



City of
Newcastle



CITY OF NEWCASTLE

Ordinary Council Meeting

Councillors,

In accordance with section 367 of the Local Government Act, 1993 notice is hereby given that an Ordinary Council Meeting will be held on:

DATE: Tuesday 25 October 2022

TIME: 6.00pm

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

J Bath
Chief Executive Officer

**City Administration Centre
12 Stewart Avenue
NEWCASTLE WEST NSW 2302**

20 October 2022

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In participating in this Meeting, Councillors are reminded of their oath or affirmation of office made under section 233A of the Local Government Act 1993, and of their obligations under City of Newcastle's Code of Conduct for Councillors to disclose and appropriately manage conflicts of interest.

**ORDINARY COUNCIL MEETING
25 October 2022**

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ITEM-34 NOM 25/10/22 - SUBMISSION ON THE DRAFT HUNTER
REGIONAL TRANSPORT PLAN

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ITEM-35 NOM 25/10/22 - NEWCASTLE NEEDS A YEAR-ROUND AQUATIC
FACILITY

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CONFIDENTIAL REPORTS

Nil

**FOR DOCUMENTS MARKED 'DISTRIBUTED UNDER SEPARATE COVER' REFER TO
COUNCIL'S WEBSITE AT www.newcastle.nsw.gov.au**

NOTE: ITEMS MAY NOT NECESSARILY BE DEALT WITH IN NUMERICAL ORDER

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - BRIEFING COMMITTEE MEETING 20 SEPTEMBER 2022

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 220920 Briefing Committee Minutes

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

CITY OF NEWCASTLE

Minutes of the Briefing Committee Meeting held in the Council Chambers, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West on Tuesday 20 September 2022 at 6.06pm.

PRESENT

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.

IN ATTENDANCE

J Bath (Chief Executive Officer), D Clarke (Director Governance and Chief Financial Officer), J Rigby (Interim Director Infrastructure and Property), L Duffy (Acting Director City Wide Services), S Moore (Manager Finance), M Bisson (Manager Regulatory Planning and Assessment), E Kolatchew (Manager Legal), R Dudgeon (Acting Manager Assets and Projects), P Emmett (Development Assessment Section Manager), T Daley (Senior Project Planner), K Jurd (Assets Coordinator), K Sullivan (Councillor Services/Minutes/Meetings Support), I Lockwood (Information Technology) and R Garcia (Information Technology Support).

MESSAGE OF ACKNOWLEDGEMENT

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

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.

APOLOGIES

Nil.

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Nil.

BRIEFING COMMITTEE REPORTS

ITEM-3 BR 20/09/22 - EAST END PUBLIC DOMAIN PLAN STAGE 1 - FIG TREES

Timothy Daley, Senior Project Planner and Karenne Jurd, Assets Coordinator – Environment, briefed Council in relation to four fig trees located on Hunter Street, Newcastle between Perkins and Brown Streets and the proposal to remove three of the fig trees due to their poor condition.

Councillors were also briefed on other key changes to the precinct including additional pedestrian spaces to the southern side of Hunter Street, new street trees and irrigated gardens.

The meeting concluded at 6.29pm.

MINUTES - ORDINARY COUNCIL MEETING 27 SEPTEMBER 2022

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 220927 Ordinary Council Meeting Minutes

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

CITY OF NEWCASTLE

Minutes of the Ordinary Council Meeting held in the Council Chambers, 2nd Floor, City Hall, 290 King Street, Newcastle on Tuesday 27 September 2022 at 6.06pm.

PRESENT

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.

IN ATTENDANCE

J Bath (Chief Executive Officer), S Moore (Acting Director Governance and Chief Financial Officer), L Duffy (Acting Director City Wide Services), J Rigby (Acting Director Infrastructure and Property), E Kolatchew (Manager Legal), A Williams (Acting Manager Finance), M Bisson (Manager Regulatory, Planning and Assessment), M Murray (Chief of Staff), L Zoneff (Media Advisor), K Sullivan (Councillor Services/Minutes), A Knowles (Councillor Services/Meetings Support), R Garcia (Information Technology Support) and C Urquhart (Information Technology Support).

MESSAGE OF ACKNOWLEDGEMENT

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

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.

A period of one minute silence was observed to honour and remember Her Majesty Queen Elizabeth II.

REQUEST TO ATTEND BY AUDIO VISUAL LINK

Nil.

APOLOGIES

Nil.

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor McCabe

Councillor McCabe declared a non-significant non-pecuniary interest in Notice of Motion Item 30 - EV Charging stating that she owned an electric vehicle with no off-street parking and would remain in the Chamber for discussion on the item.

Councillor Wood

Councillor Wood declared an interest in Notice of Motion Item 33 - Recognition of Carers and National Carers Week stating that she was previously a volunteer for carers NSW and had some involvement in the planning of the national carer's survey this year.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - ORDINARY COUNCIL MEETING 23 AUGUST 2022

MOTION

Moved by Cr Mackenzie, seconded by Cr Duncan

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

Councillor Pull proposed the following amendment to the minutes in relation to Item-26 NOM 23/08/22 - Using Recycled Plastic Products in City of Newcastle Projects, page 17 of the agenda:

AMENDMENT

Moved by Cr Pull, seconded by Cr Barrie.

- 7 Investigates opportunities for City of Newcastle to incorporate recycled plastic products in City of Newcastle projects, where appropriate, and where cost effective.*

The mover and seconder of the motion agreed to incorporate the amendment into the motion.

The motion, moved by Councillors Mackenzie and Duncan, was put to the meeting.

Carried

LORD MAYORAL MINUTE

ITEM-17 LMM 27/09/22 - HONOURING THE PASSING OF HER MAJESTY QUEEN ELIZABETH II

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

- 1 Acknowledges the passing of Her Majesty Queen Elizabeth II on the 8th September 2022 at Balmoral Castle in Scotland.
- 2 Honours Her Majesty's service to the Commonwealth as the longest serving British monarch, and the first monarch to visit Australia.
- 3 Acknowledges City of Newcastle's connection with the throne, following approval in 1947 by King George VI of its elevation to Lord Mayor, the first Australian non-capital city to receive the honour.
- 4 Notes Her Majesty Queen Elizabeth II and the Duke of Edinburgh visited the City of Newcastle on four occasions, in 1954, 1970, 1977 and 1988.

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- 5 Writes to King Charles III expressing sincere condolences on behalf of the community of Newcastle and congratulating him on his ascension to the throne.

