

Ordinary Council Meeting



City of
Newcastle

DATE: Tuesday, 23 April 2024

TIME: 6:00pm

VENUE: Council Chambers
Level 1, City Administration Centre
12 Stewart Avenue
Newcastle West NSW 2302

17 April 2024

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City of Newcastle
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Agenda

1. ATTENDANCE	
2. ACKNOWLEDGEMENT OF COUNTRY	
3. PRAYER	
4. APOLOGIES / LEAVE OF ABSENCE / ATTENDANCE BY AUDIO VISUAL LINK	
5. DISCLOSURES OF INTEREST	
6. CONFIRMATION OF MINUTES	4
6.1. MINUTES - ORDINARY COUNCIL MEETING 26 MARCH 2024	4
7. LORD MAYORAL MINUTE	16
8. REPORTS	16
8.1. PUBLIC EXHIBITION OF DRAFT DELIVERING NEWCASTLE 2040 - PUBLIC EXHIBITION	16
8.2. ADOPTION OF THE GEORGETOWN PUBLIC DOMAIN AND TRAFFIC PLAN	21
8.3. ENDORSEMENT OF MOTIONS TO THE 2024 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT	27
8.4. ADVISORY COMMITTEES ANNUAL REPORTS	47
8.5. URBAN DESIGN REVIEW PANEL (UDRP) - ANNUAL REPORT 2023	50
8.6. SUPPLEMENTARY REPORT - NEWCASTLE CITY CENTRE HERITAGE CONSERVATION AREAS REVIEW	54
8.7. UPPER HUNTER SHIRE COUNCIL - MEMORANDUM OF UNDERSTANDING	54
8.8. MUSWELLBROOK SHIRE COUNCIL - MEMORANDUM OF UNDERSTANDING	66
8.9. MINISTER'S CONSENT APPLICATION FOR LEASING CITY OF NEWCASTLE MANAGED LAND	78
8.10. AFFIXING COUNCIL SEAL TO DEEDS OF INDEMNITY FOR NEWCASTLE AIRPORT COMPANIES	83
8.11. EXECUTIVE MONTHLY PERFORMANCE REPORT	86
8.12. TENDER REPORT - FORESHORE PARK AMENITIES BUILDING - CONTRACT NO. 2024/043T	89
9. NOTICES OF MOTION	93
9.1. CREATING A COMMUNITY GARDEN IN BERESFIELD	93
9.2. NEWCASTLE CITY COUNCIL SUPPORT THE 25TH ANNIVERSARY OF THE STATE FINALS OF THE SCIENCE AND ENGINEERING CHALLENGE HELD AT THE UNIVERSITY OF NEWCASTLE IN 2015	95

9.2.1. REPORT ON NOTICE OF MOTION - NOM 23/04/24 - NEWCASTLE CITY COUNCIL SUPPORT THE 25TH ANNIVERSARY OF THE STATE FINALS OF THE SCIENCE AND ENGINEERING CHALLENGE HELD AT THE UNIVERSITY OF NEWCASTLE IN 2025..... 97

9.3. UPDATE LORD MAYOR AND CHIEF EXECUTIVE OFFICER DIARIES 99

9.3.1. REPORT ON NOTICE OF MOTION - NOM 23/4/24 - UPDATE LORD MAYOR AND CEO DIARIES 100

9.4. IMPROVING AMENITY AND SAFETY IN HAMILTON FOR BUSINESSES/EMPLOYEES, RESIDENTS AND VISITORS TO HAMILTON RAILWAY STATION/AWABA PARK 101

9.4.1. REPORT ON NOTICE OF MOTION - NOM 23/04/24 - IMPROVING AMENITY AND SAFETY IN HAMILTON FOR BUSINESSES/EMPLOYEES, RESIDENTS AND VISITORS TO HAMILTON RAILWAY STATION/AWABA PARK..... 108

9.5. FOSSIL FUEL NON-PROLIFERATION TREATY ENDORSEMENT 111

9.6. ESTABLISHING A PERMANENT PATHWAY FOR WORK EXPERIENCE 113

9.6.1. REPORT ON NOTICE OF MOTION - NOM 23/04/24 - ESTABLISHING A PERMANENT PATHWAY FOR WORK EXPERIENCE 114

10. CONFIDENTIAL REPORTS 117

[For documents marked 'Distributed under Separate Cover' refer to Council's website at http://www.newcastle.nsw.gov.au/](http://www.newcastle.nsw.gov.au/)

Note: Items may not necessarily be dealt with in numerical order

6. CONFIRMATION OF MINUTES

6.1. MINUTES - ORDINARY COUNCIL MEETING 26 MARCH 2024

RECOMMENDATION

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

ATTACHMENTS

Attachment A: Public Minutes Ordinary Council Meeting 26 March 2024

Note: The attached minutes are a record of the decisions made by Council at the meeting and are draft until adopted by Council. They may be viewed at www.newcastle.nsw.gov.au

Minutes

Ordinary Council Meeting

Council Chamber, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West, Tuesday, 26 March 2024 at 6:06pm.



1. ATTENDANCE

The Lord Mayor (Councillor N Nelmes), Councillors E Adamczyk, J Barrie, J Church, D Clausen, J Mackenzie, C McCabe, C Pull, D Richardson, K Wark, P Winney-Baartz and M Wood.

J Bath (Chief Executive Officer), D Clarke (Executive Director Corporate Services and CFO), A Jones (Executive Director Creative and Community Services), C Thomson (Executive Director City Infrastructure), M Bisson (Executive Director Planning and Environment), E Kolatchew (Executive Manager Legal and Governance), S Moore (Executive Manager Finance, Property and Performance and Deputy CFO), N Kaiser (Executive Manager Media Engagement and Corporate Affairs), P Emmett (Interim Executive Manager Planning and Development), A Lopez (Chief Information Officer), L Jackel (Media Adviser), M Hughes (Media Adviser), J Knight (Councillor Services/Minutes), K Sullivan (Councillor Services/Meetings Support), L Barnao (Councillor Services/Meetings Support), R Williams (AV Support) and A Clarke (Information Technology Support).

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. PRAYER

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

4. APOLOGIES / LEAVE OF ABSENCE / ATTENDANCE BY AUDIO VISUAL LINK

MOTION

Moved by Cr Adamczyk, seconded by Cr Pull

The apology submitted on behalf of Councillor Duncan be received and leave of absence granted.

Carried

MOTION

Moved by Cr Barrie, seconded by Cr Mackenzie

The requests submitted by Councillor Church to attend by audio visual link be received and leave granted.

Carried

5. DISCLOSURES OF INTEREST

Councillor Church

Councillor Church declared a significant, pecuniary conflict of interest in Item 9.2 - Ending No-Grounds Evictions in NSW stating that he worked in the residential property industry and would manage the interest by leaving the meeting for discussion on the item.

6. CONFIRMATION OF MINUTES

6.1. MINUTES - ORDINARY COUNCIL MEETING 27 FEBRUARY 2024

MOTION

Moved by Cr Barrie, seconded by Cr Mackenzie

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

Carried unanimously

7. LORD MAYORAL MINUTE

7.1 ACKNOWLEDGING SUE RYAN'S 50 YEARS OF SERVICE TO THE CITY OF NEWCASTLE

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

1. Notes that 18 March 2024 marked 50 years of service to the City of Newcastle by Sue Ryan who commenced as a Library Cadet at Newcastle Public Library in 1974.
2. Notes that in recent years Sue has researched significant events for important people in Newcastle and at City of Newcastle as the Coordinator of Local Studies at City Library. Her career started quite differently, in branch libraries at Adamstown, New Lambton, Hamilton, Lambton and Wallsend and diverted to the original Reference Library and Local Studies.
3. Acknowledges Sue's many contributions and significant activities in her career including:

- a. planning and delivery and of the Wacky Wombat Show at events like the Matarra Parade and the Newcastle Show. Grown up children continued to stop Sue in the street and remind her of her role as a puppeteer for many years.
 - b. meticulous planning of a Collection Management strategy to reorganise the non-fiction collection of the entire Newcastle Library into subject or interest categories. This successful display methodology is still in place today. This was a huge undertaking that was replicated by libraries throughout Australia.
 - c. planning and installing exhibitions in the Lovett Gallery and Local Studies Lounge to commemorate important dates and events in Newcastle's history. It was at her instigation that the first British Gas Wildlife Photographer of the Year came to Australia and continued to exhibit in the Lovett Gallery for 30 years.
 - d. She has also written and published books such as the 50th Anniversary booklet of the War Memorial Cultural Centre (City Library).
 - e. All this occurred under the direction of Managers Charles Smith, Chris Williams, Rod Blacker, Deborah Lisson, David Jenkins, Noelle Nelson, Suzie Gately and Julie Baird.
4. Notes that along the way Sue gained her Library Practice Certificate at TAFE, completed Registration Examinations with the Library Board of NSW and majored in linguistics at Newcastle University. She attained a Master of Educational Studies in 1986 and a Master of Applied Science in Information Studies from Charles Sturt University in 1997.
 5. Sue has had an enduring love of sport. This has cemented many friendships over the past 50 years. Her most important celebrations were two Newcastle Knights premierships! How lucky was she to be on the doorstep of the parade and balcony celebration at City Hall. Sue's sport report after State of Origin matches at stand-up meetings are legendary. Notwithstanding, her choice of uniform on the day.
 6. Awards a Service Medal commemorating Sue's 50 years of service with City of Newcastle.
 7. Extends its sincere gratitude to Sue for her hard work, incredibly long record of employment and dedication to the City of Newcastle. Congratulations Sue!

Carried unanimously

Sue Ryan was presented with the City of Newcastle Service Medal by the Lord Mayor and congratulations extended by all Councillors.

7.2 HUNTER & CENTRAL COAST REGIONAL PLANNING PANEL WINTEN DEVELOPMENT APPLICATION IN MINMI

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

1. Reiterates that we do not support the outdated 2013 Concept Plan approved by the NSW Government for Development Application - DA2018/01351 for 858 lots at Woodford Street, Minmi;
2. Reiterates that the outdated 2013 Concept Plan approval for this site does not meet community expectations and contemporary planning instruments available in 2024, and therefore;
3. Calls on the NSW Government to heed community and Council concerns, immediately halt the development assessment process, and revise the proposal in accordance with contemporary planning expectations and instruments.

For the Motion: Lord Mayor, Councillor Nelmes and Councillors Adamczyk, Clausen, Mackenzie, McCabe, Richardson, Winney-Baartz and Wood.

Against the Motion: Councillors Barrie, Church, Pull and Wark.

Carried

7.3 MARK HUGHES FOUNDATION 10 YEAR ANNIVERSARY

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

1. Notes that 6 March 2024 marked 10 years since the official launch of the Mark Hughes Foundation.
2. Acknowledges its founders, former Newcastle Knight Mark Hughes and his wife Kirralee, for their strength and leadership in starting the foundation in the midst of their own cancer journey following Mark's brain cancer diagnosis.
3. Notes that brain cancer is the leading cause of cancer death in children, and adults aged under 40 in Australia with a very high mortality rate and survival rates which have hardly changed for more than 35 years.
4. Acknowledges that to date, around 1 million MHF Beanies have been sold, raising millions of dollars for research, Brain Cancer Care nurses in regional Australia and supporting brain cancer patients, carers and their families. Indeed, in this time the Mark Hughes Foundation has raised around \$30 million

dollars in support of its goals, with a \$25 million research centre established at the University of Newcastle to assist in fast tracking brain cancer research, reduce mortality rates, and hopefully one day find a cure.

5. Congratulates Mark, Kirralee and everyone at the Mark Hughes Foundation for reaching this inspiring milestone.

Carried

7.4 NEWCASTLE'S HIGH-SPEED RAIL STATION LOCATION

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

1. Notes that the Federal Government's High Speed Rail Authority (HSRA) recently announced that it was seeking tenders for work that will support it to deliver a business case for the Sydney to Newcastle section of the high-speed rail network by the end of 2024.
2. Notes that the work will help inform important elements of the business case including proposed alignment, station locations, fleet, cost estimate and future construction timeframes. Delivering a business case is critical to the success of this project.
3. Writes to Chief Executive Officer of the HSRA, Mr Tim Parker regarding Broadmeadow, which is the only viable location in the Greater Newcastle region for consideration as Newcastle's station location, due to its strategic placement and planned redevelopment. This position is supported by the project's inclusion in Infrastructure Australia's Priority List which highlights how the precinct supports multiple objectives of government.
4. Highlights within that correspondence Broadmeadow's benefits, and it being best placed to meet the HSRA's objectives, including due to its identification in local and state strategic plans for large scale urban renewal and planned future housing supply of at least 17,000 new dwellings, inclusion of Hunter Park sport and entertainment precinct, and connections with current and future public transport facilities, arterial roads and significant NSW Government owned lands.
5. Acknowledges the Federal Albanese Government has committed \$500 million for the planning and corridor protection of the Sydney to Newcastle section, established the High Speed Rail Authority and determined the business case will be done by the end of 2024.
6. Notes our support for the project, and acknowledges the enormous economic benefit that the project will deliver to the local and state economies, in addition to providing increased public transport options for commuters.

Carried unanimously

8. REPORTS

8.4. EXECUTIVE MONTHLY PERFORMANCE REPORT

MOTION

Moved by Cr Barrie, seconded by Cr McCabe

That Council:

- 1 Receives the Executive Monthly Performance Report for February 2024.

Carried unanimously

8.5. GRANTING OF EASEMENT - AUSGRID-UON FEEDER NETWORK UPGRADE

MOTION

Moved by Cr Clausen, seconded by Cr Pull

That Council:

- 1 Approve the creation of an easement for electricity purposes over Operational Land at Lot 86 DP249785 (78 Cameron Street, Jesmond) (Land) as shown at **Attachment A**, for \$7,500 (plus GST) compensation.
- 2 Grant authority to the Chief Executive Officer or his delegate to execute all relevant documentation to authorise the transaction.

Carried unanimously

8.1. MEMORIAL DRIVE BAR BEACH PEDESTRIAN AND CYCLIST MOVEMENT

MOTION

Moved by Cr Clausen, seconded by Cr McCabe

That Council:

- 1 Approves the pedestrian and cyclist improvements on Memorial Drive, Bar Beach, as shown in Attachment A.

Carried unanimously

8.2. ADOPTION OF NEWCASTLE CITY CENTRE HERITAGE CONSERVATION AREAS REVIEW FINAL REPORT

MOTION

Moved by Cr Clausen, seconded by Cr Wark

That Council:

- 1 Adopts the HCAs Review (Attachment A)
- 2 Resolves to commence the process to amend the LEP in accordance with the key recommendations of this report.
- 3 Notes the Community Engagement Report (Phase 1) (Attachment B), Public Exhibition Report (Phase 2) (Attachment C), and Submissions Table (Attachment D).

PROCEDURAL MOTION

Moved by Cr Wood, seconded by Cr Adamczyk

The matter lay on the table to next month's Council meeting to enable Councillors to receive a further briefing at a workshop to fully consider the documentation and address community concerns.

Carried unanimously

8.3. PUBLIC ART REFERENCE GROUP (PARG) - ANNUAL REPORT 2023

MOTION

Moved by Cr Winney-Baartz, seconded by Cr Mackenzie

That Council:

- 1 Receives the Public Art Reference Group Annual Report 2023 as at Attachment A.

Carried unanimously

9. NOTICES OF MOTION

9.1. SKATEPARK FOR MEREWETHER / ADAMSTOWN (COOKS HILL CAMPUS - COLLABORATION)

In moving the motion Councillor Barrie moved an additional point 7 to the motion printed in the business papers.

MOTION

Moved by Cr Barrie, seconded by Cr Pull

That Council:

- 1 Notes that City of Newcastle undertook a review of skateparks in 2008/09, which included consultation with Councillors, skaters and the community.
- 2 Notes that the review found at that time there were ten skateparks located across the Newcastle local government area.
- 3 Notes that the review found that some streets in Adamstown and Merewether are located more than 2km from a skatepark.
- 4 Since the report, City of Newcastle has constructed a district level skate bowl at Stockton and a new regional level facility at South Newcastle Beach (the later to open mid year 2024).
- 5 Investigates a suitable location for a skatepark in the Merewether/Adamstown area. The proposed skatepark design should have space for bubblers, shaded areas, seating, and enough room for multiple people to skate at the same time so no one has a collision / accident by crashing into each other.
- 6 That the costed outcome of the investigation be reported to Sports Infrastructure Working Party for consideration.
- 7 Investigates Rowland Park, The Junction, West Park on Glebe Road, Morgan Street Reserve, Merewether and Myambalah Crescent, Merewether as suitable locations for a skatepark as per P.5 in the Notice of Motion.

AMENDMENT

Moved by Cr Clausen

That Council:

- 1 Notes that City of Newcastle undertook a review of skateparks in 2008/09, which included consultation with Councillors, skaters and the community.
- 2 Notes that the review found at that time there were ten skateparks located across the Newcastle local government area.
- 3 Notes that the review found that some streets in Adamstown and Merewether are located more than 2km from a skatepark.
- 4 Since the report, City of Newcastle has constructed a district level skate bowl at Stockton and a new regional level facility at South Newcastle Beach (the later to open mid year 2024).
- 5 Refers this motion to the Sports Infrastructure Working Party, and requests that the Working Party reviews the 2008/09 report, and considers opportunities for additional and upgraded skating facilities across the local government area.

As seconder, Councillor Pull suggested that point 5 from Councillor Barrie's original motion remain and suggested the amended point 5 become a new point 6.

Councillor Barrie indicated her preference to retain point 5 as originally moved but accepted amending the motion to include Councillor Clausen's point 5 as a point 6.

For accuracy, Councillor Mackenzie suggested that point 4 reflect that Council had constructed a skatepark at Stockton (not a skate bowl) and further requested that the Working Party also refer to information on provision of skateparks in the 2014 Parkland and Recreation Strategy.

The Lord Mayor clarified the motion as follows:

That Council:

1. Notes that City of Newcastle undertook a review of skateparks in 2008/09, which included consultation with Councillors, skaters and the community.
2. Notes that the review found at that time there were ten skateparks located across the Newcastle local government area.
3. Notes that the review found that some streets in Adamstown and Merewether are located more than 2km from a skatepark.
4. Since the report, City of Newcastle has constructed a district level skatepark at Stockton and a new regional level facility at South Newcastle Beach (the later to open mid year 2024).
5. Investigates a suitable location for a skatepark in the Merewether/Adamstown area. The proposed skatepark design should have space for bubblers, shaded areas, seating and enough room for multiple people to skate at the same time so no-one has a collision/accident by crashing into each other.
6. Refers this motion to the Sports Infrastructure Working Party, and requests that the Working Party reviews the 2008/09 report, refers to information on provision of skateparks in the 2014 Parkland and Recreation Strategy from 2014, and considers opportunities for additional and upgraded skating facilities across the local government area.

The motion moved by Councillor Barrie and seconded by Councillor Pull, as amended by Councillor Clausen and Councillor Mackenze, was put to the meeting.

Carried

9.2. ENDING NO-GROUNDS EVICTIONS IN NSW

Councillor Church left the meeting for discussion on the item.

