | 5 | 29 |
| J4 Totals | 31 | 23 | 33 | 42 |

SECTION K - Processing Time

| Elapsed Time | Personal | | Other | |
|------------------|-----------|-----------|-----------|-----------|
| | 2003/2004 | 2004/2005 | 2003/2004 | 2004/2005 |
| K1 0 - 10 hours | 31 | 22 | 30 | 42 |
| K2 11 - 20 hours | Nil | 1 | 3 | Nil |
| K3 21 - 40 hours | Nil | Nil | Nil | Nil |
| K4 Over 40 hours | Nil | Nil | Nil | Nil |
| K5 Totals | 31 | 23 | 33 | 42 |

SECTION L - Reviews and Appeals

| Reviews and Appeals | 2003/2004 | 2004/2005 |
|---|-----------|-----------|
| L1 Number of internal reviews finalised | Nil | Nil |
| L2 Number of Ombudsman reviews finalised | Nil | Nil |
| L3 Number of District Court appeals finalised | Nil | Nil |

Details of Internal Review Results

| Basis of Internal Review | Personal | | Other | |
|---------------------------------|----------|--------|--------|--------|
| | Upheld | Varied | Upheld | Varied |
| L4 Access refused | Nil | Nil | Nil | Nil |
| L5 Deferred | Nil | Nil | Nil | Nil |
| L6 Exempt matter | Nil | Nil | Nil | Nil |
| L7 Unreasonable charges | Nil | Nil | Nil | Nil |
| L8 Charge unreasonably incurred | Nil | Nil | Nil | Nil |
| L9 Amendment refused | Nil | Nil | Nil | Nil |
| L10 Totals | Nil | Nil | Nil | Nil |

**Privacy and Personal Information Protection Act 1998 - Section 33(3)
Statement of Action Taken and Statistical Details of Reviews Conducted
under the Privacy and Personal Information Protection Act**

The Act prescribes that Council may hold personal information concerning yourself for a lawful purpose that is directly related to an activity or function of Council and is necessary for that purpose.

Any information held by Council is required to carry out Councils lawful and proper functions and to keep you informed on issues before Council, should the need arise. All such use will be in accordance with this Act, its associated Management Plan and code.

If you want to access your personal information held by Council you are welcome to request such information by contacting Councils Privacy Contact Officer.

Newcastle City Council did not have any Part 5 reviews as per Section 33(3)(b) of this Act during the 12 month period to 30 June 2005.

Newcastle City Council has adopted the Model Management Plan as developed by the Department of Local Government and has also conducted education sessions for staff.

Council, with Hunter Councils, developed uniform processes and documents for the implementation of the provisions of the Act across member councils.

These documents can be accessed on Council's website at www.ncc.nsw.gov.au

APPENDICES

Appendix A – Policy on Payment of Expenses and Provision of Facilities to Lord Mayor and Councillors



POLICY ON

PAYMENT OF EXPENSES

AND

PROVISION OF FACILITIES

TO THE LORD MAYOR AND COUNCILLORS

**ADOPTED BY COUNCIL
22 APRIL 1997
AMENDED 13 MAY 1997
AMENDED 24 AUGUST 2004
AMENDED 15 FEBRUARY 2005**

NEWCASTLE CITY COUNCIL

POLICY - PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE LORD MAYOR AND COUNCILLORS

INTRODUCTION

This policy is made under the Local Government Act, 1993, including Sections 252 to 254. The Act requires that the Council must adopt a policy concerning the payment of expenses and the provision of facilities to the Lord Mayor and other Councillors.

Section 428 (2)(5) requires a Council to include in its Annual Report:

- total amount of money expended during the year on Lord Mayoral fees and Councillor fees
- Council's policy on the provision of facilities for, and the payment of expenses to Councillors
- total amount of money expended during the year on providing those facilities and paying those expenses.