**Carried
unanimously**

ITEM-18 LMM 27/09/2022 - NRLW LORD MAYORAL CHALLENGE

MOTION

Moved Lord Mayor, Cr Nelmes

That City of Newcastle:

- 1 Congratulates the Newcastle Knights Women's NRL team for progressing to the Grand Final on Sunday 2 October and wishes them the best of luck as they take on the Parramatta Eels;
- 2 Would welcome the honour of hosting a celebratory Civic Reception for the Newcastle Knights NRLW Team at City Hall;
- 3 Accepts the challenge from Cr Donna Davis, Lord Mayor of the City of Parramatta to wear the winning NRL team's jersey in the Council Chambers Caat the next Ordinary Council Meeting following the NRLW match.

**Carried
unanimously**

REPORTS BY COUNCIL OFFICERS

ITEM-79 CCL 27/09/22 - EXECUTIVE MONTHLY PERFORMANCE REPORT

MOTION

Moved by Cr Mackenzie, seconded by Cr Duncan

That Council:

- 1 Receives the Executive Monthly Performance Report for August 2022.

For the Motion:

Lord Mayor, Cr Nelmes and Councillors Adamczyk, Barrie, Church, Clausen, Duncan, Mackenzie, McCabe, Pull, Richardson, Wark, Winney-Baartz and Wood.

Against the Motion:

Nil.

**Carried
unanimously**

ITEM-80 CCL 27/09/22 - HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL ALTERNATE MEMBERSHIP

MOTION

Moved by Cr Clausen, seconded by Cr Winney-Baartz

That Council:

- 1 Authorises City of Newcastle's Chief Executive Officer in consultation with the Lord Mayor and Councillor representatives to the Hunter and Central Coast Regional Planning Panel (HCCRPP) to determine staff or independent alternative representatives to the HCCRPP when Councillor appointed representatives or alternative representatives have declared a conflict of interest or conflict of duties or where they are otherwise unavailable to represent CN on the HCCRPP.

**Carried
unanimously**

ITEM-70 CCL 27/09/22 - PUBLIC EXHIBITION OF OUR SUSTAINABLE WASTE STRATEGY

In moving the motion, Councillors Clausen and Adamczyk moved an addition to point two of the Officer's recommendation as outlined in the business papers.

MOTION

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

- 1 Places the draft Our Sustainable Waste Strategy – Strategic Framework (**Attachment A**), White Paper (**Attachment B**) and Delivery Plan (**Attachment C**) on public exhibition for 42 days.
- 2 Receives a report on submissions following the public exhibition.

That a particular emphasis be undertaken within the 'Community' and 'Operational Excellence' priorities of our Delivery Plan in order to support our achievement of the Planet and Prosperity Pillars, in:

Noting significant numbers of residents and international students locating in Newcastle from culturally diverse locations, and increasing numbers of renters in the city (including in suburbs near the main campus of the local university such as Shortland, Callaghan and Jesmond),

- i. Prioritising to engage with owners and landlords, the University of Newcastle, and community organisations like Mosaic and Zara's House, as key stakeholders to work with culturally and linguistically diverse communities to improve household waste and bulk waste practices; and

Noting the importance of avoidance - as well as mitigation - of food and organics waste to minimise food waste,

- ii. Prioritising continued work with food rescue services such as OzHarvest to deliver education and to ensure that, wherever possible, surplus food from City of Newcastle events, and produced by commercial businesses in the city, is ethically re-used or repurposed

Carried

ITEM-71 CCL 27/09/22 - PUBLIC EXHIBITION OF THE DRAFT HARBOUR FORESHORE MASTERPLAN

MOTION

Moved by Cr Winney-Baartz, seconded by Cr Wood

That Council:

- 1 Places the draft Harbour Foreshore Masterplan at **Attachment A** on public exhibition for a period of four weeks.
- 2 Receives a report on submissions following the public exhibition.

**Carried
unanimously**

ITEM-72 CCL 27/09/22 - ACCELERATED DEVELOPMENT APPLICATION SYSTEM

MOTION

Moved by Cr Adamczyk, seconded by Cr Wark

That Council:

- 1 Endorses the Accelerated Development Application System.

**Carried
unanimously**

ITEM-73 CCL 27/09/22 - ADOPTION OF AMENDMENTS TO THE NEWCASTLE DCP 2012

MOTION

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

- 1 Adopts Section 4.02 Bush Fire Protection (**Attachment A**), Section 4.03 Mine Subsidence (**Attachment B**), Section 4.04 Safety and Security (**Attachment C**) and Section 7.03 Traffic, Parking and Access (**Attachment D**) of Newcastle Development Control Plan 2012 with an amendment to Section 7.03.02 - Section F (pg 34) to read:

*“The following controls apply to new development that involves car parking, or residential alterations and additions with an estimated cost of **equal to or more than \$200,000**”.*

- 2 Notes that once adopted, the amendments will become operational from 1 November 2022.
- 3 That Section 7.03.02 Section E Parking for People with a Disability be reviewed by the DCP Working Party and reported back to Council by June 2023, consistent with Council’s Resolution of April 2022 (Part B, Item 31).

AMENDMENT

Moved by Cr Church, seconded by Cr Barrie

Delete the car parking changes from the DCP and keep the current car parking requirements as they are.

PROCEDURAL MOTION

Moved by Cr Pull, seconded by Cr Mackenzie

The policies be considered in seriatim:

Part A Section 4.02, Section 4.03, 4.04 and Part B 7.03.

Defeated

The amendment moved by Councillor Church and seconded by Councillor Barrie was put to the meeting.

For the Amendment: Councillors Barrie, Church and Pull.

Against the Amendment: Lord Mayor, Cr Nelmes and Councillors Adamczyk, Clausen, Duncan, Mackenzie, McCabe, Richardson, Wark, Winney-Baartz and Wood.

Defeated

The motion moved by Councillor Clausen and seconded by Councillor Adamczyk was put to the meeting.

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

Against the Motion: Councillors Barrie, Church and Pull.

Carried

ITEM-74 CCL 27/09/22 - PUBLIC EXHIBITION OF DRAFT PLANNING AGREEMENT FOR 10 DANGAR STREET, WICKHAM

MOTION

Moved by Cr Clausen, seconded by Cr Barrie

That Council:

- 1 Places the draft Planning Agreement (**Attachment A**) and Explanatory Note (**Attachment B**) for 10 Dangar Street, Wickham on public exhibition for 28 days noting this is not an endorsement of the proposal.
- 2 Considers a report on the draft Planning Agreement and Explanatory Note following public exhibition.