MOTION

Moved by Cr Adamczyk, seconded by Cr Richardson

That City of Newcastle:

- 1 Commends the NSW Government's 2023 commitment to replace existing 'no grounds' eviction provisions through reforms to the *Residential Tenancies Act 2010*, and notes that NSW Labor has been committed to ending 'no grounds' eviction for many years,

- 2 Notes with concern that the majority (58%) of renters in NSW are on a fixed-term agreement, and that the majority (71%) of fixed-term renters in NSW receive a 'no grounds' eviction notice at the end of the agreement,
- 3 Notes with concern that in 2024 57% of clients who called Hunter Tenants Advice and Advocacy Service (Hunter TAAS) after receiving a notice of termination are facing a 'no grounds' eviction,
- 4 Notes that no grounds evictions that require renters to find a new home with only 30 days' notice are destabilising, traumatic, and expensive, disproportionately impact vulnerable renters such as those on lower incomes or on statutory benefits, impact housing affordability by often leading to vacated premises being re-let at higher rent, and can result in homelessness,
- 5 Notes that Australia has long been an outlier amongst OECD jurisdictions in allowing no grounds evictions and that Australian renters enjoy less security of tenure than most comparable countries (AHURI 2018),
- 6 Notes that the 2023 Parliamentary Inquiry into *The Worsening Rental Crisis in Australia* found that fear of 'retaliatory evictions' can act to gag renters from requesting repairs or upgrades to ensure safe and healthy housing in their home, and recommended that the removal of no grounds evictions as a prerequisite to other reforms of rental controls and housing security, and
- 7 Makes a submission to the NSW State Government to remove all provisions from the *Residential Tenancies Act 2010* that allow no grounds evictions (for both periodic and fixed-term leases) and introduce provisions to *The Act* ensure that a residential tenancy ends only for fair and reasonable grounds to ensure a safe, secure, stable, and affordable home for all renters.

For the Motion: Lord Mayor, Councillor Nelmes and Councillors Adamczyk, Barrie, Clausen, Mackenzie, McCabe, Richardson, Wark, Winney-Baartz and Wood.

Against the Motion: Councillor Pull.

Carried

Councillor Church returned to the meeting at the conclusion of the item.

10. CONFIDENTIAL REPORTS

PROCEDURAL MOTION

Moved by Cr Barrie, seconded by Cr Winney-Baartz

Council move into confidential session for the reasons outlined in the business papers.

Carried

Council resolved into confidential session at 8.42pm.

PROCEDURAL MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

Council move back into open Council.

Carried unanimously

Council resolved into open session at 8.45pm and the Chief Executive Officer reported the outcome of confidential session.

10.1. TECHNOLOGY ONE CONTRACT VARIATION

MOTION

Moved by Cr Barrie, seconded by Cr Mackenzie

That Council:

- 1 Approves the variation to the Software as a Service (SaaS) contract with TechnologyOne to enable CN's ongoing digital transformation, bringing the total contract cost to \$14,579,673 (excluding GST) over seven years.

For the Motion: Lord Mayor, Councillor Nelmes and Councillors Adamczyk, Barrie, Church, Clausen, Mackenzie, McCabe, Pull, Richardson, Wark, Winney-Baartz and Wood.

Against the Motion: Nil.

Carried

The meeting concluded at 8.46pm.

7. LORD MAYORAL MINUTE

To be tabled at the meeting.

8. REPORTS

8.1. PUBLIC EXHIBITION OF DRAFT DELIVERING NEWCASTLE 2040 - PUBLIC EXHIBITION

REPORT BY: CORPORATE SERVICES
CONTACT: EXECUTIVE DIRECTOR CORPORATE SERVICES AND CHIEF FINANCIAL OFFICER / EXECUTIVE MANAGER FINANCE PROPERTY AND PERFORMANCE AND DEPUTY CFO

PURPOSE

To place the draft 2024-2025 *Delivering Newcastle 2040*, and draft 2024-2025 Fees and Charges, on public exhibition for a period of 28 days.

RECOMMENDATION

That Council:

- 1 Resolves to publicly exhibit the draft 2024-2025 *Delivering Newcastle 2040* as at **Attachment A** and draft 2024-2025 Fees and Charges as at **Attachment B** for 28 days prior to the final consideration by Council.

KEY ISSUES

- 2 *Section 404 of the Local Government Act 1993* (Act) requires City of Newcastle (CN) to have a Delivery Program (DP) describing how it will achieve the objectives in its Council adopted Community Strategic Plan. An Operational Plan (OP) is adopted each financial year outlining the planned activities and services to be delivered. The DP and OP are combined into an annual document known as *Delivering Newcastle 2040*.
- 3 *Delivering Newcastle 2040* turns CN's shared vision for achieving a liveable, sustainable, inclusive global city as set out in *Newcastle 2040*, into action.
- 4 CN has continued its commitment to financial sustainability in *Delivering Newcastle 2040* by maintaining a modest net operating surplus, renewing and maintaining assets in a sustainable range, and utilising evidence based decision-making to underpin its financial governance framework.
- 5 *Delivering Newcastle 2040* ensures that City of Newcastle again meets and surpasses all six financial metrics set by the Office of Local Government that demonstrate a financially sustainable council.

- 6 *Delivering Newcastle 2040* proposes a draft budget for 2024-2025 which will deliver a \$4.1m net operating surplus, providing the financial capacity to maintain services and meet community commitments, as well as a buffer to respond to unexpected events (e.g. emergencies) during the year.
- 7 Our list of 282 projects and 170 actions extends across the city, with investments in community infrastructure, facilities, and services. Highlights of *Delivering Newcastle 2040* include:
- \$21m on the completion and reopening of the much-anticipated expanded Newcastle Art Gallery;
 - \$14.6m on Summerhill Waste Management Centre environmental protection, landfill and site management improvements;
 - \$6.5m allocated to the East End Public Domain Plan and Hunter Street Mall;
 - \$7.7m for stormwater and flood planning including Mayfield East and Darby Street;
 - \$17.9m on roads, footpaths and cycleways across the city;
 - \$4.7m on Cottage Creek Bridge replacement;
 - \$4.1m on Memorial Drive Road embankment;
 - \$4.7m on recreation and sports improvements, including Gregson Park Playground;
 - \$2.4m on Local Centre upgrades such as Orchardtown Road at New Lambton and Georgetown;
 - \$1.1m on renewable energy projects including climate action and EV charging;
 - \$4m on coastal management including Stockton coastline protection work;
 - \$2.8m on improving bushland and watercourses;
 - \$1.6m on resources and improvements for libraries, Civic Theatre and City Hall; and
 - Continuing to deliver initiatives from the Environment Strategy, Cycling and Parking Plan, the Climate Action Plan, Social Strategy and Sustainable Waste Strategy.

FINANCIAL IMPACT

- 8 The draft 2024-2025 budget has been developed in accordance with CN's Long Term Financial Plan (LTFP) and our objective of delivering a net operating surplus whilst maintaining services for the community.
- 9 The draft operating result before capital grants and contributions is forecast to be \$4.1m in 2024-25, compared to a surplus before capital grants and contributions of \$6.9m in 2023-2024.

Income Statement					
	Current	Year 1	Year 2	Year 3	Year 4
	2023/24	2024/25	2025/26	2026/27	2027/28
	\$'000	\$'000	\$'000	\$'000	\$'000
Income from continuing operations					
Rates and annual charges	219,236	232,264	238,071	244,023	250,123
User charges and fees	117,640	124,293	132,441	139,459	146,207
Interest and investment revenue	9,315	14,517	10,460	11,587	11,377
Other revenues	9,341	11,501	11,834	12,156	12,483
Grants and contributions provided for operating purposes	21,220	24,075	24,702	25,319	25,952
Grants and contributions provided for capital purposes	38,626	43,782	30,043	30,794	31,564
Other income	7,089	13,306	17,171	17,809	18,693
Total income from continuing operations	422,467	463,738	464,722	481,147	496,399
Expenses from continuing operations					
Employee benefits and on-costs	131,648	146,514	155,783	159,684	163,980
Borrowing costs	4,039	5,410	8,405	9,945	11,469
Materials and services	112,483	122,371	125,705	129,389	132,036
Depreciation and amortisation	69,601	73,173	75,514	78,206	79,481
Other expenses	52,147	58,728	58,851	60,506	61,819
Net losses from the disposal of assets	7,002	9,697	9,536	9,791	10,051
Total expenses from continuing operations	376,920	415,893	433,794	447,521	458,836
Operating result from continuing operations	45,547	47,845	30,928	33,626	37,563
Net operating result for the year before grants and contributions provided for capital purposes	6,921	4,063	885	2,832	5,999

- 10 CN has budgeted to receive \$43.8m in grants and contributions for capital purposes in 2024-2025, compared to \$38.6m this year. The sources of capital grants include \$14.5m for the Newcastle Airport terminal and runway expansion, \$7.6m to support the expansion of the Newcastle Art Gallery, \$9.5m from developer contributions, \$5.3m in infrastructure dedications, \$3.2m in transport upgrades and \$3.1m is expected to be received for recreation and culture projects. Before accounting for these capital grants and contributions, CN's draft operating result from continuing operations for 2024-2025 is a surplus of \$47.9m compared to \$45.5m in 2023-2024.

- 11 The draft 2024-2025 works program is \$139.5m. This includes \$32.9m to be invested in two City Shaping projects; the expansion of the Newcastle Art Gallery and the remediation of the former landfill at Sandgate known as Astra Street. CN is also investing in new and renewal projects across its program of work. \$38.1m is budgeted to be invested in roads, bridges, footpaths and community buildings. \$18.1m will be spent on our Libraries, Parks, Aquatic Centres and Civic sites. \$14.7m will be spent on Waste Management and \$6.7m on improving our information technology and Commercial Properties. \$9.9m will be invested revitalising our Coast, City and Urban Centres. \$12.9m

will be invested to support environment sustainability. \$6m will be invested in cycleways and transport options.

Key projects from these programs are outlined under the four Newcastle 2040 themes and a comprehensive list can be found within the Newcastle 2040 Appendix.

NEWCASTLE 2040 ALIGNMENT

- 12 The Public Exhibition of Draft Delivering Newcastle 2040 is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

Achieving Together

4.1 Inclusive and integrated planning

4.1.1 Financial sustainability

4.1.2 Integrated planning and reporting

4.2 Trust and transparency

4.2.2 Share information and celebration of success

IMPLEMENTATION PLAN/IMPLICATIONS

- 13 Council must adopt *Delivering Newcastle 2040* and Fees and Charges by 30 June 2024 following public exhibition. The draft *Delivering Newcastle 2040* and draft Fees and Charges will be exhibited from 26 April 2024 to 24 May 2024.

RISK ASSESSMENT AND MITIGATION

- 14 *Delivering Newcastle 2040* is built on a number of assumptions, including some outside of CN's control, which may impact outcomes, including:
- i) Government grant funding;
 - ii) Investment returns;
 - iii) External contributions (i.e. local infrastructure contributions);
 - iv) State Government cost shifting;
 - v) Monetary and fiscal policy (i.e. interest rates, taxation);
 - vi) Legislative changes;
 - vii) Crisis events or disasters (storms, floods, pandemics).
- 15 *Delivering Newcastle 2040* will be monitored against financial performance indicators with adjustments implemented through the quarterly budget review process.

RELATED PREVIOUS DECISIONS

- 16 At the Ordinary Council Meeting on 23 May 2023 Council adopted *Delivering Newcastle 2040* (2023-2024).

CONSULTATION

17 A workshop was held with the elected Council on 16 April 2024.

18 Community feedback will be considered as part of the public exhibition process.

BACKGROUND

19 The Delivery Program is required to be prepared every four years following a local government general election. The Operational Plan is subsequently required to be reviewed annually and adopted by 30 June of the relevant year.

OPTIONS

Option 1

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

Option 2

21 Council resolves to vary the recommendation in the adoption of the report. This is not the recommended option.

REFERENCES

ATTACHMENTS

Attachment A: Draft 2024-2025 Delivering Newcastle 2040

Attachment B: Draft 2024-2025 Fees and Charges

Attachment A - B distributed under separate cover

8.2. ADOPTION OF THE GEORGETOWN PUBLIC DOMAIN AND TRAFFIC PLAN

REPORT BY: CITY INFRASTRUCTURE
CONTACT: EXECUTIVE DIRECTOR CITY INFRASTRUCTURE /
EXECUTIVE MANAGER PROJECT MANAGEMENT
OFFICE

PURPOSE

To adopt the Georgetown Local Centre Public Domain and Traffic Plan (PDP).

RECOMMENDATION

That Council:

- 1 Adopt the Georgetown Local Centre Public Domain and Traffic Plan (PDP) as set out at **Attachment A**, inclusive of the permanent removal of vehicular traffic from the section of Moate Street Georgetown between Georgetown Road and Asher Street which is required to accommodate the proposed plaza space.

KEY ISSUES

- 2 Georgetown Local Centre has a legacy road layout which increases the risk of traffic incidents by bringing pedestrians, cyclists, and vehicles into conflict, particularly at intersections. It is dominated by through-traffic and parking, to the detriment of safe connectivity and public amenity. The traffic volume is high with approximately 7,700 vehicles transiting per week.
- 3 The regional R4 cycle route runs north-south through Georgetown Local Centre, with on-road facilities provided on Asher Street and Parkview Street (Newcastle On Our Bikes Cycling Plan 2021-2030). The R4 currently lacks dedicated cyclist infrastructure where Asher Street and Parkview Street intersect with Georgetown Road.
- 4 Georgetown Local Centre has an existing 40km/h High Pedestrian Activity Area (HPAA), which is generally adhered to (85th percentile). Despite this, records show a serious pedestrian injury at the pedestrian crossing near Parkview Street, and a minor pedestrian injury at the intersection of Moate Street (2018-2022 TfNSW Centre for Road Safety).
- 5 Three large medium density developments with ground floor commercial uses and units above, are driving a rapid change to the urban village character. There is community concern that the developments will increase vehicle movements and parking, reinforcing the vehicle prioritisation through the area and adjacent side streets.
- 6 Georgetown Local Centre has limited public amenity, has only one existing tree, and lacks shade, landscaping, and attractive places for people to meet and spend time comfortably.

Public Domain Plan & Traffic Plan (PDP)

- 7 City of Newcastle (CN) used the results of community consultation and site investigations to develop a draft Georgetown Local Centre PDP as shown at **Attachment B**. The draft PDP was placed on public exhibition from 10 November to 8 December 2023 and has been finalised based on community feedback.
- 8 The final PDP proposes the following improvements:
- i) Reinforcement and extension of the existing 40 km/h HPAA, with upgraded speed control devices and additional entry infrastructure at 35 Moate Street and 30 and 76 Georgetown Road;
 - ii) Upgrade of two existing pedestrian crossings on Georgetown Road, including the addition of a bicycle crossing to the pedestrian crossing adjacent Parkview Street;
 - iii) Two new pedestrian refuges, located outside 37 Georgetown Road and at the intersection of Moate Street and Georgetown Road;
 - iv) Implementation of one-way travel southbound for vehicles on Asher Street and Turner Street (commencing south of 3 Turner Street), with two-way travel maintained for cyclists;
 - v) A new pedestrian priority raised continuous footpath treatment located at the intersection of Turner Street and Georgetown Road;
 - vi) A new pedestrian priority raised continuous footpath treatment located across Parkview Street at the intersection with Georgetown Road, with vehicles allowed to cross the continuous footpath southbound only, (two-way travel maintained for cyclists);
 - vii) A new public plaza created from kerb extension, expanded footpath and by permanently restricting (and prohibiting) vehicular traffic in Moate Street Georgetown from the intersection of Georgetown Road to the eastern side of Asher Street;
 - viii) A short 10km/h shared zone connecting Moate Street (west) with Asher Street, prioritising pedestrian and cycle movements;
 - ix) Relocation of the eastbound bus stop on Georgetown Road from between Parkview Street and Moate Street; to west of the Parkview Street intersection, freeing up parking adjacent to local businesses;
 - x) Widened footpaths, upgraded street furniture and lighting, and increased tree planting and landscaping throughout; and
 - xi) A new fully accessible electric vehicle charging station.

FINANCIAL IMPACT

- 9 An independent Quantity Surveyor provided a cost estimate based on the initial concept design. The proposed infrastructure upgrades have been estimated to cost in the order of \$14 million. CN works will be funded from the Capital Works Program over future years. The proposed plan will be partially delivered by new adjacent development.
- 10 The cost estimate will be revised as further investigations and detailed design progresses.

STRATEGIC ALIGNMENT

- 11 The proposed plan is consistent with the Newcastle 2040 Community Strategic Plan as follows:

Liveable

- 1.1 Enriched neighbourhoods and places
 - 1.1.1 Great Spaces
 - 1.1.2 Well-designed places
- 1.2 Connected and Fair Communities
 - 1.2.1 Connected communities
 - 1.2.2 Inclusive communities
 - 1.2.3 Equitable communities
 - 1.2.4 Healthy communities
- 1.3 Safe, active and linked movement across the city
 - 1.3.1 Connected cycleways and pedestrian networks

Achieving together

- 4.3 Collaborative and innovative approach
 - 4.3.2 Innovation and continuous improvement
 - 4.3.3 Data-driven decision-making and insights

IMPLEMENTATION PLAN

- 12 Detailed design is scheduled for commencement immediately following adoption of the Public Domain Plan and will progress in stages ahead of staged construction delivery through the Urban Centres Program in the Capital Works Program.
- 13 Funding exists within the 2023/24 capital works program to commence construction upon Council adoption. Completion will be advised once the staged delivery program has been developed.

RISK ASSESSMENT AND MITIGATION

- 14 The proposed infrastructure upgrades will materially mitigate risk to pedestrian and cyclist safety. Addressing the current open intersections will improve traffic safety, with the removal of some traffic conflict locations from the local area.

Upgraded traffic calming infrastructure will be designed and installed in accordance with relevant Australian Standards, Austroads, and Transport for NSW guidelines.

RELATED PREVIOUS DECISIONS

- 15 On 29 June 2021 Council resolved to initiate a public domain upgrade for Georgetown Local Centre.

CONSULTATION

- 16 An online community survey was open from 29 November to 13 December 2021. The survey was advertised through 'Have Your Say' postcards delivered to the whole Georgetown suburb, posters on site and social media. The results are at **Attachment C**. There were 190 respondents, and the community's top three priority areas were as follows:

- i) Aesthetics (improving the look and feel of the area) (77%);
- ii) Pedestrian safety, access and connectivity (63%); and
- iii) More street trees (37%) and street furniture and comfort (37%).

- 17 On 16 October 2023 the NCTC provided in-principle support for the draft PDP as per **Attachment B** and it was placed on public exhibition from 10 November to 8 December 2023. An online community survey was advertised through distribution of Have Your Say flyers to the whole Georgetown suburb, posters in Georgetown Local Centre, and via newspaper advertising and social media. Public exhibition materials are shown at **Attachment D**.

- 18 Feedback was provided by a total of 192 community members associated with Georgetown Local Centre during the exhibition period. 173 responses were made via online survey and 19 individual submissions were made via either email or phone.

- 19 The online survey was designed so that the community could provide yes/no/unsure responses on the key proposals, in addition to providing general comments. Most of the proposals received majority support. The following table summarises community sentiment to the overall PDP objectives.

Overall, how supportive are you of the PDP objectives?				
Very supportive	Supportive	Somewhat supportive	Not very supportive	Not at all supportive
101	29	22	11	10
58%	17%	13%	6%	6%

- 20 Individual submissions and general comments submitted as part of the survey are summarised at **Attachment E**. The five top issues are as follows:

- i) Reduced parking spaces (55 related comments);
- ii) Impact on traffic flows generally (21 related comments);
- iii) Anticipated increase in traffic on Turner St (14 related comments);
- iv) Disagree with one-way on Turner Street (10 related comments); and

- v) Disagree with the new public plaza (10 related comments).

Parking

- 21 Sixteen parking spaces within the project scope area will be reclaimed (removed) to facilitate the local centre upgrade, noting that existing parking spaces are not delineated and this is an estimate. Most of the reclaimed spaces (9) are adjacent to residential properties.
- 22 A parking vacancy survey carried out on Thursday 30 November 2023 indicates that there are approximately 130 parking spaces in the broader area, 59 of which are within the project footprint, as per **Attachment F**. At 1pm there were 86 parking spaces in use and 44 parking spaces vacant, representing an occupancy rate of approximately 66%. This level of parking availability will readily accommodate the proposed reclamation of sixteen parking spaces for higher value community use.
- 23 A total of 9 vehicles were parked all day during the survey, and there is potential to increase parking availability and efficiency through the future extension of timed restrictions. Parking will be managed through the area as per the framework under CN's Parking Plan.