1. FACILITIES FOR LORD MAYOR AND COUNCILLORS

1.1 Lord Mayor

- (a) In addition to those facilities provided to the Councillors, the Lord Mayor is entitled to receive the benefit of:
- A car and personal assistants for official purposes;
 - An office suite;
 - Secretarial support services associated with the office of Lord Mayor;
 - Administrative assistance associated with functions, meetings and the like;
 - Office refreshments;
 - A facsimile machine at place of residence and office. Usage costs to be at Council's expense;
 - A mobile telephone for the use of the Lord Mayor in the discharge of his official duties. Usage costs to be at Council's expense;
 - Air travel - Economy Class.
- (b) Child care cost reimbursement be provided to the Lord Mayor for attendance at Council, Committee, Sub-Committee Meetings and Working Parties, and for a maximum five (5) hours per week to permit the carrying out of civic and ceremonial functions at a rate equal to current rates charged by a reputable agency such as 'Dial An Angel' or 'Possum Place' on a per child basis.

1.2 Councillors

- (a) The Councillors are to receive the benefit of:
- (i) Provision and use of official stationery, including letterhead, business cards and name badges;
 - (ii) Postage of official correspondence - all mail is to be directed through the Council's own mailing systems;
 - (iii) Typing services, Council business only;
 - (iv) Information Technology
 - Option 1 : Note Book Computer for each Councillor, incorporating an inbuilt modem, as well as a multi function device ("MFD" - combining laser printer, fax and scanner), Microsoft Office software, internet account, and combined phone / fax line. Usage costs and consumables to be at Council's expense. Associated training and equipment and software support and advice to be provided by Council;
 - Option 2 : Fax or MFD and consumables only, whereby a Councillor uses their own computing equipment and software. Council will arrange internet service provider if required. Advice on how to use software will be provided by Council. Usage costs of fax and internet to be at Council's expense.
 - (v) Meals/refreshments on evenings of Council, Committee, Sub-Committee Meetings and Working Parties, or at any other time deemed appropriate by the Lord Mayor or General Manager whilst on Council business;
 - (vi) Transport to official functions (if needed) when deputising for the Lord Mayor, including access to Lord Mayoral vehicle and driver, Council vehicle and access to cab charge to supplement transport requirements as appropriate;
 - (vii) Access to cab charge to supplement transport requirements for attending official Council functions
 - (viii) A Councillors' Room, shared by all Councillors in the City Hall, including
 - Office equipment such as a telephone, photocopy machine, desktop computer with Microsoft Office, multifunction device, and internet access;
 - Library of relevant documents including adopted Council policies and plans, Council documents on public exhibition,

Local Government Act, Planning and Environment Legislation, Urban Design Consultative Group minutes and Heritage Officer / consultant reports on Development Applications and other planning matters,

- Refreshments which shall comprise basic fare such as cheese, biscuits, light snacks and non-alcoholic drinks;

Note: It is not within the terms of Council policy to provide refreshments for outsiders attending community functions within City Hall or meals for Councillors who work in the Councillors' rooms on non-meeting nights, unless there is specific approval from the Lord Mayor or the General Manager.

- (ix) Mobile telephone for each Councillor. Usage costs to be at Council's expense;
- (x) Air travel - Economy Class
- (xi) Insurance - Councillors shall receive the benefit of insurance cover for (See Item 4 on page 11):
 - Personal Accident including travel
 - Illness While Travelling - Travel Accident or Sickness
 - Public Liability
 - Professional Indemnity
 - Councillor's Liability
- (b) Legal advice and legal expenses - see Clause 5.
- (c) Child care cost reimbursement for attendance at Council and Committee, Sub-Committee Meetings and Working Parties being at a rate equal to current rates charged by a reputable agency such as 'Dial An Angel' or 'Possum Place' on a per child basis.
- (d) Protective apparel, including hard hat, safety vest, safety footwear and sunscreen, for on site inspections.
- (e) Access to Council's Corporate Fitness Program, which will be available to Councillors, their spouse/de facto and their dependant children (under 21)
- (f) Access to the Councillor Support Program, which provides confidential counselling by a clinical psychologist

- (g) Electronic or hard copies of any Council record as provided for in Clause 5 of Council's Policy on Interaction Between Councillors and Staff

1.3 Contribution for Private Use

A contribution can be made by Councillors to allow for private use of Council provided equipment, at a rate to be agreed with the General Manager.