**Carried
unanimously**

ITEM-75 CCL 23/08/22 - PUBLIC EXHIBITION OF DRAFT LOCAL SOCIAL STRATEGY

MOTION

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

- 1 Places the draft Local Social Strategy 2030 (LSS) at **Attachment A** on public exhibition for a minimum 28 days.
- 2 Receives a report on submissions following the public exhibition.
- 3 The Community and Culture Advisory Committee receives a briefing, with an open invitation to members of other Committees, prior to a report back to Council.

Carried

ITEM-76 CCL 23/08/22 - PUBLIC EXHIBITION OF THE DRAFT SOCIAL INFRASTRUCTURE STRATEGY

MOTION

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

- 1 Places the draft Social Infrastructure Strategy 2022-2026 (SIS) at **Attachment A** on public exhibition for a minimum 28 days.
- 2 Receives a report on submissions following the public exhibition.

- 3 The Community and Culture Advisory Committee receives a briefing, with an open invitation to members of other Committees, prior to a report back to Council.

**Carried
unanimously**

ITEM-77 CCL 27/09/22 - WILKINSON AVENUE, BIRMINGHAM GARDENS - RAISED PEDESTRIAN CROSSING BETWEEN BLUE GUM ROAD AND KING STREET

MOTION

Moved by Cr Winney-Baartz, seconded by Cr Wood

That Council:

- 1 Approves the installation of a raised pedestrian crossing with kerb extensions and associated footpath connections on Wilkinson Avenue Birmingham Gardens, as generally shown in **Attachment A**.

**Carried
unanimously**

ITEM-78 CCL 27/09/22 - NEWCASTLE LIGHT RAIL - TRANSPORT ASSET HOLDING ENTITY LAND TRANSFER TO CITY OF NEWCASTLE

MOTION

Moved by Cr Clausen, seconded by Cr Barrie

That Council:

- 1 Resolves to accept the transfer of the following parcels of land (the Land) as shown at **Attachment A**, in accordance with s377(1)(h) of the *Local Government Act 1993* (the Act):
 - i) Lot 1 DP 1226551,
 - ii) Lot 3 DP 1226551,
 - iii) Lot 5 DP 1226551, and
 - iv) Lot 1 DP 1192409.
- 2 Resolves to classify the Land as Operational Land, subject to publicly notifying the proposal in accordance with the Act.
- 3 Resolves upon the Land being classified as Operational Land that it be dedicated as public road.
- 4 Grants authority to the Chief Executive Officer (CEO) or his delegate to execute all relevant documentation to affect the transaction.

Carried

NOTICES OF MOTION

ITEM-30 NOM 27/09/22 - RESIDENTIAL EV CHARGING

MOTION

Moved by Cr Duncan, seconded by Cr Clausen

That City of Newcastle

- 1 Notes the rapid increase in electric vehicle (EV) ownership in Australia.
- 2 Notes the recent announcement by the ACT Government to phase out the sale of new internal-combustion passenger vehicles in the ACT from 2035 in an Australia-first move aimed to match other aggressive phase-out targets already set across Europe.
- 3 Notes that the NSW and Commonwealth Governments have announced electric vehicle strategies to increase EV ownership.
- 4 Notes the recent announcement by one Australian bank that it will no longer provide new vehicle loans for petrol or diesel cars from 2025.
- 5 Notes that a number of Australian local councils are developing strategies to enable at-home charging for properties without offstreet parking (see attachment A & B). Some of these initiatives are being funded by the Australian Renewable Energy Agency to trial EV charging points on power poles (Attachment C).
- 6 Commits, as an action to be included within the upcoming Environment Strategy, to developing an EV policy framework for Newcastle to:
 - a. support the acceleration of the transition to EVs in the City of Newcastle LGA
 - b. ensure clarity of CN's role in public charging stations, including CN's role alongside private charging providers like NRMA and Ampol
 - c. the continued transition of CN's own fleet to electric vehicles
 - d. the continued evolution of planning regulations to support EVs (including the future-proofing requirements recently exhibited in the Newcastle DCP), and
 - e. a position of the provision of streetside charging infrastructure for residents of properties with no off-street parking.

For the Motion:

Lord Mayor, Cr Nelmes and Councillors Adamczyk, Barrie, Church, Clausen, Duncan, Mackenzie, McCabe, Richardson, Wark, Winney-Baartz and Wood.

Against the Motion:

Councillor Pull.

Carried

ITEM-31 NOM 27/09/22 - EV CHARGING - ADAMSTOWN LOCAL CENTRE

MOTION

Moved by Cr Duncan, seconded by Cr Adamczyk

That City of Newcastle

- 1 Notes the rapid increase in electric vehicle (EV) ownership in Australia.
- 2 Notes Council's commitment to the upgrade of the Adamstown Local Centre at Brunner Road within CN's popular local centre upgrade program.
- 3 Notes feedback from the Adamstown Business Group to Ward 2 Councillors seeking EV charging in close proximity to the Adamstown CBD as an economic development initiative.
- 4 Requests that public EV charging infrastructure be included in the Adamstown local centre as part of the future local centre upgrade.

**Carried
unanimously**

ITEM-32 NOM 27/09/22 - RECOGNITION OF CARERS AND NATIONAL CARERS WEEK

MOTION

Moved by Cr Wood, seconded by Cr Duncan

That City of Newcastle:

- 1 Acknowledges the important role that carers play in our local community;
- 2 Supports the greater recognition and community inclusion of carers;
- 3 Supports National Carers Week (16 to 22 October 2022) by:
 - a. promoting events on the City website, social media channels and the Community e-newsletter,
 - b. providing venues,
 - c. supporting the Memory Room Project at City Libraries,
 - d. holding a morning tea for carers and service providers on 14 October,
 - e. using internal media to raise awareness of the role of carers and the Carer's Charter with employees.
- 4 Seeks to be inclusive and supportive of employees who are carers and lead cultural and workplace change;
- 5 Complies with the NSW Carer Recognition Act and support the Carer's Charter;
- 6 Supports the development and funding of policy initiatives by State and Federal governments to support carers in their caring role;
- 7 Supports the priorities in the NSW Carer's Strategy 2020-2030, including the recognition and empowerment of carers and improved financial wellbeing and economic opportunity for carers;

- 8 Writes to the NSW Minister for Families and Communities, and Minister for Disability Services, the Hon. Natasha Maclaren-Jones MLC, and the Shadow Minister for Disability Inclusion, Kate Washington MP, calling upon the NSW Government to include local government in the next Action Plan (2023-2025) by consulting with Local Government NSW and local councils and developing Actions and measurable outcomes aligned to the priorities of the NSW Carers Strategy;
- 9 Writes to the Federal Minister for Social Services, the Hon. Amanda Rishworth MP, and the Federal Member for Newcastle, Sharon Claydon MP, advising of our City's support for action by the Federal Government to:
 - a. develop with carers, carer organisations and state, territory and local government a new National Carer Strategy which identifies priorities and actions, and mandates measurable outcomes;
 - b. review the Carer Recognition Act 2010 (Commonwealth);
 - c. create a Carer Advisory Council to provide strategic advice to government about policy and carer engagement.