Traffic

- 24 Overall the increased traffic volume has been estimated to cause insignificant adverse impact to affected neighbouring streets or the traffic signal operation at the intersection of Christo Road and Turton Road.
- 25 The predicted total vehicle volumes are all well within the capacity of these roadways and remain below the expected safe traffic flows of comparable streets throughout Newcastle. Any traffic issues potentially affecting public safety following the project will be addressed through standard processes.

Other feedback

- 26 In response to community feedback regarding Turner Street, the final PDP proposes the following:
 - i) Two-way permitted north of 3 Turner Street, allowing traffic from new developments to exit north onto Georgetown Road; and
 - ii) One-way southbound for vehicles south of 3 Turner Street, to reduce vehicular access by non-residents.
- 27 Transport issues which are beyond the scope of the Georgetown Local Centre PDP - including Christo Road - will be addressed under standard operational processes. This includes a review of the Georgetown Precinct Transport Plan (PTP) which will cover the whole of Georgetown suburb. This PTP will help coordinate and guide the identification, design, and implementation of transport projects to support the Georgetown Local Centre upgrade.
- 28 Concerns about the proposed plaza include fear of antisocial behaviour and objections to the loss of parking. It is anticipated that the proposed plaza will increase activation of the streetscape, which will reduce, rather than increase,

anti-social behaviour. Similar pedestrian plazas at Beresfield and Joslin Street Kotara Local Centres have been very successful.

- 29 On Monday 25 March 2024, the Newcastle City Traffic Committee (NCTC) reviewed the outcomes of the public consultation. NCTC gave in-principle support for the project to progress to the elected Council for determination. The summary results of the consultation are shown at **Attachment E**.
- 30 The PDP was presented to Councillors at a workshop on 9 April 2024.

BACKGROUND

- 31 Georgetown Local Centre is one of 48 Local Centres covered by the Local Centres Infrastructure Renewal Program. In 2016 all 48 centres were audited and prioritised for upgrade.
- 32 Three large mixed commercial and residential developments are important drivers for Georgetown's public domain upgrade, to ensure coordination between the private development and the public domain.

OPTIONS

Option 1

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

Option 2

- 34 Do not adopt the Georgetown Local Centre Public Domain and Traffic Plan at Attachment A. This is not the recommended option.

REFERENCES

ATTACHMENTS

- Attachment A:** Georgetown Local Centre Public Domain and Traffic Plan (January 2024)
- Attachment B:** Draft Georgetown Local Centre Public Domain and Traffic Plan
- Attachment C:** Early Community Engagement Summary Report (February 2022)
- Attachment D:** Public exhibition materials (November/December 2023)
- Attachment E:** Draft PDP Community Engagement Summary Report (December 2023)
- Attachment F:** Georgetown Local Centre Parking Vacancy Survey Plan

Attachments A - F distributed under separate cover

8.3. ENDORSEMENT OF MOTIONS TO THE 2024 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

REPORT BY: CORPORATE SERVICES
CONTACT: EXECUTIVE DIRECTOR CORPORATE SERVICES AND
CHIEF FINANCIAL OFFICER / EXECUTIVE MANAGER
LEGAL & GOVERNANCE

PURPOSE

To consider proposed motions for submission to the Australian Local Government Association's (ALGA) 2024 National General Assembly (NGA).

RECOMMENDATION

That Council:

- 1 Endorse the motions for submission to the 2024 Australian Local Government Association's National General Assembly as set out at **Attachment A**.

KEY ISSUES

- 2 The NGA is being held from 2-4 July 2024 at the National Convention Centre, Canberra.
- 3 Councils are invited to submit motions to be considered at the NGA. Ten motions were received from Councillors, and Council is asked to consider and endorse these as set out in **Attachment A**.

FINANCIAL IMPACT

- 4 Councillors' attendance at the NGA is provided for within the 2023/24 budget. There are no additional costs associated with the submission of motions.

NEWCASTLE 2040 ALIGNMENT

- 5 Submissions of motions to the NGA is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan including:

Creative Newcastle

- 3.4 City-shaping partnerships
 - 3.4.1 Optimise city opportunities
 - 3.4.2 Advocacy and partnership

Achieving Together

- 4.2 Trust and Transparency
 - 4.2.1 Genuine Engagement
- 4.3 Collaborative and innovative approach
 - 4.3.1 Collaborative organisation

4.3.2 Innovation and continuous improvement

IMPLEMENTATION PLAN/IMPLICATIONS

- 6 CN will make arrangements to formally submit endorsed submissions by the due date.

RISK ASSESSMENT AND MITIGATION

- 7 Nil.

RELATED PREVIOUS DECISIONS

- 8 At the Ordinary Council Meeting held on 28 February 2023, Council endorsed the submission of nine motions to the 2023 NGA.

CONSULTATION

- 9 Nil.

BACKGROUND

- 10 ALGA is the peak national body of local government, representing 537 councils.
- 11 Attendance and voting arrangements for the NGA will be managed directly with Councillors.

OPTIONS

Option 1

- 12 Council adopts the recommendation as shown at Paragraph 1. This is the recommended option.

Option 2

- 13 Council adopts an alternative recommendation. This is not the recommended option.

REFERENCES

NGA Motions Discussion Paper

<https://az659834.vo.msecnd.net/eventsairaueprod/production-conferenceco-public/b10057b7e1d549108a9e69e321f582d5>

Councillor Expenses and Facilities Policy

<https://newcastle.nsw.gov.au/getmedia/64873b72-40fd-4b8e-8a76-092bd82f077f/Councillor-Expenses-and-Facilities-Policy>

ATTACHMENTS

Attachment A:

Proposed motions for endorsement for submission to the 2024 Australian Local Government Association's National General Assembly

Attachment A

MOTION 1 – LOCAL GOVERNMENT SUPPORT FOR INDIGENOUS AUSTRALIANS

This National General Assembly calls on the Australian Government to continue to demonstrate strong leadership in support of Aboriginal and Torres Strait Islander Peoples by legislating for an Indigenous Voice to Parliament to provide advice on issues relating specifically to indigenous peoples.

NATIONAL OBJECTIVE

To give voice to Aboriginal and Torres Strait Islander peoples by ensuring that government is informed by lived experience, insight and expertise of ATSI people.

To demonstrate the unified support of Aboriginal and Torres Strait Islander peoples, by local government as the closest level of government to community.

SUMMARY OF KEY ARGUMENTS

The Uluru Statement from The Heart was a generous invitation from Aboriginal and Torres Strait Islander people for real and practical change in Australia through the establishment of a constitutionally enshrined Voice To Parliament and the establishment of a Makarrata Commission, to undertake treaty-making and truth-telling.

After the recent Referendum failed to pass, there was no doubt a great deal of disappointment in the community, however this should not be the end of conversations as to how public policy can better reflect the needs of indigenous people.

MOTION 2 – MANDATORY SUPERANNUATION GUARANTEE

This National General Assembly calls on the Australian Government to:

1. Note that there remains inconsistency across Australian jurisdictions, whereby Councillors, Mayors and Lord Mayors are not automatically entitled to the Superannuation Guarantee Contribution, allowing for the unfortunate politisation of this important right;
2. Acknowledges that those most adversely affected by the non-payment of superannuation payments for work performed as an elected representative, is women;
3. Note that superannuation should be a universal mandatory system to support all workers and taxpayers in Australia; and
4. Rationalise the Superannuation system for local government elected representatives and amend Section 12(9A) of the *Superannuation Guarantee (Administration) Act 1993* to mandate that all Councillors across Australia automatically receive the Superannuation Guarantee Contribution as part of their allowance.

NATIONAL OBJECTIVE

The Superannuation Guarantee Contribution is a universal system of world's best practice when it comes to ensuring adequate support for all workers in retirement.

The compulsory payment to all Mayors, Lord Mayors and Councillors across Australia would encourage diversity and ensure local councils reflect their communities.

SUMMARY OF KEY ARGUMENTS

The Superannuation Guarantee (SG) contribution is compulsory for all employers in Australia.

This applies to all employment in the private sector, not-for-profit or government related roles and all remunerated board roles where an individual earns more than \$450 in a calendar month. Despite this, in NSW, mayors and councillors that serve on local government are excluded by the operation of section 251 of the *Local Government Act 1993*, which provides that mayor and councillor fees "do not constitute salary for the purposes of any act" unless in accordance with section 254B(4)(a), "the council has previously passed a resolution at an open meeting to make superannuation contribution payments to its councillors".

The federal government has the opportunity to take the non-payment of superannuation very seriously, with the *Treasury Laws Amendment (2018 Measures No 4) Bill 2018* allowing the ATO to instruct an employer to pay the superannuation guarantee amount and outstanding liabilities or face severe financial penalties and up to 12 months imprisonment, or both.

The current position in NSW is inequitable and could be a deterrent for young people and women standing as candidates for Council elections. Research shows that, on average, women retire with 47% less superannuation than men and introducing superannuation on these earnings is recognition of this commitment and will help encourage the broadest cross-section of the community to stand for office.

In other jurisdictions, including Victoria and Queensland, mayors and councillors are paid superannuation entitlements. Many mayors and councillors rely solely on the income they derive from their duties in local government, and their legislated entitlement to superannuation should not be allowed to be used as a partisan, political plaything in the council chamber.

MOTION 3 – FINANCIAL ASSISTANCE GRANT FUNDING

This National General Assembly calls on the Australian Government to:

1. Acknowledges most local governments' receipt of Financial Assistance Grant income has been reducing in real terms and has been far outstripped by unavoidable cost increases incurred as a large infrastructure manager.
2. Notes the value of Financial Assistance Grants provided to local government has declined over the past three decades from around 1% of Commonwealth taxation revenue to around 0.55 percent.
3. Requests the Federal Government restore Financial Assistance Grants back to 1% of Commonwealth taxation revenue as a matter of urgency, with an additional once-off payment of \$3 billion to address the practice of bringing forward Financial Assistance Grants.

NATIONAL OBJECTIVE

This motion addresses the following key question in the 2024 Discussion Paper:

"What improvements are needed to the intergovernmental financial transfer system, particularly the Commonwealth transfers to local government, to enhance the community's trust in local government and by extension all government?"

SUMMARY OF KEY ARGUMENTS

Financial Assistance Grants are a form of Federal Government funding provided to the States for the purposes of Local Government and is provided under the Local Government (Financial Assistance) Act 1995 and is granted in the form of untied financial assistance, allowing councils to spend the grants according to local priorities.

The objective of the grant program is to assist councils to improve in five areas: financial capacity; capacity to provide equitable services; certainty of funding; efficiency and effectiveness; and services to ATSI communities.

The total funding of the grant on an annual basis was equivalent to 1% of Commonwealth Taxation revenue in 1996. That 1% figure has significantly reduced since that time, varying from year to year to a level approximately half of that amount, or less. In the October 2022-23 Budget \$2.921 billion in Financial Assistance Grants funding was announced which brings the Financial Assistance Grants as a proportion of Commonwealth Taxation Revenue in 2022-23 to approximately 0.52%.

Research produced for ALGA shows that these grants make up more than 10 percent of annual operating revenue for around one in four councils, and this figure is much higher in regional, rural and remote areas.

Since 2009-10, the Australian Government has consistently pre-paid either part or all Financial Assistance Grants to councils in the previous financial year. The timing of these payment is controlled by the Federal Government, creating a level of uncertainty for local governments planning their annual budgets.

MOTION 4 - INCREASED SUPPORT FOR ASYLUM SEEKERS & PERMANENT RESIDENTS

That this National Assembly call on the Federal Government to extend its support for people seeking asylum to those granted permanent residency by:

1. Providing everyone with a valid visa with work, travel and study rights.
1. Expanding the Status Resolution Support Services eligibility criteria and simplify the application process so that people in need can access healthcare, disability, housing support and other essential services.
2. Ensuring an independent, timely and fair application and merits review process for all humanitarian applications.
3. Providing people who have received a negative refugee determination under the 'Fast Track' system with a fair review process.
4. Continuing to invest resources to urgently clear the backlog of asylum applications and appeals.
5. Abolishing temporary visas like Temporary Protection Visas and Safe Haven Enterprise Visas and replacing them with permanent protection visas and pathways to citizenship for all humanitarian arrivals.

NATIONAL OBJECTIVE

We all have an important role to ensure that everyone – our neighbours, friends and local community members can participate in society and enjoy self-determination in decisions; and we would welcome your interest in discussing this issue in greater detail.

SUMMARY OF KEY ARGUMENTS

Right now, fewer than 900 people can access Government financial assistance through the Status Resolution Support Services and many more in our communities are without access to basic healthcare, housing, education, employment and food. Charities and Local Government cannot meet the need for emergency relief and are reporting an increase in the number of people seeking asylum sleeping rough on the streets.

Furthermore, people who have had their visa applications rejected, have similar life circumstances to those who have recently been granted permanent visas. Many were cruelly and unfairly rejected under the biased 'Fast Track' Refugee Status Determination process instituted by the previous government.

MOTION 5 - CHAMP FOR CLIMATE ACTION

That this National Assembly acknowledge the Federal Government's action on climate change and its commitment to the Coalition for High Ambition Multilevel Partnerships (CHAMP) for Climate Action (cop28.com). Further, that the National Assembly assist local governments to maximise climate action, in order to limit the temperature increase to 1.5°C above pre-industrial levels, and increase adaptation and resilience by implementing the CHAMP via collaboration and consultation, creating processes and providing investment pipelines for shared outcomes.

NATIONAL OBJECTIVE

Recent Conferences of the Parties to the UN Framework Convention on Climate Change have highlighted the important local government role in addressing the climate crisis and the need for all levels of government to work together to achieve the ambitious Paris Agreement goals.

At COP28, the host nation sponsored CHAMP for Climate Action, a pledge "to enhance cooperation...with our subnational governments...in the planning, financing, implementation, and monitoring of climate strategies,...to maximise climate action...with a view towards collectively pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, and increase adaptation and resilience".

Australia signed this pledge.

SUMMARY OF KEY ARGUMENTS

This motion seeks the federal Government to enact its commitment as outlined in the CHAMP pledge through the actions listed here and described in detail at <https://www.cop28.com/en/cop28-uae-coalition-for-high-ambition-multilevel-partnerships-for-climate-action>:

- Consult
- Collaborate
- NDC 2025
- NDC investment
- Voluntary review
- High level dialogue

The CHAMP pledge, signed by 72 nations, recognises the enormity of task in keeping temperature rise to 1.5 degrees, the significant role local governments will play in the task and the need for national governments to work with and support them to do so.

MOTION 6 - INTERGOVERNMENTAL RELATIONS

This National General Assembly calls on the Australian Government to:

Lead the delivery of place-based, whole of government policy and planning to drive the evolution of mining affected regions toward net zero economies. This should include:

1. A clear vision and plan for each region's economic evolution.
2. A coordinating entity with the necessary authority to influence the focus and coordination of cross government and agency delivery efforts.
3. Sufficient resources to deliver on the objectives established, including:
 - a. Supporting communities adversely impacted by the move to a net zero economy
 - b. Exploring city/regional deals as a mechanism for delivery.
4. Support for and investment in circular economy solutions.
5. Clear and certain planning pathways for the adaptive reuse of mining and industrial lands to deliver new, high-value jobs.
6. A commitment to local government representation in place-based decision making that affects local and regional communities.

NATIONAL OBJECTIVE

This motion addresses the following key question in the 2024 Discussion Paper:

"Are there new initiatives and programs that could be adopted to improve the level of cooperation and collaboration between the Australian Government and local government?"

SUMMARY OF KEY ARGUMENTS

1. The Australian Government leading the delivery of place-based, whole-of-government policy and planning is essential to provide a clear vision and plan for each region's economic evolution. This ensures that mining-affected regions are not left behind during the transition to net-zero economies. By outlining a strategic roadmap, the government can guide regions towards sustainable economic models that are aligned with global climate goals while ensuring economic prosperity and job creation.
2. Establishing a coordinating entity with the necessary authority is crucial for influencing the focus and coordination of cross-government and agency delivery efforts. This entity can streamline decision-making processes, avoid duplication, and ensure efficient allocation of resources.

3. Adequate resources are necessary to achieve the objectives established for mining-affected regions. This includes supporting communities adversely impacted by the transition to a net-zero economy, providing retraining and job transition programs, and investing in infrastructure development to support new industries. Exploring city/regional deals can provide additional resources and mechanisms for effective delivery, leveraging public and private investment to drive sustainable development.
4. Supporting and investing in circular economy solutions is imperative for sustainable development in mining-affected regions. By promoting resource efficiency, waste reduction, and recycling initiatives, the government can create new economic opportunities while minimizing environmental impact. Circular economy principles can transform waste into valuable resources, stimulate innovation, and provide a further mechanism by which local economies may diversify.
5. Providing clear and certain planning pathways for the adaptive reuse of mining and industrial lands is essential for facilitating the transition to new, high-value jobs. By identifying suitable sites for redevelopment and establishing regulatory frameworks, the government can attract investment and encourage the establishment of sustainable industries. This not only revitalises former mining areas but also creates employment opportunities in emerging sectors such as renewable energy, technology, and advanced manufacturing.
6. Ensuring local government representation in place-based decision-making processes is vital for fostering community engagement, ownership and "buy-in". Local governments possess valuable insights into the needs of their communities and can play a key role in shaping policies and initiatives. By involving local stakeholders in decision-making, the government can enhance transparency and accountability, leading to more effective outcomes for mining-affected regions.

MOTION 7 - FINANCIAL SUSTAINABILITY

This National General Assembly calls on the Australian Government to:

Lead collaboration with state and local government to review, simplify and streamline the delivery and governance of grant funding to local government, focusing on:

1. Consolidating currently disparate funding programs delivered across various Commonwealth and State Government agencies toward a "block funding" approach to providing grant funding to local government, delivered over timeframes that align with local government planning cycles.
2. Identifying broader options than requiring direct co-contributions from Councils to access grant funding. This aims to remove the inherent disadvantage currently experienced in accessing grant funds by local councils who do not have the financial or resource capacity to offer co-contributions, yet to whom the dependence on grant funds to deliver delivery of community services and infrastructure remains vital.
3. Reducing administrative burden on local government through more consistency in the governance frameworks, systems and documentation required across various funding programs and governing agencies.

NATIONAL OBJECTIVE

This motion addresses the following key question in the 2024 Discussion Paper:

"What improvements are needed to the intergovernmental financial transfer system, particularly the Commonwealth transfers to local government, to enhance the community's trust in local government and by extension all governments?"

SUMMARY OF KEY ARGUMENTS

The Australian Government's leadership in collaborating with state and local governments to review, simplify, and streamline grant funding delivery and governance is crucial for promoting efficiency, equity, and effectiveness in resource allocation. By consolidating funding programs, exploring alternative funding mechanisms, reducing administrative burden, and fostering collaboration, the government can better support local councils in meeting the needs of their communities and driving inclusive growth and development nationwide.

1. **Efficiency and Effectiveness:** By consolidating disparate funding programs into a "block funding" approach, the Australian Government can streamline the allocation process. This ensures that local governments receive funding that is aligned with their long-term planning cycles, allowing for better strategic use of resources. This consolidation reduces redundancy, eliminates overlaps, and minimises the administrative burden both for government agencies and local councils.