2. TRANSPORT

2.1 Councillors

- (a) Councillors are entitled to claim an allowance for use of private vehicles or public transport to travel between their place of residence and the Council Chambers, inspections within the area undertaken in compliance with a resolution of Council, meetings which Council has endorsed the Councillor's membership, civic receptions hosted by Council, or meetings or functions approved by the Lord Mayor or General Manager, and meetings of local community based organisations and return. Rate per kilometre will be paid at the rate set by the Newcastle City Council Employees' Award in force at the time of undertaking the travel. Public transport fares will be reimbursed in full.
- (b) Councillors are also entitled to use Council's vehicles for the duties outlined in 2.1(a) above.

3. CONFERENCES AND SEMINARS

3.1. Who May Attend Conferences/Seminars?

Councillors may be nominated to attend conferences, seminars and similar functions by:-

- the Council, through resolution duly taken;
- the Lord Mayor or General Manager acting under delegated authorities and subject to due budget requirements being adhered to.

This shall not preclude the Lord Mayor from nominating a substitute attendee for functions on those occasions where the Lord Mayor is unable to be in attendance.

3.2 How Many Councillors May Attend Conference/Seminars?

- Local Government Association Annual Conference (Federal and State)
Any Councillor who wishes to attend subject to the approval of Council
- Special one off conference/seminar
A maximum of two Councillors
- Annual conference/congress
A maximum of one Councillor
- Seminars etc
Any Councillor who wishes to attend subject to the approval of Council.

3.3 What Conferences and Seminars May be Attended?

The conferences, seminars, workshops, courses and similar to which this policy applies shall generally be confined to:-

- Local Government Association Annual Conferences. (Federal and State)
- Special "one-off" Conferences called by the Local Government Association on important issues.
- Annual Conferences and Congresses of the major industry associations and professions in Local Government.
- Seminars which further the training and development efforts of the Council, and within the budget framework.

3.4 Travel Approval

Any request or recommendation for funding in relation to Councillors attending any event or travelling to any destination shall require such request or recommendation prior to the event with maximum possible notice.

Request for funding approval to allow for Councillor travel shall only be approved by the Council if such request(s) is/are accompanied by the following:-

- a written breakdown of all component cost estimates
- an outline of the activity including the nature of the event/journey, travel itinerary and a statement of the perceived benefit to Council occurring as a result of attendance.

3.5 Registration

The Council will pay all normal registration costs which are charged by organisers, including those relating to official luncheons, dinners and tours which are relevant to the interests of the Council.

3.6 Costs Incurred

Payment or reimbursement of costs incurred shall be subject to the following requirements:

- (a) the travel is on Council business being to and from conference or seminars of the Local Government related organisations;
- (b) only reasonable allowances are claimed or accepted towards necessary out-of-pocket expenses;
- (c) the travel is undertaken with all due expedition, and by the shortest route; and
- (d) any time occupied in other than Council business is not included in the calculation of expenses to be paid.

3.7 Payment in Advance

- The Council will normally pay registration fees, accommodation deposits and airline tickets direct in advance. Where this is not appropriate or possible a cash allowance or cheque equivalent thereto will be paid to the attendee in advance.
- An allowance for "out-of-pocket" expenses may be paid to an attendee in advance upon request subject to a reconciliation statement together with a refund of any unexpended amount being submitted within ten (10) days of the close of the conference, seminar or function. Should such reconciliation and refund not be provided within that timeframe, the amount of the advance will be deducted from the Councillor's next monthly fee payment.