**Carried
unanimously**

ITEM-33 NOM 27/09/22 - FOSSIL FUEL AD BAN

MOTION

Moved by Cr Mackenzie, seconded by Cr McCabe

That the City of Newcastle:

- No longer accept advertising for coal, oil and gas products or companies on any council controlled signage or property.
- No longer accept or provide sponsorships from or to companies and organisations whose main business is the extraction or sale of coal, oil or gas.
- Review the relevant CN policies or strategies, including the list of socially harmful activities in Sponsorship Policy, to be revised and updated to reflect these commitments.
- Write to:
 - Federal Minister for Communications, The Hon Michelle Rowland MP, to ask the Federal Government to pass national laws that restrict fossil fuel advertising; and
 - NSW Minister for Digital Government and Minister for Customer Service, Victor Dominello MP requesting the NSW Government impose restrictions on fossil fuel advertising.
- Work with other councils, Local Government NSW and the Australian Local Government Association to encourage a consistent approach across local government to fossil fuel advertising.

Councillor Clausen foreshadowed a substantive motion that being the Officer's report as outlined in the business papers.

The motion moved by Councillors Mackenzie and McCabe was put to the meeting.

For the Motion: Councillors Mackenzie and McCabe.

Against the Motion: Lord Mayor, Cr Nelmes and Councillors Adamczyk, Barrie, Church, Clausen, Duncan, Pull, Richardson, Wark, Winney-Baartz and Wood.

Defeated

MOTION

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council notes that:

City of Newcastle (CN) owns several billboards in the Carrington and Honeysuckle areas. These however are restricted to advertising of CN only events and programs, and are not used for private advertising.

The Notice of Motion proposes that CN no longer accept or provide sponsorships from or to companies and organisations whose main business is the extraction or sale of coal, oil or gas.

CN has applied for, and has been awarded a total of \$1.3 million from the Newcastle Port Community Contribution Fund since its inception in 2014.

The fund exists to support projects that revitalise the Port of Newcastle and surrounding areas for the benefit of the community and its visitors. While the Port is diversifying, it currently derives the majority of its revenue from the export of thermal coal.

CN is also eligible to apply to the NSW Government's Resources for Regions program, which was created in 2012 to support the ongoing prosperity of mining communities in regional NSW.

CN has received \$11.7 million from the program to date, including recent funding towards the Orchardtown Road local centre upgrade. CN has applied for a further \$2.3 million in 2022/23 towards the upgrade of Foreshore Park for the central Awabakal and Worimi picnic area and the Industrial Play area.

Carried

The meeting concluded at 9.25pm.

REPORTS BY COUNCIL OFFICERS

ITEM-81 CCL 25/10/22 - TABLING OF REGISTER OF DISCLOSURES OF INTEREST - ANNUAL REPORT

REPORT BY: CORPORATE SERVICES
**CONTACT: INTERIM EXECUTIVE DIRECTOR CORPORATE SERVICES/
MANAGER LEGAL AND GOVERNANCE**

PURPOSE

To table the Register of Disclosures of Interest (Register) for the financial year 2021/2022 in accordance with the Codes of Conduct for Councillors, Staff and Committee Members, Delegates of Council and Council Advisors (Codes of Conduct).

RECOMMENDATION

That Council:

- 1 Note the tabling of the Register of Disclosures of Interest for the financial year 2021/2022 by the Chief Executive Officer.

KEY ISSUES

- 2 Councillors, Chief Executive Officer (CEO), senior staff, Audit and Risk Committee members and staff who exercise delegated functions are Designated Persons for the purposes of the Codes of Conduct. Further, the Codes of Conduct requires:
 - i) Designated Persons to lodge a Disclosure of Interest Return (disclosing of certain pecuniary interests) by 30 September each year for the prior financial year;
 - ii) The CEO to table the Register of Disclosures of Interests (Register) at the first Ordinary Council Meeting held after the 30 September; and
 - iii) The CEO to make the Register accessible in accordance with the *Government Information (Public Access) Act 2009* (GIPA Act).

FINANCIAL IMPACT

- 3 There is no budget implication in tabling the Register.

NEWCASTLE 2040 ALIGNMENT

- 4 The tabling of the Register is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

Achieving Together

4.2 Trust and Transparency

4.2.2 Shared information and celebration of success

IMPLEMENTATION PLAN/IMPLICATIONS

- 5 Disclosures received from Councillors, the Executive Leadership Team and Audit and Risk Committee members are made publicly available on CN's website (with personal information redacted to ensure protection of privacy). The full Register may be accessed by the public on request in accordance with the GIPA Act (which ensures protection of personal information).

RISK ASSESSMENT AND MITIGATION

- 6 Tabling of the Register supports CN compliance with legislative requirements.

RELATED PREVIOUS DECISIONS

- 7 At the Ordinary Council meeting held on 26 October 2021, Council noted the tabling of the Register (for the period 1 July 2020 to 30 June 2021) by the CEO.

CONSULTATION

- 8 No consultation is required as this is a statutory process required under the Codes of Conduct.

BACKGROUND

- 9 Nil.

OPTIONS

Option 1

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

Option 2

- 11 Council does not adopt the recommendation. The Codes of Conduct require the Register to be tabled at a Council meeting. Failure to do so would constitute a breach of the Codes. This is not the recommended option.

REFERENCES

Codes of Conduct

<https://www.newcastle.nsw.gov.au/Council/Our-Responsibilities/Code-of-Conduct>

ATTACHMENTS

Item 81 Attachment A: Register of Disclosures of Interest to be tabled.

ITEM-82 CCL 25/10/22 - VARIATIONS TO DEVELOPMENT STANDARDS

REPORT BY: PLANNING & ENVIRONMENT
CONTACT: INTERIM EXECUTIVE DIRECTOR, PLANNING &
ENVIRONMENT / ACTING MANAGER, PLANNING,
TRANSPORT & REGULATION

PURPOSE

To report on development variations approved between 1 July 2022 and 30 September 2022.