2. **Equity and Accessibility:** Requiring direct co-contributions from councils often disadvantages smaller or financially constrained local governments, limiting their ability to access crucial funds. By exploring broader options beyond co-contributions, such as adjusting eligibility criteria or implementing matching grants, the government can ensure that all councils, regardless of their financial capacity, have fair access to funding opportunities. This ensures equity and inclusivity in the distribution of resources.
3. **Streamlined Governance:** Harmonising governance frameworks, systems, and documentation across various funding programs and agencies reduces administrative burden and confusion for local governments. Standardising processes enhances efficiency, minimises errors, and promotes transparency and accountability in grant management. This streamlined approach allows local councils to place a greater focus on delivering essential services and infrastructure to their communities rather than navigating complex bureaucratic procedures.
4. **Enhanced Collaboration:** Leading collaboration with state and local governments fosters better coordination and communication among different levels of government. By working together, governments can leverage their respective expertise and resources to optimise grant funding delivery and governance. This collaborative effort ensures that funding priorities are aligned with community needs and government objectives.
5. **Stimulating Local Development:** Simplifying and streamlining grant funding processes empowers local governments to invest in projects and initiatives that drive economic growth, improve community well-being, and enhance infrastructure development. By reducing administrative barriers and ensuring equitable access to funding, the government can catalyse local development efforts, creating jobs, boosting productivity, and encouraging sustainable progress.

MOTION 8 - ROADS AND INFRASTRUCTURE

This National General Assembly calls on the Australian Government to lead systems reform across all three levels of government to improve the planning, administration and delivery of road funding, with a focus on ensuring greater equity, certainty and sustainability in funding across regional and metropolitan communities.

NATIONAL OBJECTIVE

This motion addresses the following key question in the 2024 Discussion Paper:

"Are there programs or initiatives that the Australian Government could provide to improve the sector's capacity to manage local government infrastructure and to integrate these plans into long-term financial plans?"

SUMMARY OF KEY ARGUMENTS

1. **National Unity and Consistency:** With the Australian Government leading systems reform, there would be a cohesive and consistent approach to road funding across all levels of government. This would prevent disparities and confusion between different regions and ensure that funding allocations are fair and transparent.
2. **Economic Efficiency:** Improved planning, administration, and delivery of road funding would lead to greater economic efficiency. By ensuring that funds are allocated based on need rather than political considerations, resources can be directed towards projects that provide the highest economic return, whether in regional or metropolitan areas.
3. **Equity Across Regions:** Many regional communities often suffer from inadequate road infrastructure compared to metropolitan areas. By leading systems reform, the Australian Government can ensure that funding is distributed equitably, addressing the infrastructure deficits in regional communities and promoting balanced regional development.
4. **Certainty for Stakeholders:** Greater certainty in road funding allocations is essential for both government agencies and private stakeholders involved in infrastructure projects. With clearer guidelines and processes established through systems reform, stakeholders can make more informed decisions and plan for the long term.
5. **Sustainability and Long-Term Planning:** Sustainable funding mechanisms are crucial for maintaining and upgrading road infrastructure over the long term. By reforming the system, the Australian Government can introduce measures such as dedicated funding streams or innovative financing mechanisms to ensure ongoing investment in roads without relying solely on short-term budget allocations.
6. **Improved Connectivity and Mobility:** A well-planned and funded road network enhances connectivity and mobility, benefiting both regional and metropolitan

communities. By leading reform efforts, the Australian Government can prioritise projects that improve connectivity between different regions, facilitate access to essential services, and support economic growth across the country.

7. Addressing Climate Change and Environmental Concerns: Sustainable transportation infrastructure is essential for mitigating the impacts of climate change and reducing greenhouse gas emissions. Through systems reform, the Australian Government can allocate funding towards projects that promote sustainable transport modes, such as public transport and cycling infrastructure, contributing to environmental goals while enhancing mobility.
8. International Competitiveness: A well-maintained and efficient road network is essential for Australia's international competitiveness. By improving road funding systems, the government can ensure that infrastructure keeps pace with global standards and demands, supporting trade, tourism, and attracting investment to both regional and metropolitan areas.

In conclusion, by leading systems reform in road funding, the Australian Government can promote greater equity, certainty, and sustainability across all communities, driving economic development, enhancing connectivity, and addressing pressing environmental and social challenges.

MOTION 9 - HOUSING & HOMELESSNESS

This National General Assembly calls on the Australian Government to:

Support the urgent delivery of new housing and improve housing affordability and access by:

1. Investing in the transport and community infrastructure required to unlock development-ready-land.
2. Leading collaboration across Australian, state and local government to develop a collaborative framework for biodiversity planning that will enhance conservative outcomes and provide greater planning and investment certainty for local and regional communities around the availability of land and housing.
3. Investing in additional public housing and incentivising affordable housing schemes.
4. Repurposing existing government facilities such as underutilised health facilities, or other government buildings that could be repurposed for short term housing.

NATIONAL OBJECTIVE

This motion addresses the following key question in the 2024 Discussion Paper:

"How can the Australian Government work with councils to address the causes and impacts of homelessness?"

SUMMARY OF KEY ARGUMENTS

1. Investing in the necessary infrastructure to unlock development-ready land will stimulate economic growth. By facilitating the construction of new housing, the government can create jobs in construction, engineering, and related sectors. This will not only boost employment opportunities but also contribute to the overall economic activity in the region.
2. Collaboration among different levels of government to develop a framework for biodiversity planning ensures that housing developments are carried out sustainably. By prioritising biodiversity planning, the government can protect ecologically sensitive areas while providing certainty for developers and investors. This approach fosters responsible urban development that balances the needs of communities with environmental preservation.
3. Investing in additional public housing and incentivising affordable housing schemes is crucial for addressing housing affordability and ensuring social equity. Many Australians struggle to afford housing, and the lack of affordable options exacerbates inequality. By increasing the supply of public and affordable housing, the government can provide vulnerable populations with stable and secure housing, reducing homelessness and improving overall societal well-being.

4. Repurposing existing government facilities for short-term housing addresses two critical issues simultaneously: housing shortages and underutilisation of resources. Many government buildings, such as underutilised health facilities or other public structures, sit vacant or underused. Repurposing these buildings for housing offers a cost-effective solution to the housing crisis while maximizing the use of existing infrastructure. This approach minimizes the need for additional land development and infrastructure investment, making efficient use of taxpayer resources.

MOTION 10 - REDUCING CANCER AND HEALTH PROBLEMS CAUSED BY GAS USE IN HOMES

This National General Assembly calls on the Australian Government to

1. Note the extensive scientific medical literature that demonstrates the alarming health impacts caused by indoor gas use, particularly cooking, on vulnerable groups like children, the elderly, people with respiratory conditions, and people on low incomes.
2. Commit to phasing out gas appliances in homes by requiring all new homes to be powered by 100% electricity instead of gas
3. Revise the National Construction Code to ensure that all new residential developments are fully powered by electric appliances instead of gas ones.

NATIONAL OBJECTIVE

That the Australian Government listens to medical professionals by ensuring that the homes we live in are clean, healthy and safe, free from the harmful toxins caused by gas appliances, particularly space heaters, stoves and cooktops.

SUMMARY OF KEY ARGUMENTS

Decades of scientific medical research demonstrates the alarming health impacts of gas appliances when used indoors. For example, a recent Australian study found that gas cooktops are associated with around 12 percent of childhood asthma cases in Australia.

Medical professionals note that the real rate is probably much higher, as mild asthma cases are often undiagnosed, never see a respiratory specialist, and don't appear in health statistics. Indoor gas combustion is likely to be a significant cause of Australia's relatively high rates of asthma. US researchers from Stanford University have linked gas stoves and ovens to home air levels of carcinogenic chemicals like benzene.

We know that long-term exposure to benzene is linked to acute lymphocytic leukaemia, chronic lymphocytic leukaemia, multiple myeloma, childhood leukaemia, and non-Hodgkin lymphoma. Methane leakage in buildings has other very serious health effects.

Given the known, scientifically proven links between indoor gas use and harmful human health outcomes, requiring new homes to be fitted with electric appliances, it is incumbent on the Australian Government to act swiftly to address this public health emergency.

Rising gas price rises are impacting on families and households across the country who are already struggling with spiralling housing and food costs. A recent Energy Consumers Australia survey of 2,500 people found that more than one quarter of households are struggling to pay their energy bills.

Study after study demonstrates that homes powered by 100% electricity are cheaper to run than those connected to gas. For example, recent, separate studies by Monash University, Energy Consumers Australia, Renew, Australian Council for Social Services, and Rewiring Australia all demonstrate that homes that swap gas appliances for modern, efficient ones, combined with energy efficiency upgrades and solar and battery installations, can cut energy bills by a range of \$500 to \$5,000 per year, depending on the combination of upgrades.

The Australian Government could provide direct and immediate cost-of-living relief to people moving into new housing by ensuring newly built homes are fully electric without gas.

Recent modelling shows that this move alone would cut household energy bills by 90.6% by 2040.

8.4. ADVISORY COMMITTEES ANNUAL REPORTS

REPORT BY: CORPORATE SERVICES
CONTACT: EXECUTIVE DIRECTOR CORPORATE SERVICES AND
CHIEF FINANCIAL OFFICER / MANAGER LEGAL &
GOVERNANCE

PURPOSE

To receive Advisory Committee Annual Reports for the 2023 calendar year.

RECOMMENDATION

That Council:

- 1 Receives Advisory Committee Annual Reports for the 2023 calendar year from:
 - i) Access Inclusion Advisory Committee
 - ii) Asset Advisory Committee
 - iii) Community and Culture Advisory Committee
 - iii) Guraki Aboriginal Advisory Committee
 - iv) Infrastructure Advisory Committee
 - v) Liveable Cities Advisory Committee
 - vii) Strategy and Innovation Advisory Committee
 - viii) Newcastle Youth Council Advisory Committee

KEY ISSUES

- 2 City of Newcastle's (CN) Advisory Committees, comprising Councillor and independent community and stakeholder members, provide advice to the elected Council on matters of strategic significance and on matters aligned to their area of expertise and Newcastle 2040.
- 3 Advisory Committees present Annual Reports to Council to inform Councillors of their key items of business and their performance.

FINANCIAL IMPACT

- 4 CN's adopted Our Budget 2022/23 and 2023/24 makes provisions for Advisory Committees.

NEWCASTLE 2040 ALIGNMENT

- 5 Receiving annual reports from the Advisory Committees is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

Liveable

- 1.1 Enriched neighbourhoods and places
- 1.2 Connected and fair communities
- 1.3 Safe, active and linked movement across the city
- 1.4 Innovated and connected city

Sustainable

- 2.1 Action on climate change
- 2.2 Nature-based solutions

Creative

- 3.1 Vibrant and creative city
- 3.3 Celebrating culture
- 3.4 City-shaping partnerships

Achieving Together

- 4.2 Trust and transparency
- 4.3 Collaborative and innovative approach

IMPLEMENTATION PLAN/IMPLICATIONS

- 6 Advisory Committee Annual Reports are published on CN's website.

RISK ASSESSMENT AND MITIGATION

- 7 Advisory Committees are a key mechanism for engaging the community and key stakeholders in local planning and decision-making.
- 8 Clear and transparent Advisory Committee processes ensure broad opportunities for membership providing for greater diversity of input into matters on which the elected Council will be making decisions.

RELATED PREVIOUS DECISIONS

- 9 At the Ordinary Council meeting held on 26 April 2023, Council received the Advisory Committee Annual Reports for 2022.

CONSULTATION

- 10 The Annual Reports at **Attachment A** have been endorsed by the respective Advisory Committees.

BACKGROUND

11 Nil

OPTIONS

Option 1

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

Option 2

13 Council does not adopt the recommendation. This is not the recommended option.

REFERENCES

Guidelines for meeting practice – Advisory Committees

<https://www.newcastle.nsw.gov.au/Newcastle/media/DocumentsHYS/Documentation-Guidelines-for-meeting-practice-Advisory-Committees-V1.pdf>

Advisory Committee webpage:

<https://www.newcastle.nsw.gov.au/council/about-council/advisory-committees>

ATTACHMENTS

Attachment A: Advisory Committee Annual Reports

Attachment A distributed under separate cover

8.5. URBAN DESIGN REVIEW PANEL (UDRP) - ANNUAL REPORT 2023

REPORT BY: PLANNING AND ENVIRONMENT
CONTACT: EXECUTIVE DIRECTOR PLANNING AND ENVIRONMENT /
 INTERIM EXECUTIVE MANAGER PLANNING AND
 DEVELOPMENT

PURPOSE

To present the Urban Design Review Panel (UDRP) Annual Report 2023.

RECOMMENDATION

That Council:

- 1 Receives the Urban Design Review Panel Annual Report 2023 as at **Attachment A.**

KEY ISSUES

- 2 The Urban Design Review Panel (UDRP) is an independent expert panel established in accordance with *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development* (SEPP 65) and City of Newcastle's (CNs) Urban Design Panel Charter 2020 (UDRP Charter).
- 3 On 14 December 2023, the NSW Government consolidated the provisions of SEPP 65 into the *Statement Environmental Planning Policy (Housing) 2021* and the *Environmental Planning and Assessment Regulation 2021*. However, for the 2023 calendar year the UDRP operated under the provisions of SEPP 65, noting that there was no meeting held in December 2023.
- 4 CN has a rich tradition of establishing and maintaining a design review panel. Contributing to this tradition during 2023 are the UDRP members, who comprise a specialist group of design professionals with extensive industry experience across a diverse range of fields including architecture, landscape architecture, urban design, sustainability, heritage, and safer by design. This included:

Chairperson: Phillip Pollard (AMENITY Urban & Natural Environments Pty Ltd)

Member: Kerry Hunter (Hill Thalys Architecture and Urban Projects)

Member: Kristy Cianci (The Design Partnership)

Member: Justin Hamilton (SHAC Pty Ltd)

Alternate Member: Colin Brady (Colin Brady Architecture and Planning)

Alternate Member: David Moir (Moir Landscape Architecture)

- 5 The focus of the UDRP in 2023 was to evaluate and critique the urban design aspects of major commercial, industrial, residential, community and civic developments.

- 6 The Annual Report documents the activities of UDRP since established under the UDRP Charter with a focus on activities during 2023 and is included at **Attachment A**.
- 7 Throughout 2023, the UDRP convened for 13 meetings, undertaking a total of 63 individual design review sessions. These sessions offered guidance to CN staff and applicants on 48 different development proposals valued at over \$1.5 billion, as well as providing input on strategic projects including the Draft Newcastle Development Control Plan 2023.
- 8 In 2023, UDRP Chairperson Dr Philip Pollard continued in the role of CN's design competition jury representative.

FINANCIAL IMPACT

- 9 Administrative costs associated to support UDRP are funded through the existing operational budget.

NEWCASTLE 2040 ALIGNMENT

- 10 The UDRP is consistent with the strategic directions of the Newcastle 2040 Strategic Plan.

Liveable

- 1.1 Enriched neighbourhoods and places
 - 1.1.1 Great spaces
 - 1.1.2 Well-designed places

IMPLEMENTATION PLAN/IMPLICATIONS

- 11 Not applicable

RISK ASSESSMENT AND MITIGATION

- 12 The UDRP is contributing to the City by overseeing development achieving high quality design in accordance with development controls.

CONSULTATION

- 13 The UDRP Annual Report 2023 will be reported to the Liveable Cities Advisory Committee at their next meeting.

RELATED PREVIOUS DECISIONS

- 14 At the Ordinary Council Meeting held on 8 December 2020, Council endorsed the UDRP Charter.
- 15 At the Ordinary Council Meeting held on 25 July 2023, Council received the Urban Design Review Panel Annual Report 2022.

BACKGROUND

16 The role of the UDRP is:

- i) Examine, evaluate and critique the urban design aspects of major commercial, industrial, residential, community and civic developments.
- ii) Assess the design quality of development proposals and identify how development proposals could be improved by design changes.
- iii) Critique plans for proposed developments and provide comments to applicants and their consultants on recommended modifications to improve the design quality of development proposals.
- iv) Identify and recommend improvements to development proposals necessary to achieve consistency with the design quality principles and the Apartment Design Guide.
- v) Advise CN Officers on the design quality of development proposals, to assist with assessment of whether such applications warrant support because they contribute to an improvement in the built fabric of the local area.

17 The UDRP consider certain development proposals as required by SEPP 65 and the UDRP Charter. This includes residential flat buildings, shop top housing, mixed-use development, any proposal within the Newcastle City Centre that seeks to utilise *Newcastle Local Environmental Plan 2012* (NLEP 2012) Clause 7.5 – Design excellence. Other types of development may also be referred to the UDRP based upon their nature, location, scale, or likely impact to the surrounding locality, such as boarding houses, multi-dwelling housing over 10 dwellings, places of public worship, and tourist and visitor accommodation.

OPTIONS

Option 1

18 Council resolves to adopt the recommendation as at Paragraph 1. This is the recommended option.

Option 2

19 Council resolves to not adopt the recommendation at Paragraph 1. This is not the recommended option.

REFERENCES

ATTACHMENTS

Attachment A: Urban Design Review Panel Annual Report 2023

Attachment A distributed under separate cover

8.6. SUPPLEMENTARY REPORT - NEWCASTLE CITY CENTRE HERITAGE CONSERVATION AREAS REVIEW

To be distributed under separate cover.

8.7. UPPER HUNTER SHIRE COUNCIL - MEMORANDUM OF UNDERSTANDING

REPORT BY: EXECUTIVE OFFICER TO CHIEF EXECUTIVE OFFICER
CONTACT: CHIEF EXECUTIVE OFFICER

PURPOSE

To endorse a Memorandum of Understanding (MoU) with Upper Hunter Shire Council (UHSC).

RECOMMENDATION

That Council:

- 1 Endorses the Memorandum of Understanding with Upper Hunter Shire Council as shown at **Attachment A**
- 2 Delegates authority to the Lord Mayor to sign the document on its behalf.

KEY ISSUES

- 3 Sustained population growth, continued economic inter-dependencies and the complex issues of service delivery have given rise to a new set of relationship drivers between City of Newcastle (CN) as the region's capital and UHSC as a regional neighbour. Ensuring appropriate service delivery, sustainable regional growth and future economic prospects are important priorities for both Councils.
- 4 The MoU is a non-binding statement of intent by each party to work together on strategic and operational issues impacting Local Government.
- 5 The MoU sets out the arrangements for liaison between CN and UHSC as Local Government agencies in relation to possible:
 - i) sharing of information to enhance learning and understanding, as well as the community experience,
 - ii) exploring opportunities for joint advocacy,
 - iii) submissions or funding applications, tendering, and

- iv) sharing staff resources to enhance the skills of Local Government employees.
- 6 The MoU acknowledges the preparedness of CN and UHSC in the public interest, to share with each other as far as is legal and practicable, information in each agency's possession relevant to matters within the jurisdiction of the other.
- 7 Project specifics will be determined by a committee comprising senior employees of both organisations.
- 8 The shared principles that underpin the MoU include:
- i) the economic and social prosperity of Newcastle and the Upper Hunter are stronger and more resilient through innovation and collaboration between regional Local Government partnerships,
 - ii) our communities will benefit from cooperation that helps build capacity and capability of our staff and systems,
 - iii) our financial strength and competitive advantage increase when working together, and
 - iv) knowledge sharing provides efficiencies that enables better value and more strategic outcomes for our communities.

FINANCIAL IMPACT

- 9 There is no financial cost associated with CN's execution of this MoU.
- 10 In the event that obligations under this MoU incur costs for either party, fees could be negotiated on a cost recovery basis.

NEWCASTLE 2040 ALIGNMENT

- 11 The MoU is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan:

Creative City

3.4 City-shaping partnerships

3.4.1 Optimise city opportunities

3.4.2 Advocacy and Partnerships

Achieving Together

4.3 Collaborative and innovative approach

4.3.1 Collaborative organisation

4.3.2 Innovation and continuous improvement

IMPLEMENTATION PLAN/IMPLICATIONS

- 12 Strategic priorities will be geared towards shared goals within each Council's Community Strategic Plan, Delivery Program and Operational Plan, as well as priorities where a united approach will help create progress and remove barriers.

RISK ASSESSMENT AND MITIGATION

- 13 Nothing in this MoU will influence the execution of statutory functions and processes – including those of the elected Council.
- 14 The MoU is non-binding, unless and until such time that the Parties execute a legally binding agreement.
- 15 Parties remain bound by existing legal conditions such as the Intellectual Property rights of each Council.