3.8 Categories of Payment or Reimbursement

Subject to the provisions of 3.4 above:

(i) **Travel**

Within Australia

1. Air Travel
Economy Class

2. Rental Car
Standard model Holden Commodore / Ford Falcon or equivalent.

3. Rail
First Class. Where overnight travel is involved, first class sleeper may be used.

4. Private Vehicle
Where Councillors wish to use a private vehicle, reimbursement is to be equivalent to the cost of a first class rail ticket.

5. Taxi Fares
Cost of taxi fares which are reasonably incurred while attending conferences, seminars etc will be reimbursed by Council.

Overseas

1. Air Travel
Economy Class

2. Rental Car
Standard model Holden Commodore or Ford Falcon or equivalent.

3. Taxi Fares
Cost of taxi fares which are reasonably incurred while attending conferences, seminars etc will be reimbursed by Council.

(ii) Accommodation Allowance

Accommodation allowance shall be paid when, by reason of Council sponsored attendance, or the associated travel the representative is unable to reside at the place where the representative ordinarily resides and is unavoidably put to additional expense.

Accommodation allowance shall be paid on a per night basis, based on reimbursement for actual costs involved.

(iii) Sustenance Allowance

Sustenance allowance shall be paid when, by reason of council sponsored attendance, or the associated travel, the representative is unable to partake of the meal(s) at the place where the representative ordinarily partakes of the meals and incurs additional expense.

Sustenance allowance shall be paid on a per meal basis, based on reimbursement for actual costs involved.

Reimbursement of sustenance expenses shall be paid in the following circumstances:

- a) Breakfast - the representative departed his/her place of residence prior to 6.30am to attend a council sponsored activity;
- b) Lunch - the representative is not provided with lunch/lunches at the activity; and
- c) Dinner - the representative arrived at his/her place of residence later than 7.30pm, following attendance at a council sponsored activity providing that dinner had not been provided at the locale where the representative was in attendance.

The maximum level of reimbursement will be appropriate to the circumstances of attendance and will be determined by the General Manager.

(iv) Out-of-pocket Expenses

All expenses will be reimbursed for costs properly incurred whilst officially representing Council at a conference, seminar or function, including meals, refreshments and entertainment, but excluding expenses of a normal private nature.

(v) **Spouse/Partner**

Where the attendee is accompanied by his or her spouse/partner no objection is raised subject to Council not being involved in any additional costs on account of the spouse.

3.9 Reports on Conferences and Seminars

Within one (1) month of returning from the activity, the Councillor concerned will provide to the General Manager for publication in the council business papers, a summary of the activity and an evaluation of the actual/probable benefits gained by the council and/or the city as a result of such attendance.

3.10 Arrangement of Travel Bookings

All bookings for travel pursuant to this policy are to be made through the General Manager's Office.

4. COUNCILLORS' INSURANCE

Councillors shall receive the benefit of insurance cover for:

4.1 Personal Accident including travel

Councillors will be covered whilst ever on Council business.

(i) Personal Effects

Personal effects are covered within the Commonwealth of Australia to the value of \$5,000.

With respect to overseas travel, Council will obtain travel insurance through its travel agent insurers to cover personal effects of participants.

(ii) Personal Accident

Council has in effect a personal accident cover for Councillors covering them 24 hours per day, 7 days per week, if the accident causing the injury can be traced to, or is incidental to any Council activity

Indemnification is provided whilst engaged in or on behalf of the Council including travelling to and/or from such activities. Cover is also provided against negligent acts of Councillors for injuries sustained.

Specific activities (eg helicopter usage) should be advised to Council's insurance section to allow the Council's Brokers to be notified.

4.2 Illness While Travelling - Travel Accident or Sickness

Occasionally Councillors incur medical or hospital expenses from illness or accident whilst travelling overseas or within the Commonwealth of Australia on Council business. Council holds an annual policy which covers, Travel, Accident and Sickness to cover all travel.

4.3 Public Liability

Public Liability claims are made by members of the public alleging negligent acts, omissions or nuisances created or allowed to occur by Council, which have resulted in injury to the claimant or damage to their property.