RECOMMENDATION

That Council:

- 1 Receives the report on approved development variations between 1 July 2022 and 30 September 2022 at **Attachment A** in accordance with the Department of Planning and Environment’s (DPE) concurrence to vary development standards in the Newcastle Local Environmental Plan 2012 (NLEP 2012).

KEY ISSUES

- 2 Under clause 55 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation), consent authorities may be notified that they may assume the Secretary of DPE’s (Secretary) concurrence for exceptions to development standards for applications made under clause 4.6 of the NLEP 2012. The Secretary has provided a concurrence to NSW Councils, subject to conditions, to vary development standards proposed in applications. That concurrence, and the reporting and record keeping requirements are outlined in Planning Circular PS 20-002 issued on 5 May 2020.
- 3 This report addresses the requirement that all variations approved under delegation must be tabled at a meeting of the Council at least once each quarter.
- 4 A total of 14 Development Applications (DA) were determined between 1 July 2022 and 30 September 2022 that proposed a variation to a development standard as outlined in Table One below.

Table One

Variation to Development Standard	Required Determining Authority	Number determined between 1 April 2022 and 30 June 2022
10% or less	Under delegation	10

Greater than 10% or a variation to a non-numerical development standard	Council or where appropriate the Regional Planning Panel	4
Total		14

- 5 The concurrence issued by the Secretary, requires all DAs, Modifications to DAs and Requests for Reviews, with variations greater than 10%, to be determined by Council or where appropriate the Regional Planning Panel. All applications effected by this requirement are included in **Attachment A** and identified as being determined by Council under assumed concurrence.

FINANCIAL IMPACT

- 6 Nil

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 7 This report aligns with the following strategic directions of the Newcastle Community Strategic Plan:

Liveable Built Environment

- 5.1b Ensure our suburbs are preserved, enhanced and promoted, while also creating opportunities for growth.
- 5.1c Facilitate well designed and appropriate scale development that complements Newcastle's unique character.

Open and Collaborative Leadership

- 7.2a Conduct Council business in an open, transparent and accountable manner.
- 7.3b Provide clear, consistent, accessible and relevant information to the community.

IMPLEMENTATION PLAN/IMPLICATIONS

- 8 A report of all development approved variations has been submitted to the DPE and the register of all development variations has been updated on City of Newcastle's (CN) website.
- 9 A report is tabled to Council each quarter detailing all approved applications with a development variation, in accordance with the requirements of the Secretary's concurrence.

RISK ASSESSMENT AND MITIGATION

- 10 By implementing required reporting measures and record keeping arrangements, CN will comply with the requirements of the Secretary’s concurrence.

RELATED PREVIOUS DECISIONS

- 11 Council received reports on the development variations approved in the last 12 months as listed in Table Two.

Table Two

Ordinary Council Meeting held	Period Contained in Report
23 August 2022	1 April to 30 June 2022
26 April 2022	1 January to 31 March 2022
22 February 2022	1 October to 31 December 2021
23 November 2021	1 July to 30 September 2021
24 August 2021	1 April to 30 June 2021

CONSULTATION

- 12 Applications that propose a variation to a development standard are placed on public exhibition prior to the determination of the application.
- 13 Any submissions received as a result of public notification are taken into consideration prior to the determination of the application.

BACKGROUND

- 14 Development standards are a means to achieving an environmental planning objective and can be numerical or performance based. Some developments may achieve planning objectives despite not meeting the required development standards.
- 15 The planning system provides flexibility to allow these objectives to still be met by varying development standards in particular cases.

OPTIONS

Option 1

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

Option 2

19 Council resolves not to adopt this report. This is not the recommended option.

REFERENCES

ATTACHMENTS

Item 82 Attachment A: Report on all approved development variations between 1 July 2022 and 30 September 2022

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Item 82 ATTACHMENT A

DA reference number	Lot number	DP number	Street number	Street name	Suburb	Postcode	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Determination by	Date DA determined
DA2022/00500	29	102286	402/116	Tudor Street	Hamilton	2303	Mixed	LEP2012	R3	Building Height	Compatible with streetscape (bulk, scale and mass)	54.7%	Council	29/09/2022
DA2022/00500	29	102286	402/116	Tudor Street	Hamilton	2303	Mixed	LEP2012	R4	Building Height	Compatible with streetscape (bulk, scale and mass)	10.5%	Council	29/09/2022
DA2022/00561	21	85864	704/111	Scott Street	Newcastle	2300	ResiAltAdd	LEP2012	B4	Building Height	Not have unreasonable impact on amenity of the area	4.6%	Council	19/09/2022
DA2021/01138	3	153025	90	Mitchell Street	Merewether	2291	ResiSecOcc	LEP2012	R2	Floor Space Ratio	Compatible with streetscape (bulk, scale and mass)	9.7%	Council	26/08/2022
DA2022/00247	1	1278297	1	Noble Street	North Lambton	2299	DAOther	LEP2012	R2	Lot Size	Not have unreasonable impact on amenity of the area	16.3%	Council	23/08/2022
DA2022/00247	20	1005189	1	Noble Street	North Lambton	2299	DAOther	LEP2012	R2	Lot Size	Not have unreasonable impact on amenity of the area	16.3%	Council	23/08/2022
DA2022/00016	1	547043	1	Bank Street	Merewether	2291	ResiSecOcc	LEP2012	R2	Floor Space Ratio	Achieves desired future character for the area	4.8%	Council	23/08/2022
DA2022/00553	5	38433	27	Coane Street	Merewether	2291	ResiSingle	LEP2012	R2	Building Height	Compatible with streetscape (bulk, scale and mass)	5.5%	Council	19/08/2022
DA2022/00036	11	92	51	Mary Street	Jesmond	2299	ResiMulti	LEP2012	R2	Lot Size	Consistent with the aims of Clause 4.1 of NLEP2012	9%	Council	15/08/2022