RELATED PREVIOUS DECISIONS

- 16 Nil

CONSULTATION

- 17 The MoU has been prepared in consultation with UHSC with a legal review undertaken by both organisations.
- 18 Community engagement undertaken as part of the 2040 Community Strategic Plan in February 2021 identified city-shaping partnerships as a priority. Collaboration with other Councils strengthens CN's capability to deliver strategic outcomes for Newcastle and the region.

BACKGROUND

- 19 A discussion commenced in November 2023 between CN, UHSC and Muswellbrook Council regarding changes proposed by the NSW Government to internal audit guidelines that had the potential to financially impact upon smaller councils. The concept of a MoU was raised between CN and each of the two councils once it was identified that a number of opportunities existed where mutual benefit and learning could occur. While the issues relating to internal audit were ultimately addressed without the need for support from CN, the respective leaders committed to progress the idea for an MoU between the councils to formalise the potential for knowledge sharing and staff learning.

OPTIONS

Option 1

20 The recommendation as at Paragraphs 1-2. This is the recommended option.

Option 2

21 Council resolves not to endorse the MoU between CN and UHSC. This is not the recommended option.

REFERENCES

ATTACHMENTS

Attachment A: Memorandum of Understanding between City of Newcastle and Upper Hunter Shire Council.

Attachment A

Memorandum of Understanding

City of Newcastle and Upper Hunter Shire Council



City of
Newcastle



Details

Council **City of Newcastle**
 ABN 25 242 068 129
 Of 12 Stewart Avenue, Newcastle West
 New South Wales 2300

Council **Upper Hunter Shire Council**
 ABN 17 261 839 740
 of 135 Liverpool Street, Scone NSW

Commencement Date 1 May 2024

Completion Date 30 June 2027

- Context**
1. City of Newcastle (**CN**) and Upper Hunter Shire Council (**UHSC**) wish to enter a Memorandum of Understanding (**MoU**) for the purpose of exploring objectives for possible collaboration opportunities on strategic and operational issues impacting local government.
 2. This MoU sets out the framework for the establishment of a cooperative relationship between the parties.
 3. This MoU will be carried out in a manner which reflects the spirit and intent of collaboration, transparency, respect, and innovation.
 4. Enhanced cross boundary collaboration across a range of issues has been a focus of councils in the Hunter, including through the work of the Hunter Joint Organisation and other agencies.
 5. Sustained population growth, continued economic inter-dependencies and the complex issues of service delivery have given rise to a new set of relationship drivers between CN as the region's capital and UHSC as a regional neighbour. Ensuring appropriate service delivery, sustainable regional growth and future economic prospects are important priorities for both Councils.

- Purpose**
6. This MoU sets out the arrangements for liaison between the Local Government agencies of CN and UHSC concerning the sharing of information, and exploring opportunities for joint advocacy, submissions or funding applications, tendering, as well as sharing of staff resources to enhance the skills of Local

Government employees (subject to compliance with any legal requirements that relate to such matters).

7. The MOU acknowledges the preparedness of CN and UHSC, in the public interest, to share with each other, as far as is legal and practicable, information in each agency's possession relevant to matters within the jurisdiction of the other.

Principles

8. CN and UHSC recognise and commit to the following fundamental principles as the foundation for the MoU:
 - a. The economic and social prosperity of Newcastle and the Upper Hunter will be stronger and more resilient through innovation and collaboration between regional Local Government partnerships;
 - b. Our communities will benefit from cooperation that helps build capacity and capability of our staff and systems;
 - c. Our financial strength and competitive advantage increase when working together; and
 - d. Knowledge sharing provides efficiencies that enables better value and more strategic outcomes for our communities.

Objectives

9. The key strategic objective is to collaborate in multiple areas to enhance the strategic outcomes for each Council. A secondary objective is to lead by example by demonstrating the impact of collaboration and working together to give effect to the shared vision.
10. The parties will explore opportunities and proposals to cooperate and collaborate on:
 - a. Joint submissions and approaches to State and Federal Government on shared issues;
 - b. A forum of executive staff for identifying the mutual strategic priorities of each Council on an annual basis;
 - c. Share strategic information in relation to areas of expertise;
 - d. Possible collaboration and engagement with industry in respect of planning and development, transport integration, tourism, place based activation, attraction of major events and other key areas;
 - e. Develop strategies to improve community participation and access to cultural facilities and opportunities;
 - f. Develop strategies and projects that deliver operational efficiencies and sustainability in areas such as economic development, waste management and biodiversity;
 - g. Consider staff development opportunities including leadership development programs across the respective Councils;
 - h. Shared procurement or joint tendering to achieve cost efficiencies or where it will increase return on investment for both parties; and

- i. Recognising any mutual interdependencies in service delivery, economic development, and resource management.

**Special
Conditions**

Areas of Engagement

- 11. This section outlines core areas of collaboration between the Councils.
- 12. Each party acknowledges that the parties are not carrying out the activities envisaged under this MoU on an exclusive basis, and this MoU will not preclude either of them engaging in activities which are the same, similar to or in competition with any subject matter referred to herein. Nothing in this MoU is intended to influence or impinge the statutory obligations of either Council.
- 13. Strategic priorities will be particularly geared towards shared goals within each Council's Community Strategic Plan, Delivery Program and Operational Plans, as well as priorities where a united approach will help create progress and remove barriers.

Strategic Agenda and Governance

- 14. The executive teams of each Council will meet on an annual basis to agree on shared strategic goals. Matters agreed will be progressed via project-based workshops or productive engagement between the Councils.
- 15. Each Council will nominate a senior executive sponsor to oversee the MoU (defined as the Representative of each respective Council below) and undertake to report on outcomes to their respective executive or elected Councils annually.

**City of Newcastle
Representative**

Kathleen Hyland, Executive Officer to the CEO

12 Stewart Avenue, Newcastle West, NSW 2302
 Telephone: +61 2 4974 2000
[Email: khyland@ncc.nsw.gov.au](mailto:khyland@ncc.nsw.gov.au)

**Upper Hunter Shire
Representative**

Greg McDonald, General Manager

135 Liverpool Street, Scone NSW 2337
gmcDonald@upperhunter.nsw.gov.au

Execution

Executed by an authorised person **City of Newcastle** ABN 25 242 068 129 in the presence of:

Signature of Authorised Person

Signature of Authorised Person

Lord Mayor Nuatali Nelmes

Mr Jeremy Bath

Date

Executed by an authorised person of the **Upper Hunter Shire Council** ABN 17 261 839 740 in the presence of:

Signature of Authorised Person

Signature of Authorised Person

Mayor Maurice Collison

Mr Greg McDonald

Date

1. Operation of this Memorandum of Understanding

1.1. Term

- a) This MoU comes into operation on the Commencement Date and continues until the Completion Date, unless terminated in accordance with clause 5.2.

1.2. Not binding

- a) The parties agree that this MoU only expresses the intention of the parties and is not binding and does not create any legally enforceable obligations between the parties.

1.3. Special conditions

- a) If the Details of this MoU set out any special conditions, those conditions are incorporated into and form terms of this MoU.

2. Responsibilities and Risk

2.1. Responsibilities

- a) The parties agree to work together to achieve the Objectives by performing their respective Responsibilities set out in the Details set out above in this MoU.
- b) The parties will be open, honest, cooperative, and responsive to each other, respecting each other's functions and roles, and assisting and supporting each other whenever reasonably possible.

2.2. Risk

- a) The parties agree to work together to monitor and report on any risks that arise in relation to Responsibilities and the Objectives.
- b) Each party is responsible for managing its own risks in relation to the matters arising under this MoU, and in no circumstances will a party be responsible or liable for any loss or damage suffered by the other party as a consequence of the parties entering into, or relying upon, this MoU.

3. Communication and Cooperation

3.1. Communication

- a) The parties agree to regularly liaise by personal contact between the Representatives or other persons with authority to communicate on behalf of the Councils or in writing with each other about the performance of the Objectives.

3.2. Sharing of information

- a) The parties agree to share information as reasonably required, and as permitted by law, to achieve the Objectives.
- b) The parties agree to protect all information in relation to this MoU that is considered by a Council confidential.

3.3. Resolving Conflicts

- a) The parties agree to meet within 21 days of notification of a dispute by one party to another in an effort to attempt to resolve all issues and disputes amicably, and if necessary where a dispute has not been resolved within this time period, to seek discussions between the Chief Executive Officers of each Council in a further attempt to resolve any issues or disputes within a period of no more than 14 days before seeking to terminate in accordance with clause 5.2.

4. Expenses

- a) A party may not commit the other to any cost, expense, or obligation without the written consent of that party.
- b) Each party will be responsible for any cost, expense, or obligation necessary to their achievement of the Objectives.
- c) Where obligations cannot be achieved at minimal cost, the parties will negotiate fees for service on a cost recovery basis.

5. Intellectual Property

- a) Each party agrees that it can only use the Materials of the other party for purposes directly relating to this MoU.
- b) Each party agrees that all Intellectual Property in the Materials is owned by the party that supplies the Materials, or that has a genuine claim to ownership of the Materials.
- c) This MoU does not create any legally enforceable obligations between the parties in relation to the Intellectual Property of each party.

6. Termination

- a) Either party may terminate this MoU by giving the other party 5 days written notice.

7. Definitions

- a) **Intellectual Property** means all present and future rights to intellectual property including any inventions and improvements, trade marks (whether registered or common law trade marks), service marks, designs, patents, copyright, circuit layouts, moral rights, any corresponding property rights under the laws of any jurisdiction and any rights in respect of an invention, discovery, trade secret, secret process, know-how, concept, idea, information, process, data, or formula.
- b) **Law** means all applicable statutes, regulations, by-laws, ordinances, or subordinate legislation in force from time to time anywhere in a party's jurisdiction, including the common law and equity.
- c) **Materials** means any tangible or intangible thing provided by one party to the other in relation to this MoU which contains a party's Intellectual Property or confidential information.
- d) **Objectives** means the objectives defined in clauses 9 and 10 in the Details of this MoU.
- e) **Responsibilities** means the responsibilities set out in clause 2.1 of this MoU.

8.8. MUSWELLBROOK SHIRE COUNCIL - MEMORANDUM OF UNDERSTANDING

REPORT BY: EXECUTIVE OFFICER TO CHIEF EXECUTIVE OFFICER
CONTACT: CHIEF EXECUTIVE OFFICER

PURPOSE

To endorse a Memorandum of Understanding (MoU) with Muswellbrook Shire Council (MSC).

RECOMMENDATION

That Council:

- 1 Endorses the Memorandum of Understanding with Muswellbrook Shire Council as shown at **Attachment A**
- 2 Delegates authority to the Lord Mayor to sign the document on its behalf.

KEY ISSUES

- 3 Sustained population growth, continued economic inter-dependencies and the complex issues of service delivery have given rise to a new set of relationship drivers between City of Newcastle (CN) as the region's capital and MSC as a regional neighbour. Ensuring appropriate service delivery, sustainable regional growth and future economic prospects are important priorities for both Councils.
- 4 The MoU is a non-binding statement of intent by each party to work together on strategic and operational issues impacting Local Government.
- 5 The MoU sets out the arrangements for liaison between CN and MSC as Local Government agencies in relation to possible:
 - i) sharing of information to enhance learning and understanding, as well as the community experience,
 - ii) exploring opportunities for joint advocacy,
 - iii) submissions or funding applications, tendering, and
 - iv) sharing staff resources to enhance the skills of Local Government employees.
- 6 The MoU acknowledges the preparedness of CN and MSC in the public interest, to share with each other as far as is legal and practicable, information

in each agency's possession relevant to matters within the jurisdiction of the other.

- 7 Project specifics will be determined by a committee comprising senior employees of both organisations.
- 8 The shared principles that underpin the MoU include:
 - i) the economic and social prosperity of Newcastle and the Muswellbrook are stronger and more resilient through innovation and collaboration between regional Local Government partnerships,
 - ii) our communities will benefit from cooperation that helps build capacity and capability of our staff and systems,
 - iii) our financial strength and competitive advantage increase when working together, and
 - iv) knowledge sharing provides efficiencies that enables better value and more strategic outcomes for our communities.

FINANCIAL IMPACT

- 9 There is no financial cost associated with CN's execution of this MoU.
- 10 In the event that obligations under this MoU incur costs for either party, fees could be negotiated on a cost recovery basis.

NEWCASTLE 2040 ALIGNMENT

- 11 The MoU is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan:

Creative City

3.4 City-shaping partnerships

3.4.1 Optimise city opportunities

3.4.2 Advocacy and Partnerships

Achieving Together

4.3 Collaborative and innovative approach

4.3.1 Collaborative organisation

4.3.2 Innovation and continuous improvement

IMPLEMENTATION PLAN/IMPLICATIONS

- 12 Strategic priorities will be geared towards shared goals within each Council's Community Strategic Plan, Delivery Program and Operational Plan, as well as priorities where a united approach will help create progress and remove barriers.

RISK ASSESSMENT AND MITIGATION

- 13 Nothing in this MoU will influence the execution of statutory functions and processes – including those of the elected Council.
- 14 The MoU is non-binding, unless and until such time that the Parties execute a legally binding agreement.
- 15 Parties remain bound by existing legal conditions such as the Intellectual Property rights of each Council.

RELATED PREVIOUS DECISIONS

- 16 Nil

CONSULTATION

- 17 The MoU has been prepared in consultation with MSC with a legal review undertaken by both organisations.
- 18 Community engagement undertaken as part of the 2040 Community Strategic Plan in February 2021 identified city-shaping partnerships as a priority. Collaboration with other Councils strengthens CN's capability to deliver strategic outcomes for Newcastle and the region.

BACKGROUND

- 19 A discussion commenced in November 2023 between CN, MSC and Upper Hunter Shire Council regarding changes proposed by the NSW Government to internal audit guidelines that had the potential to financially impact upon smaller councils. The concept of a MoU was raised between CN and each of the two councils once it was identified that a number of opportunities existed where mutual benefit and learning could occur. While the issues relating to internal audit were ultimately addressed without the need for support from CN, the respective leaders committed to progress the idea for an MoU between the councils to formalise the potential for knowledge sharing and staff learning.

OPTIONS

Option 1

- 20 The recommendation as at Paragraphs 1-2. This is the recommended option.

Option 2

- 21 Council resolves not to endorse the MoU between CN and MSC. This is not the recommended option.

REFERENCES

ATTACHMENTS

Attachment A: Memorandum of Understanding between City of Newcastle and Muswellbrook Shire Council.

Attachment A

Memorandum of Understanding

**City of Newcastle
and
Muswellbrook Shire Council**



**City of
Newcastle**



**muswellbrook
shire council**

Details

Council	City of Newcastle ABN 25 242 068 129 of 12 Stewart Avenue, Newcastle West New South Wales 2300
Council	Muswellbrook Shire Council ABN 86 864 180 944 of Campbell's Corner 60-82 Bridge St, Muswellbrook New South Wales 2333
Commencement Date	1 May 2024
Completion Date	30 June 2027
Context	<p>City of Newcastle (CN) and Muswellbrook Shire Council (MSC) wish to enter a Memorandum of Understanding (MoU) for the purpose of exploring objectives for possible collaboration opportunities on strategic and operational issues impacting local government.</p> <ol style="list-style-type: none"> 1. This MoU sets out the framework for the establishment of a cooperative relationship between the parties. 2. This MoU will be carried out in a manner which reflects the spirit and intent of collaboration, transparency, respect, and innovation. 3. Enhanced cross boundary collaboration across a range of issues has been a focus of councils in the Hunter, including through the work of the Hunter Joint Organisation and other agencies. 4. Sustained population growth continued economic inter-dependencies and the complex issues of service delivery have given rise to a new set of relationship drivers between CN as the region's capital and MSC as a regional neighbour. Ensuring appropriate service delivery, sustainable regional growth and future economic prospects are important priorities for both Councils.
Purpose	<ol style="list-style-type: none"> 5. This MoU sets out the arrangements for liaison between the Local Government agencies of CN and MSC concerning the sharing of information, and exploring opportunities for joint advocacy, submissions or funding applications, tendering, as well as sharing of staff resources to enhance the skills of Local

Government employees (subject to compliance with any legal requirements that relate to such matters).

6. The MOU acknowledges the preparedness of CN and MSC, in the public interest, to share with each other, as far as is legal and practicable, information in each agency's possession relevant to matters within the jurisdiction of the other.

Principles

7. CN and MSC recognise and commit to the following fundamental principles as the foundation for the MoU:
 - a. The economic and social prosperity of Newcastle and the Upper Hunter will be stronger and more resilient through innovation and collaboration between regional Local Government partnerships;
 - b. Our communities will benefit from cooperation that helps build capacity and capability of our staff and systems;
 - c. Our financial strength and competitive advantage increase when working together; and
 - d. Knowledge sharing provides efficiencies that enables better value and more strategic outcomes for our communities.

Objectives

8. The key strategic objective is to collaborate in multiple areas to enhance the strategic outcomes for each Council. A secondary objective is to lead by example by demonstrating the impact of collaboration and working together to give effect to the shared vision.
9. The parties will explore opportunities and proposals to cooperate and collaborate on:
 - a. Joint submissions and approaches to State and Federal Government on shared issues;
 - b. A forum of executive staff for identifying the mutual strategic priorities of each Council on an annual basis;
 - c. Share strategic information in relation to areas of expertise;
 - d. Possible collaboration and engagement with industry in respect of planning and development, transport integration, tourism, place based activation, attraction of major events and other key areas;
 - e. Develop strategies to improve community participation and access to cultural facilities and opportunities;
 - f. Develop strategies and projects that deliver operational efficiencies and sustainability in areas such as economic development, waste management and biodiversity;
 - g. Consider staff development opportunities including leadership development programs across the respective Councils;
 - h. Shared procurement or joint tendering to achieve cost efficiencies or where it will increase return on investment for both parties; and

- i. Recognising any mutual interdependencies in service delivery, economic development, and resource management.

**Special
Conditions**

Areas of Engagement

- 10. This section outlines core areas of collaboration between the Councils.
- 11. Each party acknowledges that the parties are not carrying out the activities envisaged under this MoU on an exclusive basis, and this MoU will not preclude either of them engaging in activities which are the same, similar to or in competition with any subject matter referred to herein. Nothing in this MoU is intended to influence or impinge the statutory obligations of either Council.
- 12. Strategic priorities will be particularly geared towards shared goals within each Council's Community Strategic Plan, Delivery Program and Operational Plans, as well as priorities where a united approach will help create progress and remove barriers.

Strategic Agenda and Governance

- 13. The executive teams of each Council will meet on an annual basis to agree on shared strategic goals. Matters agreed will be progressed via project-based workshops or productive engagement between the Councils.
- 14. Each Council will nominate a senior executive sponsor to oversee the MoU (defined as the Representative of each respective Council below) and undertake to report on outcomes to their respective executive or elected Councils annually.

**City of Newcastle
Representative**

Kathleen Hyland, Executive Officer, CEO's Office

12 Stewart Avenue, Newcastle West, NSW 2302
 Telephone: +61 2 4974 2000
[Email: khyland@ncc.nsw.gov.au](mailto:khyland@ncc.nsw.gov.au)

**Muswellbrook Shire
Representative**

Derek Finnigan, General Manager

Campbell's Corner 60-82 Bridge St, Muswellbrook
 New South Wales 2333
 Telephone: +61 2 4974 2000
[Email: khyland@ncc.nsw.gov.au](mailto:khyland@ncc.nsw.gov.au)

Execution

Executed by an authorised person **City of Newcastle** ABN 25 242 068 129 in the presence of:

Signature of Authorised Person

Signature of Authorised Person

Lord Mayor Nuatali Nelmes

Mr Jeremy Bath

Date

Executed by an authorised person of the **Muswellbrook Shire Council** ABN 86 864 180 944 in the presence of:

Mayor Steven Reynolds

Derek Finnigan

Name of Authorised Person

Name of Authorised Person

Date

1. Operation of this Memorandum of Understanding

1.1. Term

- a) This MoU comes into operation on the Commencement Date and continues until the Completion Date, unless terminated in accordance with clause 5.2.

