

# Minutes

## Ordinary Council Meeting



Council Chamber, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West, Wednesday, 26 April 2023 at 8.21pm.

---

### 1. ATTENDANCE

The Lord Mayor (Councillor N Nelmes), Councillors E Adamczyk, J Barrie, J Church, D Clausen, C Duncan, 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), L Duffy (Acting Executive Director Community and Creative Services), J Rigby (Executive Director City Infrastructure), M Bisson (Interim Executive Director Planning and Environment), B Harvey (Acting Executive Manager Legal and Governance), S Moore (Executive Manager Finance, Property and Performance), P Emmett (Development Assessment Section Manager), N Kaiser (Interim Executive Manager Media Engagement Economy & Corporate Affairs), M Murray (Chief of Staff), K Sullivan (Councillor Services/Meetings), L Barnao (Councillor Services/Meetings Support), C Urquhart (AV/Information Technology Support), W Haddock (AV/Information Technology Support) and D Silcock (AV/Information Technology Support).

### 2. ACKNOWLEDGEMENT OF COUNTRY

Read at previous meeting on night.

### 3. PRAYER

Read at previous meeting on night.

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

#### MOTION

Moved by Cr Barrie, seconded by Cr Duncan

The request to attend by audio visual link submitted on behalf of Councillor Richardson be received and granted.

**Carried**

## **5. DISCLOSURES OF INTEREST**

### **Councillor Church**

Councillor Church declared a significant pecuniary interest in Item 8.3 – Adoption of Draft Section 6.04 Renewal Corridors of Newcastle DCP stating that he had property in the Broadmeadow precinct and as stated in previous declarations would manage the interest by leaving the Chamber for discussion on the item.

## **6. CONFIRMATION OF MINUTES**

### **6.1. MINUTES - ORDINARY COUNCIL MEETING 28 MARCH 2023**

#### **MOTION**

Moved by Cr Mackenzie, seconded by Cr Pull

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

**Carried**

## **7. LORD MAYORAL MINUTE**

### **7.1. 150<sup>TH</sup> ANNIVERSARY OF MUNICIPAL GOVERNMENT IN WALLSEND**

#### **MOTION**

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

1. Acknowledges that 2024 marks 150 years since Wallsend became a municipality in 1874 following its gazettal by then-Premier Sir Henry Parkes.
2. Acknowledges the Indigenous traditional custodians of the land now known as Wallsend, notes their sovereignty has never been ceded and recognises the ongoing research and commitment to celebrate and elevate the rich culture and history of traditional Aboriginal owners of the land.
3. Notes the significant contribution that Wallsend has made to the City of Newcastle and the broader region through the coal mining industry and the many contributions by members of the community in areas such as music, politics, sport and incredible bravery in the armed forces.
4. Provides support and financial assistance to the community of Wallsend to prepare for their planned celebratory events marking this historic occasion.
5. Congratulates the people of Wallsend on this proud occasion and looks forward to working with the community to mark 150 years of municipal government in Wallsend.

**Carried unanimously**

## **7.2. LOCAL GOVERNMENT SUMMIT**

### **MOTION**

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

1. Acknowledges the appointments of The Honourable Ron Hoenig MP as Minister for Local Government, and The Honourable Paul Scully MP as the Minister for Planning and congratulates them on their promotion to these critically important positions.
2. Notes the many financial and legislative impediments facing the local government sector and the concern amongst local government representatives right across the state.
3. Writes to the Minister for Local Government and the Minister for Planning requesting they hold a Local Government Summit to allow constructive discussions of these issues directly with the Ministers, their respective offices and departments.

Councillor Mackenzie proposed that point three be amended to include an additional sentence and read as follows:

3. Writes to the Minister for Local Government and the Minister for Planning requesting they hold a Local Government Summit to allow constructive discussions of these issues directly with the Ministers, their respective offices and departments. Writes at a minimum to the councils of the Hunter Joint Organisation informing them of this decision and inviting them to pass a similar motion by their councils.

The Lord Mayor accepted Councillor Mackenzie's proposal to the motion.

The motion was put to the meeting.

**Carried unanimously**

## **8. REPORTS**

### **8.2. ADOPTION OF LOCAL SOCIAL STRATEGY**

#### **PROCEDURAL MOTION**

Moved by Cr Adamczyk, seconded by Cr Mackenzie

The matter lay on the table as the attachments for Item 8.2 could not be finalised with sufficient time for Councillor review prior to this evening's meeting.

**Carried unanimously**

#### **8.4. ADOPTION OF THE REVISED PRIVACY MANAGEMENT PLAN**

##### **MOTION**

Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

That Council:

- 1 Adopts City of Newcastle's Privacy Management Plan at **Attachment A**.

**Carried unanimously**

#### **8.6. EXECUTIVE MONTHLY PERFORMANCE REPORT**

##### **MOTION**

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

- 1 Receives the Executive Monthly Performance Report for March 2023.

**Carried unanimously**

#### **8.1. INLAND POOLS STRATEGY 2043**

##### **MOTION**

Moved by Cr Winney-Baartz, seconded by Cr Wood

That Council:

- 1 Notes that CN is currently consulting with stakeholders and the community regarding the draft Inland Pools Strategy 2043 - Our plan for protecting and improving Newcastle's public pools for the next 20 years (**Attachment A**).
- 2 Receives a report for adoption of the Inland Pools Strategy 2043 following consultation.