4.4 Professional Indemnity

These claims arise out of allegations by third parties that Council has breached its duty in a professional capacity as opposed to an act of simple negligence, where no professional skills or knowledge are involved.

Such claims may arise from, for example:-

- Erroneous issue of certificates
- Incorrect development consents
- Alleged defamations
- Planning and environment conflicts
- Drainage developments
- Allegations of incorrect or faulty design

4.5 Councillors and Officer's Liability

This policy provides protection in respect of actions against the individual Councillors in addition to legal costs incurred by them in defending an allegation of a wrongful act made in the course of their duties as Councillors.

5. COUNCILLORS' LEGAL ADVICE AND LEGAL COSTS

5.1 Inquiry, investigation or hearing

In the event of any inquiry, investigation or hearing by any of the following:

- Independent Commission Against Corruption
- Office of the Ombudsman
- Department of Local Government and Co-operatives
- Police Service
- Director of Public Prosecutions
- Local Government Pecuniary Interest Tribunal into the conduct of a councillor; or where legal proceedings being taken against a Councillor arising out of or in connection with the Councillor's performance of his or her civic duties or exercise of his or her functions as a Councillor,

Council shall reimburse such Councillor, after the conclusion of the inquiry, investigation, hearing or proceeding, for all legal expenses properly and reasonably incurred, given the nature of the inquiry, investigation, hearing or proceeding, on a solicitor/client basis, PROVIDED THAT:

- a) the amount of such reimbursement shall be reduced by the amount of any moneys that may be or are recouped by the Councillor on any basis; and
- b) that the inquiry, investigation, hearing or proceeding results in a finding substantially favourable to the Councillor, despite an identification of a minor technical breach.

6. ADMISSION TO PRODUCTIONS AND EVENTS HELD IN COUNCIL OWNED VENUES FOR WHICH AN ADMISSION CHARGE IS MADE

6.1 Newcastle Civic Theatre, Civic Playhouse and City Hall

(i) Council Presented Performances

When a performance is being presented by Civic Theatre Newcastle (CTN), a ticket of admission is to be made available to one performance to all Councillors and their partners at no cost.

(ii) Performances with Local and Non Local Outside Parties

When a performance is being presented by a local or non local outside party, a ticket of admission may be made available at no cost to any Councillor (and their partner) invited by the outside party to officially represent Council at a performance.

6.2 Art Gallery, Regional Museum, Library

For all exhibitions and displays held at these venues for which a charge for admission is made, a ticket of admission to one viewing of such exhibition or display shall be made available to all Councillors and their partners at no cost.

7. COUNCILLORS' EXPENSES

7.1 Reimbursement

Reimbursement of any expenses will only be made where a formal claim for reimbursement is lodged not later than two (2) months after the expense was incurred except where special compassionate circumstances apply or at the General Manager's discretion.

Expenses will be reimbursed in conjunction with the Councillor's monthly fee.

7.2 Records

Records shall be maintained on the individual expenses of Councillors and reported to Council monthly.

7.3 Reporting

Section 428 of the 1993 Local Government Act requires, inter alia:

Within 5 months after the end of each year, a council must prepare a report as to its achievements with respect to the objectives and performance targets set out in its management plan for that year.

The abovementioned report must include details of:

the total amount of money expended during the year on mayoral fees and councillor fees, the council's policy on the provision of facilities for use by councillors and the payment of councillor's expense, together with a statement of the total amount of money expended during that year on the provision of such facilities and the payment of such expense.

8. EQUIPMENT TO REMAIN THE PROPERTY OF COUNCIL

All equipment remains the property of Council and is returnable on a Councillor ceasing to hold office. However, Councillors not seeking re-election, resigning or defeated at the Poll, or when equipment is being replaced, may purchase minor items of equipment, with the approval of the General Manager, at their market value at the time. Any purchase is to be made having regard to Council's policy on Disposal of Surplus / Obsolete / Replacement Plant, Vehicles, Furniture and Equipment.