1.2. Not binding

- a) The parties agree that this MoU only expresses the intention of the parties and is not binding and does not create any legally enforceable obligations between the parties.

1.3. Special conditions

- a) If the Details of this MoU set out any special conditions, those conditions are incorporated into and form terms of this MoU.

2. Responsibilities and Risk

2.1. Responsibilities

- a) The parties agree to work together to achieve the Objectives by performing their respective Responsibilities set out in the Details set out above in this MoU.
- b) The parties will be open, honest, cooperative, and responsive to each other, respecting each other's functions and roles, and assisting and supporting each other whenever reasonably possible.

2.2. Risk

- a) The parties agree to work together to monitor and report on any risks that arise in relation to Responsibilities and the Objectives.
- b) Each party is responsible for managing its own risks in relation to the matters arising under this MoU, and in no circumstances will a party be responsible or liable for any loss or damage suffered by the other party as a consequence of the parties entering into, or relying upon, this MoU.

3. Communication and Cooperation

3.1. Communication

- a) The parties agree to regularly liaise by personal contact between the Representatives or other persons with authority to communicate on behalf of the Councils or in writing with each other about the performance of the Objectives.

3.2. Sharing of information

- a) The parties agree to share information as reasonably required, and as permitted by law, to achieve the Objectives.
- b) The parties agree to protect all information in relation to this MoU that is considered by a Council confidential.

3.3. Resolving Conflicts

- a) The parties agree to meet within 21 days of notification of a dispute by one party to another in an effort to attempt to resolve all issues and disputes amicably, and if necessary where a dispute has not been resolved within this time period, to seek discussions between the Chief Executive Officers of each Council in a further attempt to resolve any issues or disputes within a period of no more than 14 days before seeking to terminate in accordance with clause 5.2.

4. Expenses

- a) A party may not commit the other to any cost, expense, or obligation without the written consent of that party.
- b) Each party will be responsible for any cost, expense, or obligation necessary to their achievement of the Objectives.
- c) Where obligations cannot be achieved at minimal cost, the parties will negotiate fees for service on a cost recovery basis.

5. Intellectual Property

- a) Each party agrees that it can only use the Materials of the other party for purposes directly relating to this MoU.
- b) Each party agrees that all Intellectual Property in the Materials is owned by the party that supplies the Materials, or that has a genuine claim to ownership of the Materials.
- c) This MoU does not create any legally enforceable obligations between the parties in relation to the Intellectual Property of each party.

6. Termination

- a) Either party may terminate this MoU by giving the other party 5 days written notice.

7. Definitions

- a) **Intellectual Property** means all present and future rights to intellectual property including any inventions and improvements, trade marks (whether registered or common law trade marks), service marks, designs, patents, copyright, circuit layouts, moral rights, any corresponding property rights under the laws of any jurisdiction and any rights in respect of an invention, discovery, trade secret, secret process, know-how, concept, idea, information, process, data, or formula.
- b) **Law** means all applicable statutes, regulations, by-laws, ordinances, or subordinate legislation in force from time to time anywhere in a party's jurisdiction, including the common law and equity.
- c) **Materials** means any tangible or intangible thing provided by one party to the other in relation to this MoU which contains a party's Intellectual Property or confidential information.
- d) **Objectives** means the objectives defined in clauses 9 and 10 in the Details of this MoU.
- e) **Responsibilities** means the responsibilities set out in clause 2.1 of this MoU.

8.9. MINISTER'S CONSENT APPLICATION FOR LEASING CITY OF NEWCASTLE MANAGED LAND

REPORT BY: CORPORATE SERVICES
CONTACT: EXECUTIVE DIRECTOR CORPORATE SERVICES AND
CHIEF FINANCIAL OFFICER / EXECUTIVE MANAGER
FINANCE PROPERTY AND PERFORMANCE AND
DEPUTY CHIEF FINANCIAL OFFICER

PURPOSE

To seek consent from the Minister for Local Government (Minister) for City of Newcastle (CN) to enter into leases for Shepherds Hill Cottage (Cottage), and part of the community facility at Townson Oval (Facility).

RECOMMENDATION

That Council:

- 1 Approve the making of an application to the Minister for Local Government seeking consent to grant the proposed lease over community land at Shepherds Hill Cottage (41 The Terrace Newcastle), in accordance with *Section 47(5) Local Government Act 1993 (Act)*.
- 2 Approve the making of an application to the Minister for Local Government seeking consent to grant the proposed lease over community land at Townson Oval (24 Mitchell Street Merewether), in accordance with *Section 47(5)* of the Act.

KEY ISSUES

- 3 In accordance with *Section 47* of the Act, CN gave public notice of a proposal to lease the Shepherds Hill Cottage for a 5 year term and 5 year option. The public notices were advertised on 23 March 2024 and provided 28 days for submissions.
- 4 In accordance with *Section 47* of the Act, CN gave public notice of a proposal to lease part of the Townson Oval Community Facility including the Ground Floor gymnasium, dry store and coolroom; Mezzanine: storage; and First Floor: multi user clubroom and bar, toilets, kitchen, two viewing areas to each side of the clubroom and lift for a term of 18 years. The public notice was advertised on 2 March 2024 and provided 28 days for submissions.
- 5 In accordance with *Section 47(5)* of the Act, if even one person makes a submission by way of objection to the proposal to lease, CN requires Ministerial consent to grant the lease. In accordance with the Act, the making of an application to the Minister for consent is not delegable and requires a resolution of Council.

- 6 CN received four submissions objecting to the lease for the Cottage, with the outline of objections being related to late night noise, traffic and parking, impact on neighboring properties, impact on the community use of the greater King Edward Park, why this use as opposed to other permissible uses and costs of construction.
- 7 CN received three submissions objecting to the lease for the Facility with the outline of objections being related to the Club controlling the space and bookings, pricing controlled by the Club, profits going back to the Club, that are generated from a public facility. In addition, concern for venue hirers regarding being hit by cricket balls on game day and venue hirers mixing with sporting groups on game days while consuming alcohol, causing anti-social behaviour.
- 8 The submissions have been assessed and separate applications for each lease will be prepared to the Minister seeking consent.

FINANCIAL IMPACT

- 9 Nil.

NEWCASTLE 2040 ALIGNMENT

- 10 Minister's Consent Application for leasing CN managed land is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

Liveable

- 1.1 Enriched neighbourhoods and places
 - 1.1.1 Great spaces

Achieving Together

- 4.3 Collaborative and innovative approach
 - 4.3.2 Innovation and continuous improvement

IMPLEMENTATION PLAN/IMPLICATIONS

- 11 Subject to receipt of the Minister's consent for the Facility, CN will enter into a lease with Merewether Carlton Rugby Club (MCRC) for a term of 18 years.
- 12 Subject to receipt of the Minister's consent for the Cottage, CN will run an Expression of Interest and Selective Tender for the fitout and operation of the proposed food and drink premises. A report to Asset Advisory Committee will be prepared for the recommended tenderer, and a Council report will be prepared if the financial value of the lease contract exceeds \$1m.

RISK ASSESSMENT AND MITIGATION

- 13 Nil.

RELATED PREVIOUS DECISIONS

- 14 At the Ordinary Council Meeting held on 31 October 2023, Council adopted the Crown Land Plan of Management.

CONSULTATION

- 15 Endorsement for public exhibition of the proposed lease for the Cottage was provided by Asset Advisory Committee on 9 November 2023.
- 16 Endorsement for public exhibition of the proposed lease for the Facility lease was provided by Asset Advisory Committee on 8 February 2024.

BACKGROUND

17 The Facility

- In 2016, CN and the Club agreed terms for a Crown Lands Lease for 21 years in accordance with the *Crown Lands Act 1989*, on the back of the proposed upgrade works to the building which were partly funded by MCRC.
- The total project cost was \$1.9m. MCRC developed a foundation to fund the internal fit out of the upstairs clubhouse, storage and gym with a contribution of approximately \$500,000. South Newcastle Rugby League Club obtained a grant of around \$40,000 towards the lift works, totalling \$80,000.
- Subsequently, the *Crown Lands Act 1989* was repealed with the adoption of the *Crown Land Management Act 2016*, which meant CN, as Crown Land Manager, could enter into a Lease directly with MCRC, subject to the adoption of a Plan of Management. Further, the *Crown Land Management Regulation 2018* later allowed for leases to be entered into for 21 years with not-for-profit organisations prior to the adoption of a Plan of Management, with Minister's Consent.
- The Lease was issued to the Minister for consent to enter onto the lease in mid-2021, and there is no requirement for either a public tender or notification of the Lease for public comment.
- Upon adoption of the Crown Land Plan of Management, Crown Lands have advised the Minister will not be considering the lease and the proposal should be dealt with under the Act, and public notification of the lease should occur.
- The Club has been occupying the premises on a 12 month licence, renewed annually. Given that the initial term proposed was 21 years, and they have occupied the premises for three years to date, CN is proposing providing an 18 year term.

18 The Cottage

- The Shepherds Hill Cottage forms part of the Newcastle Recreation Reserve and Shepherds Hill Defence Group Military Installations places

listed on the NSW Heritage Register. It is subject to a Conservation Management Plan (CMP) which guides the management of its heritage significance and informs future decisions on site, including its potential adaptive re-uses. The Cottage is on Crown Land and subject to an adopted Plan of Management.

- The Cottage was extensively damaged during severe storms in 2015 and was subsequently restored in 2020-2021 with original features, layout and 1920s detailing.
- A tender for the lease and operation of the Cottage occurred in mid-2020, with only 2 of the 3 submissions permissible and both deemed unsuitable. Both relied on pre-packaged and re-heated food options. A lack of commercial kitchen facilities was considered to have significantly limited the Cottage's operational appeal.
- In 2023, CN appointed heritage consultants to engage with Heritage NSW to facilitate the approval process for the adaptive re-use of the Cottage to a food and drink premises.
- While the CMP allows for a low-key café/kiosk option, careful design has achieved Heritage NSW approval for use as a café/restaurant and event space. The design uses and extends the existing outbuildings and adopts a 'sympathetic' material/finishes palate to meet Heritage NSW's requirements.
- A commercial kitchen designer was engaged to design a functional and flexible café and commercial kitchen for future operators.
- CN will be seeking development consent to undertake building works prior to a future tenant occupying the property and has engaged a town planner to complete the Development Application process.
- CN is seeking development consent for proposed capital works, including a new commercial kitchen, freezer/cool room, grease arrestor, signage, and an accessibility ramp to the main entry on the Cottage's northern side.
- CN intends to engage a local real estate agency to manage a targeted leasing campaign for the Cottage to ensure a suitable commercial return is achieved for CN.
- Due to the land classification, CN was required to publicly exhibit the lease for 28 days.

OPTIONS

Option 1

19 The recommendation as at Paragraph 1-2. This is the recommended option.

Option 2

20 Council does not approve the applications for Minister's consent. This is not the recommended option.

REFERENCES

ATTACHMENTS

Nil.

8.10. AFFIXING COUNCIL SEAL TO DEEDS OF INDEMNITY FOR NEWCASTLE AIRPORT COMPANIES

REPORT BY: CORPORATE SERVICES
CONTACT: EXECUTIVE DIRECTOR CORPORATE SERVICES & CHIEF FINANCIAL OFFICER / EXECUTIVE MANAGER LEGAL & GOVERNANCE

PURPOSE

To enter into and affix Council's seal to Deeds of Indemnity (Deeds) for recent Directors of Newcastle Airport Pty Limited (NAPL) and Greater Newcastle Aerotropolis Pty Ltd (GNAPL) as listed in the report.

To obtain a standing resolution of Council to enter into and affix Council's seal to any future Deeds between Newcastle City Council, Port Stephens Council and officers of Newcastle Airport Pty Limited and Greater Newcastle Aerotropolis Pty Ltd on the grounds that they relate to the business of Newcastle City Council.

RECOMMENDATION

That Council:

- 1 Enter into, and affix Council's seal, to the following:
 - i) Deeds of Indemnity between Newcastle City Council, Port Stephens Council and the following officers of Newcastle Airport Pty Limited and Greater Newcastle Aerotropolis Pty Ltd:
 - a) Alison Hobbs
 - b) Allana Ryan
 - c) Andrew McIntyre
 - d) Lee de Winton
 - e) Mark Young
 - f) Neil Hart
 - g) Robert Sharp
 - h) Tim Crosdale,

on the grounds that the Deeds of Indemnity relate to the business of Newcastle City Council.

- 2 Enter into and affix Council's seal to any future Deeds of Indemnity between Newcastle City Council, Port Stephens Council and officers of Newcastle Airport Pty Limited and Greater Newcastle Aerotropolis Pty Ltd on the grounds that they relate to the business of Newcastle City Council.

KEY ISSUES

- 3 City of Newcastle (CN) and Port Stephens Council (PSC) jointly own Newcastle Airport.

- 4 A deed of indemnity is an agreement between the company and an officer which gives the officer the benefit of an indemnity, officers insurance, and access to documents and the insurance policy during and after the period they hold the position of officer.
- 5 CN is required to enter into and affix Council's seal to the Deeds. This function cannot be delegated to the CEO and is exercised in accordance with section 400(4) of the *Local Government (General) Regulation 2021* (NSW) (the Regulations).
- 6 To eliminate the need for a resolution of Council each time a new officer is appointed to NAPL and GNAPL, this report recommends a standing resolution to affix the Council seal to any future Deeds Indemnity between Newcastle City Council, Port Stephens Council and officers of NAPL and GNAPL. This is acceptable under the Local Government Act.

FINANCIAL IMPACT

- 7 There is no financial cost associated with CN's execution of the Deeds. In the event that a legal claim was ever made against an officer in their capacity as Director of NAPL or GNAPL, it is expected that NAPL or GNAPL's (as the case may be) Directors and Officers Indemnity Insurance Policy would fully cover the financial costs of the claim as per its terms and conditions.

NEWCASTLE 2040 ALIGNMENT

- 8 Affixing Council Seal to the Deeds is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

Liveable

1.2 Connected and fair communities

Creative

3.1 Vibrant and creative city

3.2 Opportunities in jobs, learning and innovation

3.4 City-shaping partnerships

Achieving Together

4.2 Trust and transparency

4.3 Collaborative and innovative approach

IMPLEMENTATION PLAN/IMPLICATIONS

- 9 The executed Deeds will be provided to the other parties.

RISK ASSESSMENT AND MITIGATION

- 10 A deed of indemnity is a common practice as it limits any potential risk that CN may be exposed to. Delays in executing the Deeds, including affixing the Council seal, exposes CN to potential litigation and financial costs.

RELATED PREVIOUS DECISIONS

- 11 At the Ordinary Council meeting held on 10 December 2019, Council resolved to enter into and affix Council's seal to the Deeds for Samantha Martin-Williams, Director of GNAPL and NAPL.
- 12 At the Ordinary Council meeting held on 23 July 2019, Council resolved to enter into, and affix Council's seal to Deeds for newly appointed Directors of NAPL and GNAPL.

CONSULTATION

- 13 Not required.

BACKGROUND

- 14 On 27 February 2024, the Newcastle Airport provided CN with Deeds that had been signed under seal by PSC and require CN seal.

OPTIONS

Option 1

- 15 The recommendation as at Paragraph 1 and 2. This is the recommended option.

Option 2

- 16 Council does not adopt the recommendation as at Paragraph 1 and 2. This is not the recommended option because it exposes CN to litigation and associated costs.

REFERENCES

ATTACHMENTS

Nil.

8.11. EXECUTIVE MONTHLY PERFORMANCE REPORT

REPORT BY: CORPORATE SERVICES
CONTACT: EXECUTIVE DIRECTOR CORPORATE SERVICES AND
CHIEF FINANCIAL OFFICER / EXECUTIVE MANAGER,
FINANCE PROPERTY & PERFORMANCE AND DEPUTY
CFO

PURPOSE

To report on City of Newcastle's (CN) monthly performance. This includes:

- a) Monthly financial position and year to date (YTD) performance against the 2023-2024 Operational Plan as at the end of March 2024.
- b) Investment of temporary surplus funds under section 625 of the *Local Government Act 1993* (Act), submission of report in accordance with the Act and clause 212 of the *Local Government (General) Regulation 2005* (Regulation).

RECOMMENDATION

That Council:

- 1 Receives the Executive Monthly Performance Report for March 2024.

KEY ISSUES

- 2 At the end of March 2024 the consolidated YTD actual operating position is a surplus of \$11.9m which represents a positive variance of \$4.7m against the budgeted YTD surplus of \$7.2m. This budget variance is due to a combination of income and expenditure variances which are detailed in **Attachment A**. The full revised budget for 2023/24 is a surplus of \$7.2m.
- 3 The net funds generated as at the end of March 2024 is a surplus of \$26.8m (after capital revenues, expenditure and loan principal repayments). This is a positive variance to the YTD budgeted position of \$16.2m. This is primarily driven by the positive operating result.
- 4 CN's temporary surplus funds are invested consistent with CN's Investment Policy, Investment Strategy, the Act and Regulations. Details of all CN funds invested under section 625 of the Act are provided in the Investment Policy and Strategy Compliance Report (section 4 of **Attachment A**).

FINANCIAL IMPACT

- 5 The variance between YTD budget and YTD actual results at the end of March 2024 is provided in the Executive Monthly Performance Report.

NEWCASTLE 2040 ALIGNMENT

- 6 The Executive Monthly Performance Report is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

Achieving Together

4.1 Inclusive and integrated planning

4.1.1 Financial sustainability

IMPLEMENTATION PLAN/IMPLICATIONS

- 7 The distribution of the report and the information contained therein is consistent with:
- i) CN's adopted annual financial reporting framework,
 - ii) CN's Investment Policy and Strategy, and
 - iii) Clause 212 of the Regulation and section 625 of the Act.

RISK ASSESSMENT AND MITIGATION

- 8 No additional risk mitigation has been identified this month.

RELATED PREVIOUS DECISIONS

- 9 At the Ordinary Council Meeting held on 25 September 2018 Council adopted to receive an Executive Monthly Performance Report for July to May no later than one month after the month being reported as part of the annual financial reporting framework.
- 10 The Investment Policy Compliance Report included in the Executive Monthly Performance Report includes a specific confirmation in regard to compliance with Part E of the Investment Policy.

CONSULTATION

- 11 A monthly workshop is conducted with Councillors to provide detailed information and a forum to ask questions.

BACKGROUND

- 12 The presentation of a monthly Executive Performance Report to Council and a workshop addresses the Council resolution for monthly reporting and exceeds the requirements of the Act.

OPTIONS

Option 1

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

Option 2

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

REFERENCES

ATTACHMENTS

Attachment A: Executive Monthly Performance Report -
March 2024

Attachment A distributed under separate cover

8.12. TENDER REPORT - FORESHORE PARK AMENITIES BUILDING - CONTRACT NO. 2024/043T

REPORT BY: CITY INFRASTRUCTURE
CONTACT: EXECUTIVE DIRECTOR CITY INFRASTRUCTURE / EXECUTIVE MANAGER PROJECT MANAGEMENT OFFICE

PURPOSE

To accept a tender for the construction of the Foreshore Park Amenities Building in accordance with Contract No. 2024/043T.

The tender is for the construction of a new amenities building with a kiosk and accessible bathroom facility. The building is expected to be a high-quality facility to complement the future Foreshore Park play space.

Due to the estimated total value of the contract exceeding \$1M, the Chief Executive Officer's delegation requires a resolution of Council to accept the tenders.