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DA2021/01331	2	381889	92	Hobart Road	New Lambton	2305	ResidOther	LEP2012	R2	Building Height	Achieves underlying objectives of height control	5.88%	Council	5/08/2022
DA2021/01647	16	548412	163	Merewether Street	Merewether	2291	ResiSecOcc	LEP2012	R2	Building Height	Achieves desired future character for the area	0.74%	Council	1/08/2022
DA2021/01647	16	548412	163	Merewether Street	Merewether	2291	ResiSecOcc	LEP2012	R2	Floor Space Ratio	Achieves desired future character for the area	10%	Council	1/08/2022
DA2022/00008	23	1130172	18	Ocean Street	Merewether	2291	ResiSingle	LEP2012	R2	Building Height	Not have unreasonable impact on amenity of the area	2.9%	Council	26/07/2022
DA2022/00280	16	1256074	2	Rose Street	Tighes Hill	2297	ResiSingle	LEP2012	R2	Floor Space Ratio	Not have unreasonable impact on amenity of the area	7.2%	Council	14/07/2022
DA2019/00061	1	1281357	11	Mosbri Crescent	The Hill	2300	ResiMulti	LEP2012	R3	Building Height	Achieves underlying objectives of height control	146%	JRPP	8/07/2022
DA2022/00279	20	10895	34	Eames Avenue	Stockton	2295	ResiSingle	LEP2012	R2	Building Height	Achieves underlying objectives of height control	10%	Council	5/07/2022
DA2021/01530	2	1271240	854	Hunter Street	Newcastle West	2302	Mixed	LEP2012	B3	Building Height	Achieves desired future character for the area	18.6%	JRPP	5/07/2022

**ITEM-83 CCL 25/10/22 - EXHIBITION OF DRAFT RENEWAL
CORRIDORS SECTION OF NEWCASTLE DCP 2012**

**REPORT BY: PLANNING & ENVIRONMENT
CONTACT: INTERIM EXECUTIVE DIRECTOR - PLANNING &
 ENVIRONMENT
 ACTING MANAGER - PLANNING, TRANSPORT &
 REGULATION**

PURPOSE

To place the renewal corridor sections of Newcastle Development Control Plan 2012 (NDCP 2012) for Islington, Mayfield, Hamilton, Broadmeadow and Adamstown on exhibition and repeal redundant sections of the NDCP 2012.

RECOMMENDATION

That Council:

- 1 Place the draft Renewal Corridors section of Newcastle Development Control Plan 2012 on exhibition for a minimum of 28 days and receive a report following the formal exhibition period.
- 2 Repeal the following sections:
 - i) Section 3.09 - Tourist and Visitor Accommodation
 - ii) Section 6.11 - Royal Newcastle Hospital Site
 - iii) Section 6.12 - Minmi
 - iv) Section 6.14 - 11 Mosbri Crescent, The Hill.

KEY ISSUES

- 3 The renewal corridors' planning and development controls were revised to improve development outcomes and ensure alignment with the updated Apartment Design Guide (ADG).
- 4 In consultation with Mecone (external planning consultant) and subconsultant LFA (urban design specialist), the review considered development activity, constraints to redevelopment, urban design opportunities, feasibility, relevant literature, and comparable council controls. Opportunities were identified to improve and simplify planning controls and align better with state-wide strategies.

Proposed Approach – Renewal corridors

- 5 The proposed changes consolidate five NDCP sections for Mayfield, Islington, Hamilton, Broadmeadow, and Adamstown, into one section with common, overarching objectives and controls. Each of the renewal corridors contains a commercial centre, which falls within the scope of the Local Centres Program. The amended DCP offers an opportunity for improved and consistent outcomes when private development is undertaken in these local centres. The proposed refinements to the draft Renewal Corridors section is supported by the Urban Design Review Panel (UDRP).
- 6 Development controls for the corridors are simplified and split into five 'Character Typologies'. Each with an updated statement, objectives and controls for building setbacks, active street frontages, façade/design elements, fencing, lot size, frontage, landscaping, and deep soil.
- 7 The character typologies are Village Centre, Active Residential, Apartments, Auto-business, and Transition Residential which apply to different areas of each corridor depending on the desired future character. For clarity, the typology names differ to land use zone names.
- 8 The Auto-business Character Typology is a non-residential transitional area. It is currently occupied by businesses such as car yards, petrol stations, vehicle repair shops and the like, which are unlikely to change, in the near future. To help concentrate residential development and minimise land use conflict, the current uses and building typologies in these areas will continue until significant changes in local character or transport infrastructure dictate a need for these areas to transition to other uses.
- 9 The proposed controls focus on public realm outcomes with each corridor element including controls for building setback, awnings and street trees, traffic and transport and site-specific provisions.
- 10 The proposed front setback controls are based on character typology / area rather than development types to better manage consistent front setbacks for a block or precinct.
- 11 A key change is the controls proposed for awnings and street trees to increase tree canopy cover. These are mapped relative to footpath widths and existing trees.
- 12 Changes are proposed to the corridor boundaries in parts to promote site consolidation and rear lane / secondary road access. Minimum lot size and frontage controls to apply to boarding houses, hostels, multi dwelling housing, residential flat buildings and shop top housing for site consolidation. It is not to apply to the Village Centre.

- 13 Ground floor space and active frontage provisions are introduced to improve pedestrian urban amenity and concentrate commercial activity.
- 14 The following sections are obsolete due to sites being developed, approved and/or no longer relevant or current:
 - i) Section 3.09 - Tourist and Visitor Accommodation. This type of development is guided by State Environmental Planning Policy (Housing) 2021.
 - ii) Section 6.11 - Royal Newcastle Hospital Site. Redevelopment of the former Royal Newcastle Hospital is now complete.
 - iii) Section 6.12 – Minmi. Urban Design Guidelines have been approved by the Planning Secretary and general DCP controls can guide infill development in Minmi village.
 - iv) Section 6.14 - 11 Mosbri Crescent, The Hill. Redevelopment of the Mosbri Crescent site has been approved.

FINANCIAL IMPACT

- 15 The costs to exhibit draft NDCP 2012 are met under the operational budget.

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 16 Amendments to NDCP 2012 are consistent with Newcastle 2040 Community Strategic Plan and will contribute to the implementation of the following priority:

1. Liveable

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

IMPLEMENTATION PLAN/IMPLICATIONS

- 17 The DCP amendment process is guided by the EP&A Act 1979 and Regulation 2021. The update implements the Local Strategic Planning Statement (LSPS).

No amendments are required to the Local Environmental Plan 2012 (NLEP 2012).

Local Strategic Planning Statement

- 18 The LSPS identifies actions to review and update planning controls for the Stage 1 Urban Renewal Corridors to ensure they support desired development outcomes.
- 19 To achieve this the controls are specific and prescriptive, using numerical measures for robust design guidance.

RISK ASSESSMENT AND MITIGATION

- 20 The legislative process will guide the amendment process.