**Carried unanimously**

#### **8.3. ADOPTION OF DRAFT SECTION 6.04 RENEWAL CORRIDORS OF NEWCASTLE DCP**

Councillor Church left the Chamber for discussion on the item.

##### **PROCEDURAL MOTION**

Moved by Cr McCabe, seconded by Cr Adamczyk

Council adjourn for a short recess to consider a memo circulated prior to the meeting in respect of this item.

**Carried**

Council adjourned at 9.15pm and reconvened at 9.25pm.

## MOTION

Moved by Cr Duncan, seconded by Cr Adamczyk

That Council:

- 1 Adopts Section 6.04 Renewal Corridors (**Attachment A**) of Newcastle Development Control Plan 2012.
- 2 Receives and notes submissions (**Attachment B**) made in response to the exhibition of the draft Development Control Plan.

At this stage of the meeting Councillor McCabe declared a non-significant non-pecuniary interest in Item 8.3 – Adoption of Draft Section 6.04 Renewal corridors of Newcastle DCP stating that she lived in Tighes Hill.

Councillor McCabe requested the mover and seconder remove Figure 27 - Plan of Landscape requirements for entry to corridor in Tighes Hill on page 167 of the consolidated attachments document (*refer Figure 27 - Attachment A – Section 6.04 Renewal Corridors of NDCP 2012*).

Councillors Duncan and Adamczyk agreed to have the diagram removed from the high-level document.

The motion moved by Councillor Duncan and seconded by Councillor Adamczyk, noting the removal of Figure 27, was put to the meeting.

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

***Against the Motion:*** Nil.

**Carried**

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

As the time was nearing 10.00pm, Councillor Clausen moved the following procedural motion.

## PROCEDURAL MOTION

Moved by Cr Clausen, seconded by Cr Barrie

Council extend the time of the meeting to conclude at the conclusion of business.

**Carried**

## 8.5. ADVISORY COMMITTEES' ANNUAL REPORTS

### MOTION

Moved by Cr Clausen, seconded by Cr Duncan

That Council:

- 1 Receives Advisory Committee Annual Reports for the 2022 calendar year from:
  - i) Access Inclusion Advisory Committee
  - ii) Asset Advisory Committee
  - iii) Community and Culture Advisory Committee
  - iv) Guraki Aboriginal Advisory Committee
  - v) Infrastructure Advisory Committee
  - vi) Liveable Cities Advisory Committee
  - vii) Strategy and Innovation Advisory Committee
  - viii) Newcastle Youth Council Advisory Committee

**Carried**

## 8.7. TENDER REPORT - NEWCASTLE ART GALLERY EXPANSION - CONSTRUCTION WORKS 2023/033T

### MOTION

Moved by Lord Mayor, Cr Nelmes, seconded by Cr Clausen

That Council:

- 1 Accept the tender of Hansen Yuncken Pty Ltd in the amount of \$43,840,386 (excluding GST) for Newcastle Art Gallery Expansion - Construction Works for Contract No. 2023/033T.
- 2 The confidential attachments relating to the matters specified in s10A(2)(d) of the *Local Government Act 1993* be treated as confidential and remain confidential until the Chief Executive Officer determines otherwise.

In seconding the motion, Councillor Clausen moved an additional Part B.

### **Part B**

Council writes to the State and Federal Government seeking indexation of their \$5m grants for the Art Gallery Expansion, noting the significant increase in construction

costs for this project since grant funds were awarded, and the revaluation of the Art Gallery collection to more than \$126 million.

The Lord Mayor stated she was pleased to include Part B to the motion.

The motion moved by Lord Mayor, Cr Nelmes and seconded by Councillor Clausen was put to the meeting.

**Carried unanimously**

## **9. NOTICES OF MOTION**

### **9.1. BUZZING WITH LIFE: A POLLINATOR-FRIENDLY NEWCASTLE**

#### **MOTION**

Moved by Cr Adamczyk, seconded by Cr Duncan

That City of Newcastle:

- 1 Notes that ecological services provided by pollinators (including native bees, insects, and butterflies) are necessary for healthy, secure and resilient ecosystems and food systems;
- 2 Notes with concern that the decline of pollinator populations and habitat in cities, including due to urbanisation, urban pollution and neonicotinoids, is endangering biodiversity, crop yields, and food security; and in 2022 and 2023 tens of thousands of local honeybees were killed after the varroa virus was detected in our city;
- 3 Notes that many cities have adopted pollinator-friendly policies, including limiting neonicotinoids and working to support businesses and residents to take steps to ensure that no plants, seeds or products containing neonicotinoids are used in the city; and that in June 2019 City of Newcastle committed to phasing out the use of glyphosates in pesticides and use alternative products where possible;
- 4 Resolves to communicate to our community the significance of participating in the local pollinator census during Australian Pollinator Week 11-19 November 2023; and
- 5 Commits to incorporate an urban pollination programme as part of CN's Environment Strategy to create vibrant pollinator corridors in our city by integrating pollinator ecosystem support into city fabric, plans and infrastructures and collaborating with community to raise awareness of the myriad benefits of adopting pollinator-friendly practices in public and private spaces.

**Carried unanimously**

At the conclusion of the meeting the Chief Executive Officer read the resolution of the partial confidential report (*refer resolution at 8.7*).

**The meeting concluded at 10.23pm.**