REASON FOR CONFIDENTIALITY

The discussion of a confidential attachment takes place in a closed session, with the media and public excluded. It is contrary to the public interest to discuss tenders in an open meeting because the information provided to Council by tenderers is provided on the basis that it will be treated by Council as commercial-in-confidence. In accordance with 10D(2) of the Act, the grounds for closure of part of the meeting must be recorded in the minutes of the meeting.

The confidential attachments have been classified confidential in accordance with the provisions of the *Local Government Act 1993* (the Act) as follows:

- Section 10A(2)(d) of the Act provides that Council can close a meeting to consider commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
 - Section 10B(1)(a) and (b) of the Act provides that the discussion of the item in a closed meeting must only:
 - (a) include as much of the discussion as is necessary to preserve the relevant confidentiality, privilege, or security; and
 - (b) occur if the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.
-

RECOMMENDATION

- 1 At **Attachment A.**

KEY ISSUES

Tender

2 The tender is for the construction of the Foreshore Park Amenities Building, with a kiosk and accessible bathroom facility.

Contract Term

3 The term of the contract is 8 months, with a defect liability period of 12 months.

Advertising of Tenders

4 The tender was advertised nationally on the TenderLink website on 12 January 2024.

Tenders Received

5 Tenders closed at 2pm on Tuesday 20 February 2024. Tender submissions were received from:

- i) Skelcon Pty Ltd; and
- ii) Precise Build Pty Ltd.

Evaluation Process

6 The tenders were assessed against the following criteria:

- i) Tender Price 40%
- ii) Methodology 15%
- iii) Program 15%
- iv) Management and Staff (incl. Experience) 15%
- v) Work Health and Safety 10%
- vi) Supplier Diversity 5%

7 The tenders were assessed by a Tender Assessment Panel consisting of the following City of Newcastle (CN) officers - one Project Manager and one Senior Project Manager and the Recreation Projects Coordinator. The panel was selected based on experience and knowledge of the project.

8 Probity oversight was provided by CN's Contracts Officer, who was present during all panel meetings in accordance with CN's Procurement Policy.

Recommended Tenderer

9 The recommended tenderer presented a sound methodology, which was supported by their detailed construction program and relevant project experience. They were able to demonstrate a clear understanding of the project specification and their ability to complete the works to a high level of quality and safety. They are a locally based construction company with local offices and have been assessed as capable of undertaking the contracted works to the expected standard.

FINANCIAL IMPACT

- 10 The total estimated cost of this project, including the proposed contract amount, allowances for project management, contingency and other associated project costs is \$3.88M (ex GST).
- 11 This estimated cost is within the amount included in the 2023/24 adopted budget for this project. CN received \$233,000 through Round 7 of the Newcastle Port Community Contribution Fund for the project.
- 12 Once built the kiosk space will be commercially leased via a competitive tender process.

IMPLICATIONS

Policy Implications

- 13 The proposed project aligns with the Newcastle 2040 Community Strategic Plan as follows:

Liveable

- 1.1 Enriched neighbourhoods and places
 - 1.1.1 Great spaces
 - 1.1.2 Well-designed places
- 1.2 Connected and fair communities
 - 1.2.1 Inclusive communities
 - 1.2.2 Healthy communities

Environmental Implications

- 14 The recommended tenderer has an Environmental Management System which is certified to Australian Standards.

Ecologically Sustainable Development (ESD)

- 15 The recommended tenderer has not been prosecuted for environmental offences, nor is it involved in any of the prescribed activities such as uranium mining, wood chipping, nuclear energy or timber harvesting.

IMPLEMENTATION

- 16 Works are scheduled to commence in May 2024, with an estimated completion in March 2025.
- 17 The delivery of this project will be managed by CN's Project Management Office.

CONSULTATION/COMMUNICATION

- 18 Extensive community consultation took place during development of the Foreshore Park Masterplan. Phase two of the Masterplan consultation concentrated on obtaining feedback regarding preliminary concept designs. Workshops were undertaken with internal and external stakeholders including Wharf Road precinct stakeholders, and the Port of Newcastle.

- 19 Communication to date has been in the form of a resident letter box drop, on-site signage, social media posts, dedicated website page updates and media releases.

BACKGROUND

- 20 The Newcastle Harbour Foreshore Masterplan was unanimously adopted by Council on 13 December 2022.
- 21 The calling of tenders was in accordance with the requirements of section 55 of the Act. The process followed was in accordance with Part 7 of the Regulation. Council is required to accept tenders in accordance with clause 178 of the Regulation (see Options).

OPTIONS

Option 1

- 22 The recommendation as at Attachment A. This is the recommended option.

Option 2

- 23 Council defers a decision at this time to allow further consideration of the tenders received. This is not the recommended option.

Option 3

- 24 Council resolves not to accept any tender and invite fresh tenders. This is not the recommended option.

Option 4

- 25 Council resolves not to accept any tender and enter into negotiations with any party with a view to entering into a contract. Council must state a reason for this in its resolution. This is not the recommended option.

Option 5

- 26 Council resolves not to accept any tender and not proceed with the contract. Council must state a reason for this in its resolution. This is not the recommended option.

ATTACHMENTS

Attachment A: Confidential Recommendation

Attachment B: Tender Evaluation Matrix - Summary (CONFIDENTIAL)

Refer Confidential Ordinary Council Meeting Agenda 23 April 2024 for Attachments A and B

9. NOTICES OF MOTION

9.1. CREATING A COMMUNITY GARDEN IN BERESFIELD

COUNCILLORS: N NELMES, E ADAMCZYK, D CLAUSEN, C DUNCAN, D RICHARDSON, P WINNEY-BAARTZ AND M WOOD

PURPOSE

The following Notice of Motion was received on Tuesday 2 April 2024 from the abovementioned Councillors.

MOTION

That City of Newcastle:

- 1 Notes that historically, the Beresfield and Tarro communities have not seen the benefits of the growth in our city, and associated infrastructure spending.
- 2 Notes that since 2017, City of Newcastle (CN) has been working to rectify these historical inequities, and as a result the Beresfield and Tarro communities have benefited from significant investment by CN to revitalise the community and ensure that Beresfield and Tarro residents and ratepayers are not disadvantaged due to geographical location.
- 3 Notes that more than \$18 million of investment has included:
 - a) Continued investment in Beresfield Children's Centre - the only CN owned and operated long daycare centre, resulting in an improvement in educational program and practice standards from meeting to exceeding, as assessed by the Australian Children's Education and Care Quality Authority,
 - b) Beresfield Local Centre upgrade,
 - c) Road resurfacing throughout Beresfield and Tarro and including at Lawson Street Avenue and Beresfield Pool carpark
 - d) New playground and shade structure at Beresfield Pool,
 - e) Playground replacement at McCauley Park,
 - f) Drainage upgrades at Lindsay Memorial Oval,
 - g) Renegotiating with the operator of Beresfield golf course to ensure that the golf course remains a functional community asset, with expanded recreational facilities including disc golf,
 - h) Continuing to provide low entry fees at Beresfield pool, recognising that Beresfield residents and ratepayers do not have ready access to beaches and ocean baths like other suburbs in the LGA,
 - i) New tree plantings throughout Beresfield and Tarro,
 - j) Upgrade the playground at Vera Wilson Park,
 - k) New footpaths throughout Beresfield and Tarro.

- 4 Notes that the Beresfield community continues to experience higher levels of socioeconomic disadvantage in comparison to other suburbs in the LGA, and further investment to address this is in line with our local social strategy, adopted by CN in 2023.
- 5 Notes that CN's Community Strategic Plan aims to create a liveable, sustainable, inclusive city and community gardens are a great way to meet all of these aims.
- 6 Investigates suitable locations for a community garden in Beresfield, in consultation with the Beresfield community.
- 7 Works with the Beresfield community to establish a community garden, in accordance with CN's community garden policy.

ATTACHMENTS

Nil

9.2. NEWCASTLE CITY COUNCIL SUPPORT THE 25TH ANNIVERSARY OF THE STATE FINALS OF THE SCIENCE AND ENGINEERING CHALLENGE HELD AT THE UNIVERSITY OF NEWCASTLE IN 2015

COUNCILLOR: K WARK

PURPOSE

The following Notice of Motion was received on Friday 15 March 2024 from the abovementioned Councillor.

MOTION

That City of Newcastle

- 1 Monetary support the 25th Year of the State Finals of the Science and Engineering Challenge that will be held at the University of Newcastle on 24th October 2025.

BACKGROUND

The Science and Engineering Challenge (SEC) is an outreach program aimed at changing students' perceptions of science and engineering. Founded in 2000 at The University of Newcastle, the program has since engaged with more than 400,000 students across Australia. Our activities are based on real-world problems, fostering teamwork while building the problem solving and critical thinking skills required to create a solution. The SEC aims to inspire students to consider future studies in science, technology, engineering, and mathematics (STEM) disciplines that will prepare them for a career in line with the global STEM workforce needs of the future.

THE NATIONAL SCIENCE AND ENGINEERING CHALLENGE COUNCIL (NSECC)

The National Council was set up by an agreement signed by the Department of Education, Science and Technology in 2005 and The University of Newcastle to oversee the Science and Engineering Challenge's operations around Australia. The Council sets the strategic direction and objectives for the SEC. The first meeting of NSECC took place in August 2004 and was chaired by Tim Besley. The Council meets twice a year, with the first meeting held in February/March, and the second in September/October.

The Council has approved a number of policies and guidelines such as:

- The establishment of new regional committees
- The training system used to prepare personnel for SEC duties
- Use of the Science and Engineering Challenge logo
- The conduct of State and National Finals
- Fundamental principles under which the SEC operates

At each meeting a report is supplied by the Director detailing the program's progress.

The Council has eleven positions for representatives from the different stakeholders. Regional chairs are appointed for a term of three years and are selected on a rotational basis between Challenge areas.

The positions and current representatives on the National Council are:

- 1 Chair
- 2 Director, SEC
- 3 PVC, College of Engineering, Science and Environment
- 4 Events Manager, SEC
- 5 3 x SEC Committee representatives*
- 6 Team Leader, SMART

The Lions Club has been a very active supporter of this challenge at the UON as well as local Science and Engineering Companies.

ATTACHMENTS

Nil

9.2.1. REPORT ON NOTICE OF MOTION - NOM 23/04/24 - NEWCASTLE CITY COUNCIL SUPPORT THE 25TH ANNIVERSARY OF THE STATE FINALS OF THE SCIENCE AND ENGINEERING CHALLENGE HELD AT THE UNIVERSITY OF NEWCASTLE IN 2025

REPORT BY: CREATIVE & COMMUNITY SERVICES

CONTACT: EXECUTIVE DIRECTOR CREATIVE & COMMUNITY SERVICES

EXECUTIVE DIRECTOR COMMENT

The Science and Engineering Challenge (SEC) is a nationwide STEM outreach program presented by the University of Newcastle in partnership with communities, Rotary clubs, universities and sponsors. The event allows NSW high school students in Years 9 and 10 the chance to experience how science and engineering can help to solve real-world problems in a fun, competitive setting. Teams of students from different schools compete against each other in a series of eight challenges.

The SEC website lists a \$100,000 grant from the Office of the NSW Chief Scientist & Engineer which secured it rights as the Principal Sponsor.

The SEC website also lists the following sponsors:

- Rotary Australia
- ARTC
- Google
- Office of the Chief Scientist and Engineer
- YanCoal
- Lockheed Martin
- Regional Development Australia
- Boeing
- Defence Force Recruiting
- BHP Billiton
- Commonwealth Bank
- Engineers Australia
- Laing O'Rourke
- Newcastle Coal Infrastructure Group
- Australian Gas Infrastructure Group
- Port of Newcastle
- Port Waratah Coal Services
- Atlassian Foundation
- Victorian State Government
- Tyree Foundation

Section 4.5.9 of City of Newcastle's Sponsorship Guidelines state that CN employees or Councillors are not eligible to directly apply for Sponsorship. If an employee of CN or Councillor is a party to an application submission this must be declared, and the employee or Councillor is unable to take part in the assessment process of the Sponsorship program. It is arguable that a Council resolution to sponsor an event is a breach of this Policy.

RECOMMENDATION

That Council:

1. Notes that sponsorship and grant applications are managed through a transparent process in accordance with the grants and sponsorship policies available via the City of Newcastle website.
2. Reiterates that CN's commitment to good governance and public confidence in the expenditure of ratepayer monies requires that all sponsorship requests be managed through City of Newcastle's sponsorship policy adopted by the current Council in 2022.
3. Notes that section 4.5.9 of City of Newcastle's Sponsorship Guidelines state that CN employees or Councillors are not eligible to directly apply for Sponsorship.
4. Write to the organisers of the Science and Engineering Challenge to confirm if they are seeking a sponsorship from the City of Newcastle, and to direct them to the Sponsorship Guidelines, adopted by the current Council in 2023 for further information.

9.3. UPDATE LORD MAYOR AND CHIEF EXECUTIVE OFFICER DIARIES

COUNCILLOR: K WARK

PURPOSE

The following Notice of Motion was received on Friday 15 March 2024 from the abovementioned Councillor.

MOTION

That City of Newcastle

- 1 Asks the Lord Mayor to update her open diary noting that her last entry was the 29th September 2023.
- 2 Asks that the CEO and other Executives of the Newcastle City Council to make sure all their diary entries are up to date.
- 3 I am aware of the Lord Mayors previous commitments to make her diaries public in a timely manner to assure transparency regarding any current local issues.

BACKGROUND

The Lord Mayor has previously spoken about transparency and having the open diary for community members to view for Lord Mayor, CEO and Executives to be available for public viewing.

ATTACHMENTS

Nil

9.3.1. REPORT ON NOTICE OF MOTION - NOM 23/4/24 - UPDATE LORD MAYOR AND CEO DIARIES

REPORT BY: CORPORATE SERVICES

CONTACT: EXECUTIVE DIRECTOR CORPORATE SERVICES & CFO

EXECUTIVE DIRECTOR COMMENT

As part of our commitment to open and transparent governance, CN publishes a summary of the Lord Mayor, Chief Executive Officer and Executive Directors diaries on its website. Open diaries are reported on a quarterly basis. This is not a statutory obligation and CN is unaware of other councils that make a similar commitment.

All open diary obligations are currently up-to-date.

The Lord Mayor's open diary for the December 2023 quarter was completed as required on 1 February 2024.

Publishing of open diaries on CN's website was impacted in February 2024 as CN migrated to a new version of its website. A technical issue arose during this migration which meant that some website pages reverted to old data instead of current data. The open diaries pages were temporarily impacted as a result of this - and remedied as soon as it was identified.

RECOMMENDATION

That Council:

1. Reiterates its commitment to open and transparent governance through the publishing of summaries of the Lord Mayor, Chief Executive Officer and Executive Director diaries on its website on a quarterly basis.
2. Notes that all open diary summaries are up-to-date.

9.4. IMPROVING AMENITY AND SAFETY IN HAMILTON FOR BUSINESSES/EMPLOYEES, RESIDENTS AND VISITORS TO HAMILTON RAILWAY STATION/AWABA PARK

COUNCILLORS: J BARRIE AND K WARK

PURPOSE

The following Notice of Motion was received Wednesday 10 April 2024 from the abovementioned Councillors.

MOTION

That Council:

- 1 Coordinate a multiple cross agency meeting to be held before the end of June 2024. Invitees to include Hamilton Business Improvement Association, NSW Police, NSW Transport, State and Federal homeless sector outreach agencies. To invite representatives from charitable and community organisations who provide free food in Beaumont Street, James St Plaza, and Awaba Park locations. To invite crises accommodation providers, St Vincent de Paul Society's Matthew Talbot Centre, Newcastle Affordable Housing, Nova for Women and Jenny's Place.
- 2 Notes a more collaborative approach is urgently required to manage the multitude of issues that occur after hours and on weekends. Many homeless people travel on trains to be provided with food in Awaba Park located next to Hamilton Railway Station. To continue with ongoing discussions since the last interagency meeting held in 2022 and work together to develop a homeless after-hours assistance management strategy; due to the escalation of the number of homeless people sleeping rough in Hamilton, and throughout other areas of City of Newcastle.
- 3 Notes there are homeless people sleeping rough in the Hamilton business district on concrete pavements, and in doorways of businesses who operate in Beaumont Street north and adjacent to the Awaba Park Hamilton Railway precinct.
- 4 Writes to Minister for Housing and Homelessness for information and seek available funding to assist homeless people with some who require mental health / alcohol/drugs sector support and to source additional urgent crises accommodation.
- 5 Continues to meet with community organisations to maintain the cleanliness of Awaba Park and improve the condition of the unsightly food and donation cupboards.
- 6 Investigates the cost a Community Notice Board/Signage in Awaba Park to prevent illegal dumping from donations that are not suitable to be left in this location due to inclement weather and do not meet best practice high quality food standards.

- 7 Write to the State Member for Newcastle asking that he publicly advocate for increased police numbers in the Newcastle electorate, to ensure there are sufficient resources to manage anti-social behaviour, and to combat an increase in criminal activity across Newcastle and particularly in parts of Hamilton.
- 8 Write to the NSW Minister for Police to request more police in the state electorate of Newcastle, with a view to enabling improved police response times.
- 9 Work with NSW Police, and Transport for NSW to investigate and install additional CCTV cameras that are facing onto Awaba Park to ensure the ongoing safety of all people who visit Awaba Park (Hamilton Station).

BACKGROUND

Notes ongoing anti-social behaviour adjacent to Awaba Park led to a police arrest of a rough sleeper in March 2024. This incident in the doorway of the café located at 1 Beaumont Street, Hamilton directly impacting loss of business turnover in the vicinity and created a very unsafe workplace environment for the employees who were concerned for their own safety as a direct result from anti-social behaviour of a person sleeping in the doorway of the café preventing access to begin trade to a young employee on a Saturday morning.

Notes a public launch of the NSW Department of Communities and Justice funded mural, management of graffiti and improve lighting project with UP&UP, and individual artists was held in December 2023. A successfully implemented mural project with brightly coloured paintings on walls of Beaumont Street business; Hamilton Station/NSW Transport fencing and housing properties facing into Awaba Park. (REFER PHOTOS)

Hamilton Business Improvement Association / NSW Police – March 2024-email report:

Effective Interaction: police have demonstrated excellent interaction with the local business community, utilising their time in the precinct efficiently. **Community Education:** police have been proactive in educating business owners and community members on the best practices for reporting crime, with positive feedback. **Positive Perception of Police Presence:** There have been numerous positive comments regarding the police presence in the area. Notably, the clarification that police can issue "move on orders" only in cases where no actual crimes have been committed has been particularly helpful. **Decrease in Complaints:** The Hamilton BIA still hear about crime and the desire for increased police presence, there has been a noticeable reduction in these complaints. This indicates an overall improvement in the situation. **Direct Contact:** The direct contact between businesses and the police has proven to be the most valuable tool in connecting the two parties. This direct line of communication has facilitated prompt responses to concerns and issues.

ATTACHMENTS

Attachment A:

Notice of Motion 13 December 2022

Attachment B:

Awaba Park Murals & existing donation
cupboards

Attachment A

ITEM-43 NOM 13/12/22 – IMPROVING THE SAFETY AND AMENITY OF AWABA PARK (HAMILTON STATION PARK), HAMILTON

COUNCILLORS: J BARRIE, C DUNCAN AND C MCCABE

PURPOSE

The following Notice of Motion was received on Monday 5 December 2022 from the abovementioned Councillors.