RELATED PREVIOUS DECISIONS

- 21 The renewal corridors' controls were supported by Council in November 2011 (operational from 2012) via NDCP 2012.

CONSULTATION

- 22 Advice has been considered from UDRP.
- 23 The proposed amendments have been presented to the DCP Working Party (DCPWP) established under the Liveable Cities Advisory Committee (LCAC).
- 24 The DCPWP was established to help progress the NDCP review and prioritise planning actions relating to development controls.
- 25 Subject to Council's endorsement, Draft NDCP will be exhibited for 28 days as per CN's Community Participation Plan. Feedback received during the exhibition, including community engagement sessions, will be considered and reported to Council.

BACKGROUND

- 26 This project forms part of the second stage of updates to modernise NDCP 2012.

The existing urban renewal corridors were identified by CN in the Newcastle Urban Strategy, which underpinned the preparation of NLEP 2003. Design Guidelines for the renewal corridors were developed in 2006 for some of the corridors and 2009 for the remainder of the corridors.

The guidelines have been reviewed and updated over time and inform the relevant sections of NDCP. Notable changes have been made to the study areas since the adoption of the NDCP in 2012.

OPTIONS

Option 1

27 The recommendation as at Paragraph 1 – 2. This is the recommended option.

Option 2

28 The recommendation that Council does not support exhibition of amendments to NDCP 2012. This is not the recommended option.

REFERENCES

ATTACHMENTS

Item 83 Attachment A: Draft Renewal Corridors Section – Newcastle Development Control Plan 2012

Item 83 Attachment A distributed under separate cover

ITEM-84 CCL 25/10/22 - ADOPTION OF NEWCASTLE HERITAGE POLICY

REPORT BY: PLANNING AND ENVIRONMENT
CONTACT: INTERIM EXECUTIVE DIRECTOR PLANNING AND ENVIRONMENT / DIRECTOR PLANNING, TRANSPORT AND REGULATION

PURPOSE

To adopt the revised Newcastle Heritage Policy.

RECOMMENDATION

That Council:

- 1 Adopts the Newcastle Heritage Policy at **Attachment A**.

KEY ISSUES

- 2 Policies are key control documents for City of Newcastle (CN) that mitigate risk. They are critical to supporting effective and evidence-based decision making and ensure CN complies with relevant legislation and guidelines. Policies are most effective when they are regularly reviewed and updated.
- 3 It is recommended Council re-adopt all policies within the first 12 months of their new term. Benefits of re-adopting policies within the first 12 months of the new Council term include:
 - i) All policies are on a consistent review cycle;
 - ii) Councillors have assurance that all Council adopted policies are up to date;
 - iii) Councillors are aware of the policies early in the term which provides the opportunity to understand their application and content.
- 4 The revised policy (with tracked changes) and a summary of the Policy is at **Attachment A**.
- 5 At the Council Meeting on 26 July 2022, Council resolved to exhibit the draft policy for 28 days and receive a report on community submissions prior to adoption.
- 6 The policy outlines CN's commitment to heritage conservation by identification, preservation, conservation, celebration and promotion of the city's rich cultural heritage. Council adopted the current policy on 22 June 2013, its review ensures alignment with CN's Heritage Strategy 2020-2030, adopted in October 2020.

- 7 CN exhibited the draft policy for 28 days from 15 August 2022 to 12 September 2022.
- 8 Five written submissions were received. Refer to **Attachment B** for the Summary of Submissions.
- 9 Overall, feedback supports the draft policy's vision and content. Some comments express concern CN needs to improve its protection and support for heritage conservation, and a few suggest minor amendments to the policy. This included the need to identify the components of Newcastle's heritage to preserve, and to encourage installation of solar panels in heritage conservation areas to curtail climate change. Such suggestions are comprehensively addressed in the draft policy. As such, the exhibited draft policy has not been further amended.

FINANCIAL IMPACT

- 10 There is no budget implication in adopting the Council policy.

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 11 Adopting the policy is consistent with the priorities of Newcastle 2040 Community Strategic Plan (CSP), including:

1 Liveable

1.1 Enriched neighbourhoods and places

1.1.3 Protected heritage places

3 Creative

3.3 Celebrating culture

3.3.3 Culture in everyday life

IMPLEMENTATION PLAN/IMPLICATIONS

- 12 Adopted Council policies are published on CN's website.

RISK ASSESSMENT AND MITIGATION

- 13 Reviewing policies regularly, in line with each Council term ensures they remain up-to-date and relevant.

RELATED PREVIOUS DECISIONS

- 14 At the Council Meeting on 22 June 2013, Council resolved to adopt the Newcastle Heritage Policy.

- 15 At the Council Meeting on 26 July 2022, Council resolved to exhibit the draft policy for 28 days and receive a report on community submissions prior to adoption.

CONSULTATION

- 16 The draft policy was circulated for internal consultation with relevant staff.
- 17 CN exhibited the draft policy for 28 days, 15 August 2022 to 12 September 2022.
- 18 Five written submissions were received. Refer to **Attachment B** for the Summary of Submissions.

BACKGROUND

- 19 Council adopted the current policy on 22 June 2013, its review ensures alignment with CN's Heritage Strategy 2020-2030, adopted in October 2020. Revised policies are ideally presented to Council to consider during the first 12 months of the Council term.

OPTIONS

Option 1

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

Option 2

- 21 Council does not adopt the recommendations as at Paragraph 1. This is not the recommended option.

REFERENCES

ATTACHMENTS

- Item 84 Attachment A:** Adoption of Heritage Policy
Item 84 Attachment B: Summary of Submissions – Draft Newcastle Heritage Policy

Item 84 Attachments A-B distributed under separate cover

ITEM-85 CCL 25/10/22 - EXHIBITION OF MOBILE FOOD VENDING (LOCAL APPROVALS) POLICY

REPORT BY: PLANNING AND ENVIRONMENT
CONTACT: INTERIM EXECUTIVE DIRECTOR PLANNING AND ENVIRONMENT / ACTING MANAGER, PLANNING, TRANSPORT & REGULATION

PURPOSE

To place City of Newcastle's (CN's) Mobile Food Vending (Local Approvals) Policy on public exhibition.

RECOMMENDATION

That Council:

- 1 Places the draft Mobile Food Vending (Local Approvals) Policy (draft Policy) at **Attachment A** on public exhibition for a period of 28 days in accordance with section 160 of the *Local Government Act 1993*.