MOTION

That City of Newcastle:

- 1 Notes that local businesses and residents using the Hamilton Railway Station and the adjacent Awaba Park and surrounds have contacted Ward 2 Councillors concerned about a recent escalation of alleged anti-social and criminal behaviour in the area.
- 2 Expedites the Hamilton Business Precinct project to fast track the focused pre-planning and public domain project for improving Awaba Park, ensuring the use of the Crime Prevention Through Environmental Design (CPTED) principles to improve the amenity and safety for residents, visitors, railway passengers, NSW Police, Transport for NSW staff and businesses and their staff and volunteers in the Hamilton Railway Station and Awaba Park area.
- 3 Requests from the Newcastle LAC the re-establishment of the 'Business Beat' program in which local NSW Police engage on a regular basis with Hamilton businesses.
- 4 Investigate an increase in cleaning, maintenance and observation of Awaba Park and surrounds.
- 5 Writes to the Minister for Transport, the Hon. David Elliott MP, State Member for Newcastle, Tim Crakanthorp MP, and the Newcastle Local Area Command of the NSW Police, calling for:
 - a. A further increase in active Police patrols of Hamilton Railway Station, Awaba Park and the surrounding area,
 - b. Investigation of the feasibility of provision of, additional CCTV cameras and resources by the NSW Government, through Transport for NSW, to monitor the alleged and perceived increase in criminal behaviour at Hamilton Train Station, the adjacent Awaba Park, and surrounds.

- 6 Writes to the Minister for Mental Health, Regional Health and Woman, Hon. Bronnie Taylor, MLC, calling for:
 - a. Resources for expanded Mental Health / Alcohol Other Drugs (AOD) outreach services within the city or a dedicated funded program facilitated by the local health district or NGO Alcohol Other Drugs Sector which works specifically to support frequent and transient visitors to Hamilton Station Park and surrounds who experience the impact of complex mental health and AOD.

BACKGROUND

The most recent Hamilton Train Station Park Initiative – Cross Agency Meeting was held on 30 November with representatives from Hamilton BIA, Newcastle City Police, the Newcastle Assertive Outreach Team, NSW Communities and Justice, Transport for NSW, Hamilton Railway Station, City of Newcastle, Tim Crakanthorp MP staff and all Ward 2 Councillors.

Prior to the November meeting, the minutes of the last Cross Agency meeting of June 2021 indicated that Newcastle Police will continue to conduct high visibility patrols to reduce crime and anti-social behavior.

Despite this, residents and businesses in the local area have advised that there has been a marked increase in anti-social behavior, continual illegal dumping, and a raised sense of unease from visitors and passengers who use the railway station, due to alleged and perceived increases in criminal behavior.

It was noted during the 30 November 2022 Cross Agency meeting hosted by City of Newcastle that the DCJ Assertive Outreach Team mentioned that they had also seen a significant increase in, and change of behaviour, people frequenting the area, i.e., fewer actual homeless people but an increase in drug use and other anti-social behaviour.

Local businesses, through Hamilton BIA, have raised concerns about the unsightliness of the area, and the impact this is having on the business precinct of Beaumont Street and Hamilton Town Centre.

Local businesses and residents have reported an increase in people who travel on the trains from other areas and who are rough sleeping at Hamilton Railway Station and Awaba Park.

Transport for NSW staff have advised that they have been abused by people who are presenting with mental health issues.

While Transport for NSW and the NSW Police are responsible for the safety and prevention of crime at Hamilton Train Station and Awaba Park, City of Newcastle has begun a Community & Stakeholder Engagement process regarding the re-design of Awaba Park, which will run from 30 November 2022, until June 2023, with community planning and design scheduled for the 2023-2024 financial year and implementation of the community development plan in 2025. There exists an opportunity to expedite this process, given the serious nature of an increase in alleged criminal and anti-social behavior, while noting that place making activities cannot be implemented until the area is safe.

Other important matters to note regarding Awaba Park and surrounds:

- At the November Cross Agency meeting it was reported and discussed that a request be made to City of Newcastle's City Presentation team that more regular clean-ups of the Railway Park area are required due to the amount of rubbish left at the site, for their attention as it is more heavier duty work than regular street cleaning.
- Hamilton BIA is to be commended for their proactive approach in addressing matters in the area, with local property owners in the vicinity of the park to be contacted by Hamilton BIA's Board to assist with the development of communication strategies to educate businesses and their staff to report all criminal activity to the Newcastle Police and in return this assists with increased surveillance of the area due to ongoing graffiti attacks on private property, anti-social behaviour.
- While NSW Police have advised that they have increased patrols in the area, local businesses and residents perceive that patrols could still be conducted with more frequency, as a measure to decrease alleged criminal and anti-social behaviour.
- An opportunity exists to increase the frequency of Cross Agency Meetings to better coordinate the response to address these matters.

ATTACHMENTS

Attachment A: 4 December 2022 - [Newcastle police investigating after Beaumont Street attack with bottle](#)

Attachment B: 20 May 2021 - [Food Not Bombs Newcastle offers fresh hot meals on Wednesday nights served to anyone](#)

Attachment B



9.4.1. REPORT ON NOTICE OF MOTION - NOM 23/04/24 - IMPROVING AMENITY AND SAFETY IN HAMILTON FOR BUSINESSES/EMPLOYEES, RESIDENTS AND VISITORS TO HAMILTON RAILWAY STATION/AWABA PARK

REPORT BY: CREATIVE & COMMUNITY SERVICES

CONTACT: EXECUTIVE DIRECTOR CREATIVE & COMMUNITY SERVICES

EXECUTIVE DIRECTOR COMMENT

City of Newcastle (CN) has collaborated in hosting cross-agency meetings regarding antisocial matters and homelessness around Awaba Park and Hamilton Station, engaging with NSW Police, Transport for NSW, NSW Health, NSW Department of Communities and Justice, Hamilton Business Improvement Association, social service providers, Ward Two Councillors and a representative of the State Member for Newcastle.

In August 2023, CN corresponded with the NSW Minister for Health, NSW Minister for Mental Health, NSW Minister for Transport, Newcastle City Police District Superintendent Kylie Endemi APM, and the Member for Newcastle requesting additional resources and assistance to address the prevalence of antisocial behaviours in the vicinity of Awaba Park and to seek further resources related to supporting people with Alcohol and Other Drugs (AOD) and Mental Health needs, including additional provision of CCTV resources for the location.

In 2023, CN secured a Justice Graffiti Management Grant for \$85,000 to support a \$150,000 project to improve the amenity of the park through improved lighting, murals and graffiti management. CN collaborated with adjoining asset owners and other partners to complete the artwork installation and held a community celebration in December 2023 to acknowledge the work of the artists and contribution of the community in the design process.

In 2023 CN also produced *Help on Hands Hamilton* as a resource to help community members identify accessible support services close to Hamilton Station Park and refer those in need. This information resource is deployed locally in Hamilton and provided to local service providers who connect routinely with park users.

CN has increased ground maintenance, cleaning, and rubbish removal in the area and removed infrastructure to enable clearer sight lines into the park. Consultation has also commenced with regular users of Awaba Park regarding more informational signage at the site, such as a community noticeboard.

CN has engaged with Reach Homeless, Food Not Bombs, Newcastle Assertive Outreach Team and others to better understand the nature of support needed in the area to help reduce the likelihood of antisocial behaviours and enhance safety with

recent engagement extending from the collaborative work that was undertaken to deliver the public art project aimed at reducing graffiti and enlivening the space.

CN supports relational and collaborative work with various service providers in the park and community members who visit the park routinely including discussions with Food Not Bombs. Recent discussions with Food Not Bombs has considered options to redesign the pantry to ensure it is weather resistant and to provide signage that communicates standards for the pantry and a facility for use by multiple support groups and park users. Discussions have been positive to date.

CN notes that antisocial behaviours around this area are not exclusively attributable to homelessness, and that there are links to issues of addiction, criminal behaviour, complex mental health, and other factors. As a result of this complexity, it is paramount that additional resources from relevant NSW Government agencies are appropriately allocated to address these matters.

CN believes health-focused actions will complement the collaboratively delivered crime and safety initiatives and enable a holistic response to ensure a safe environment in this crucial public transit space. CN strongly encourages the NSW Government to provide these community-based health services, as identified as a strategic deliverable in the NSW Health Future Health 2022-2032 Plan.

Housing supply and support for homelessness is a broader issue with low levels of housing supply, especially stock on the rental market, social and community housing and short-term accommodation, all impacting options for people to have safe and appropriately supported housing.

CN calls upon the NSW Government to hasten the provision of social housing stock, noting that CN is forgoing \$6 million in rates over three years to assist Homes NSW to deliver improved supply as a result of an agreement signed in 2021.

Recent feedback from the Department of Communities and Justice's Assertive Outreach Team, who work in collaboration with Matthew Talbot Homeless Services, indicates that this location is being utilised by people who have access to housing in the local area, arrive at the site due to the proximity to the train line, or who socialise in this space as a location where they connect, access free food and feel a level of belonging.

Assertive Outreach also indicates that they continue to see people from this location take up temporary accommodation and receive support to access housing; however, where people with complex mental health and AOD issues are concerned, there remains a need for additional outreach services to address these health concerns.

Incidents of crime continue to be an issue for adjacent residents, businesses, and throughout the Beaumont Street precinct however these issues are a matter for the NSW Police. In response to these concerns, CN has advised residents and businesses that Newcastle Police will continue to allocate resources based on reported incidents

and concerns. CN is not in a position to deliver an immediate response to public safety, as that is a core responsibility of NSW Police.

A cross-agency and stakeholder meeting is planned to be held to continue the discussion about the work of various agencies to enhance the amenity and safety in this area, and the provision of services to support community members and address the crime and social issues being experienced. The meeting will require stakeholder attendance that represents the breadth and diversity of service provision, which addresses the complexities of issues at the site.

The meeting has not yet been called as it is CN's intention to first secure agreement from Park stakeholders that the pantry be rebuilt in a manner that is aesthetically pleasing, provides shelter from the elements and includes signage informing people of what is acceptable and suitable products to donate. It is hoped that this meeting can occur in June this year.

9.5. FOSSIL FUEL NON-PROLIFERATION TREATY ENDORSEMENT

COUNCILLORS: C MCCABE AND J MACKENZIE

PURPOSE

The following Notice of Motion was received on Thursday 11 April 2024 from the abovementioned Councillors.

MOTION

That Council

1. Notes that the City of Newcastle declared a climate emergency in 2019, including a commitment to a just economic transition for coal mining communities, support for investment in hydrogen as an export energy, and construction of large-scale renewables and storage.
2. Notes the adoption of the City of Newcastle's Environment Strategy identifies the importance of preventing and reducing the emission of greenhouse gases.
3. Recognises that despite fossil fuels being the main driver of climate change, it took 30 years of international climate negotiations (until the 2023 COP28 in Dubai) for the agreement to include a call to transition away from fossil fuels
4. Recognises that addressing emissions reductions and demand without fossil fuel supply has allowed countries and companies to claim to be climate leaders while continuing to open, approve and fund new fossil fuel projects
5. Notes the Fossil Fuel Non-Proliferation Treaty, launched in 2020, has been spearheaded by a growing block of Pacific Nations and has the support of 12 countries, the World Health Organisation, the European Parliament, over 600,000 individuals and over 2,000 civil society organisations.
6. Notes that signatories in Australia to the Treaty include: The Australian Capital Territory, City of Sydney, City of Yarra, City of Hobart City of Darebin, City of Maribyrnong, City of Merri-bek, and the City of Maribyrnong.
7. Endorses the Fossil Fuel Non-Proliferation Treaty.
8. Further, as part of that endorsement form for cities, calls on the Federal government to also endorse the Treaty.

BACKGROUND

Australia has committed to the COP 21 Paris Agreement to hold "the increase in the global average temperature to well below 2°C above pre-industrial levels" and pursue efforts "to limit the temperature increase to 1.5°C above pre-industrial levels."

Despite this, governments around the world continue to approve new coal, oil and gas projects which threaten to destabilise the success of this agreement.

The Fossil Fuel Non-Proliferation Treaty has three pillars:

Non-Proliferation: end the expansion of coal, oil and gas

A Fair Phase out: an equitable plan for the wind down of existing fossil fuel production

A Just Transition: no worker, community or country is left behind

ATTACHMENTS

Attachment A:

[The Fossil Fuel Non-Proliferation Treaty Initiative
\(fossilfuel treaty.org\)](https://fossilfuel treaty.org)

9.6. ESTABLISHING A PERMANENT PATHWAY FOR WORK EXPERIENCE

COUNCILLORS: C PULL AND J BARRIE

PURPOSE

The following Notice of Motion was received on Thursday 11 April 2024 from the abovementioned Councillors.

MOTION

That City of Newcastle

- 1 Acknowledges the unique ability that Council has to provide skills, training and opportunities for young people in our community.
- 2 Notes that Council does not currently offer a permanent, structured work experience program for students looking to explore employment opportunities in local government and gain industry experience.
- 3 Supports establishing a permanent pathway and application process for local students looking to do work experience at City of Newcastle.
- 4 Requests that a report be provided to Councillors outlining how this pathway can best be established.

BACKGROUND

Council holds a unique position as both a major local employer and a level of government with employees from a diverse range of trades, qualifications and backgrounds. Students looking to explore a potential career in fields such as engineering, town planning and governance can gain experience here at City of Newcastle.

Currently CN offers Work Experience opportunities from time to time on an ad hoc basis. In my time in Council I have been contacted by numerous local parents hoping that their children may be able to do work experience with the Council.

The passage of the motion would simply mean that Council would establish a formal application process – this could be a basic web page and a form, which gives local students a landing page if they are looking to do Work Experience at Council.

ATTACHMENTS

Nil.

9.6.1. REPORT ON NOTICE OF MOTION - NOM 23/04/24 - ESTABLISHING A PERMANENT PATHWAY FOR WORK EXPERIENCE

REPORT BY: CORPORATE SERVICES

CONTACT: EXECUTIVE DIRECTOR CORPORATE SERVICES AND CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR COMMENT

City of Newcastle (CN) restructured its traditional work experience program for high school students in 2014 in recognition of the declining number of schools choosing to allow short term work placements. Less than one quarter of schools now allow students to participate in a traditional work experience program given the NSW Government's decision 20 years ago to make work experience a non-compulsory component of the state education curriculum.

The reduced demand for work experience is predominantly due to the record number of teenagers entering the workforce through part-time and casual work. Whereas work experience was once required to ensure that teenagers had some understanding of the responsibilities of work before seeking fulltime work, the high number of year nine and ten students who are today casually employed has reduced the interest in non-paid work experience.

Australian Bureau of Statistics (ABS) data shows that more than 54% of 15 to 18 year olds now have a job, the highest rate on record.

ABS data also shows that the retention rate to Year 12 has increased to a record rate of 84%, an increase of 5% in the past 9 years. This means that many young people are entering the full-time workforce later and therefore view work experience in year 9 or 10 as of limited value.

For the above reasons, CN facilitates ad hoc work experience on a limited basis, depending on the workload of the respective areas and current delivery priorities. Individual service units make this decision and respond appropriately to individual requests.

CN continues to provide opportunities for school students through the Junior Lifeguard Program, as well as outreach and school visits for topics such as pool safety, waste, and environmental initiatives.

During Youth Week 2023 CN hosted an Open Day event at its Council Administration Centre. More than seventy year 10 and year 11 high school students from Callaghan College Waratah and Wallsend Campuses, Cooks Hill, and Newcastle High attended. A video of the event can be viewed at:

https://www.linkedin.com/posts/the-city-of-newcastle-australia_youth-week-2023-city-of-newcastle-activity-7064744190433230848-W23Z/

CN employees engaged via workshops with the students and their teachers to inform and enhance their knowledge of the various roles and responsibilities of local government.

On 6 May this year, CN will again run an Open Day, expanding the program to include students from years nine and twelve. The City of Newcastle Open Day will inform young people about the role and purpose of CN, encourage them to access the many services and opportunities CN offers and empower them to be active citizens in their city, while building trust between themselves and Council.

CN's Workforce Development Strategic Plan (2022-26) **Attachment A** defines and recognises our aligned approach to delivering our future workforce needs. This includes programs focused on investing in the growth of a pipeline of young talent such as our apprentice, cadetship and graduate initiatives.

CN's Apprentice, Trainee and Undergraduate Graduate (ATUG) Program has been designed as an alternative to the traditional work experience program, providing a pathway for individuals to commence their career, learn new skills and transition to permanent employment with CN. The Program supports a diverse range of people including targeted roles for Aboriginal and Torres Strait islander people.

The ATUG Program was expanded to include an Intern Program in 2020, providing opportunity for students to apply their studies in a practical workplace setting.

In 2023, the ATUG Program offered 12 roles, and in 2024 a record 18 roles on offer to help young people take their first career steps, including four positions have been targeted towards Aboriginal and Torres Strait Islander people as part of our commitment to our Aboriginal Employment Strategy.

Recognising that nationally 47.8% of people aged under 25 are enrolled in a Bachelor's degree, CN has also established a Memorandum of Understanding (MoU) with the University of Newcastle (UON), which enables a 12-week intern program, enabling a more effective learning opportunity for university students along with enhancing our relationship with our community and educational facilities. Another recent example born by the MOU is the CN and UON School of Architecture and Built Environment (SABE) collaboration to understand and mitigate urban heat island effect in Newcastle's commercial areas. This project delivers tangible outcomes for students and our community through CN's Local Centre's Program.

This program benefits the students by providing real world learning opportunities and also our local employment market by building local urban design capacity through the collaborative mentorship program.

An example of this ongoing partnership is the two-week elective 'Reimagining Mayfield Local Centre' project that occurred in July last year. This CN/UON collaboration saw students working in groups with CN providing subject matter expert led workshops to support students in initiating site analysis and preliminary concept design for the renewal of Mayfield Local Centre.

In addition, CN collaborates with the UON on supporting its work integrated learning program for undergraduate students. We currently have 4 students supported in our Museum.

The Council recently endorsed an agreement with UON and the Newcastle Art Gallery that provides University students on-the-job experience through career-ready placements.

Career-ready placements are designed to provide students with valuable opportunities for learning and professional development and with a bespoke focus on Gallery operations. Over the next 4 years the Art Gallery will commit to a minimum of 10 (maximum of 13) career ready placements (each for a maximum period of 3 months). A key component is the opportunity to provide mentorship and support of an Indigenous Cadetship with a First Nations student employed by the University of Newcastle.

CN also offers a \$5,000 scholarship annually to a second-year student studying a Bachelor of Communications degree in memory of local businesswoman Meg Purser, who passed away in 2021.

Fifteen percent of people aged under 25 are today enrolled in TAFE. In response to the continuing important role of TAFE, CN supports seven scholarships for TAFE students at a cost of \$8,000 through the Lord Mayor's Scholarship Inclusion Program. The scholarships are provided to support diversity and inclusion with targeted scholarships in the Arts, Pride, CALD (Cultural and Linguistic Diversity) and Indigenous groups.

RECOMMENDATION

That Council:

- 1 Notes that City of Newcastle's Workforce Development Strategic Plan (2022-26) was unanimously adopted by Council on 28 June 2022, and will be reviewed in the first year of the next Council term.
- 2 Notes that the Workforce Development Strategic Plan references initiatives that grow the pipeline of young talent such as our apprentice, cadetship, graduate and intern initiatives.
- 3 Notes that CN provides numerous initiatives for school aged people including its Junior Lifeguard Program, outreach and school visits for pool safety, waste, and environmental initiatives, the annual Youth Week Open Day, the Apprentice, Trainee and Undergraduate Graduate (ATUG) Program, separate intern programs at the Newcastle Art Gallery and Newcastle Museum, multiple scholarships with young people studying at TAFE and the University of Newcastle, as well as ad hoc work experience, which is considered subject to workload and delivery priorities.

- 4 Creates a page on the corporate website that documents the many learning opportunities provided for young people at CN including work experience and how they can make application.

ATTACHMENT:

Attachment A: Workforce Development Strategic Plan (2022-26)
https://newcastle.nsw.gov.au/Newcastle/media/Documents/Council/Our%20Responsibility/Our%20Responsibilities/Annual%20Report/Workforce-Development-Strategic-Plan-2022-26_web.pdf

10. CONFIDENTIAL REPORTS

Nil.