KEY ISSUES

- 2 The Mobile Food Vending (Local Approvals) Policy was adopted in March 2019 and provides a framework for the approval and operation of mobile food vending vehicles in the Newcastle Local Government Area (LGA). The Policy has been reviewed and updated.

- 3 The key differences between the draft Policy and current Policy are:

- i) The draft Policy has been updated to the current policy template, with additional sections added and previous sections relocated.
- ii) Part 2 of the draft Policy has been simplified by combining common requirements for food vans and trucks, as defined:

Food truck means a vehicle used for the purposes of on-site preparation and sale of hot and cold food (considered a medium to high-risk food category). Food trucks routinely change location and must not remain in any one location for more than 4 hours at one time. **Food van** means a vehicle used for the purposes of selling tea, coffee, drinks, cakes, sweets, packaged sandwiches, or other similar food (low risk food category). Food vans routinely change location and can make intermittent stops of up to 1 hour at any one time.

- iii) The maximum period of trade in one location before relocation has been increased for food vans from 15 minutes to 1 hour based on feedback from van operators.

- iv) Food trucks can operate side by side under the draft Policy, removing the current Policy limitation of a 50m distance between food trucks. This limitation was previously put in place to prevent food trucks congregating and creating potential issues that require more detailed consideration (i.e. obstruction of footpaths, traffic congestion, pedestrian safety). Experience gained from the operation of the current Policy does not warrant this ongoing limitation. Removing this limitation will allow greater use of approved food truck locations and provide additional activation of these areas.
- 4 Section 160 of the Local Government Act 1993 (the Act) provides that the draft Policy must be placed on public exhibition for a period not less than 28 days with a period of 42 days during which submissions may be made. Following the exhibition period, a report detailing submissions received will be provided to Council along with a final draft Policy for adoption.

FINANCIAL IMPACT

- 5 There is no budget implication in placing the draft Policy on public exhibition.

NEWCASTLE 2040 ALIGNMENT

- 6 The draft Policy is consistent with the strategic directions of the Newcastle 2040 Strategic Plan.

Creative

- 3.1 Vibrant and creative city
 - 3.1.1 Vibrant events
 - 3.1.3 Tourism and visitor economy
 - 3.1.4 Vibrant night-time economy

IMPLEMENTATION PLAN/IMPLICATIONS

- 7 The draft Policy will be publicly exhibited for 28 days, and submissions accepted for a period of 42 days, in accordance with the Act.

RISK ASSESSMENT AND MITIGATION

- 8 Placing the draft Policy on public exhibition ensures CN complies with the Act.

RELATED PREVIOUS DECISIONS

- 9 At the Ordinary Council Meeting on 26 March 2019, Council resolved to adopt the current Policy.

CONSULTATION

- 10 Placing the draft Policy on public exhibition provides an opportunity for the community to make submissions to CN.

BACKGROUND

- 11 The Policy supports the operation of mobile food vending vehicles (food trucks and food vans) to enliven the Newcastle LGA and encourage diversity in takeaway food options.

OPTIONS

Option 1

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

Option 2

- 13 Council does not adopt the recommendations as at Paragraph 1. This is not the recommended option.

REFERENCES

NSW Food Authority – Guidelines for Mobile Food Vending Vehicles (July 2020)

Department of Local Government Street Vending Control Guidelines 2017

ATTACHMENTS

Item 85 Attachment A: Draft Mobile Food Vending (Local Approvals) Policy

Item 85 Attachment A distributed under separate cover

ITEM-86 CCL 25/10/22 - ADOPTION OF 2021/22 FINANCIAL STATEMENTS

REPORT BY: CORPORATE SERVICES
CONTACT: INTERIM EXECUTIVE DIRECTOR CORPORATE SERVICES /
MANAGER FINANCE, PROPERTY AND PERFORMANCE

PURPOSE

To adopt City of Newcastle's (CN) 2021/2022 audited annual Financial Statements.

RECOMMENDATION

That Council:

- 1 Receives and adopts CN's Financial Statements and accompanying notes, in respect of the year ended 30 June 2022, together with the Auditor's Report (**Attachment A**).

KEY ISSUES

- 2 CN's external Audit Report for the year ended 30 June 2022 was completed by the NSW Audit Office, who has issued an Unqualified Opinion for the 2021/22 financial year.
- 3 The 2021/22 financial result reflects impacts from the COVID-19 pandemic throughout the year. In August 2021 (three weeks after the Hunter region joined Sydney in a lockdown that would ultimately last for more than two months) Council unanimously adopted a Lord Mayoral Minute to boost the works program by \$10m to \$100m, as part of CN's Community and Economic Resilience Package. This was estimated to create 100 new jobs in the Local Government Area (LGA) and increase total economic output by more than \$27 million.
- 4 In 2021/22 CN delivered a total spend of \$100.6m on project works across the LGA. The actual value is above the adopted budget of \$90.4m, noting the program was boosted to \$100m in August 2021.
- 5 Highlights of the program include \$16.6m on roads including \$6.9m on road rehabilitation and \$6.5m on road resurfacing; \$15.3m on priority projects including \$10.6m on city centre and urban centre revitalisation and \$4.3m on coastal revitalisation; \$14.1m on waste management including \$7.9m on leachate and stormwater upgrades and \$2.5m on the organics facility; \$11.3m on transport including \$7.0m on parking infrastructure of which \$6.8m relates to the demolition of the King Street car park and \$2m on cycleways (not including those in local centre upgrades); \$8.8m on recreation parks, sporting facilities and open spaces including \$3.1m on the redevelopment of National Park No.1 and \$1.5m on the Western Corridor Active Hub Wallsend; \$7.0m on the environment including \$3.6m on coast, estuary and wetlands; \$3.7m on aquatics facilities including \$3m for the Newcastle Ocean Baths upgrade

- project; \$1.8m on the expansion of the Newcastle Art Gallery; \$4.9m on stormwater and \$3.5m on fleet.
- 6 Reflecting this investment in infrastructure, CN's financial statements reflect net assets of \$1.91b, up from \$1.76b in 2020/21.
 - 7 CN's operating result from continuing operations for 2021/22 was a surplus of \$4.6m against a deficit of \$4.4m in 2020/21.
 - 8 CN received \$17.1m in grants and contributions for capital purposes in 2021/22, compared to \$25.8m in the prior year. The operating result before capital grants and contributions resulted in a deficit of \$12.5m in 2021/22, compared to a deficit before capital grants and contributions of \$30.2m in 2020/21.
 - 9 Total revenue for 2021/22 was \$353.6m or \$13.1m higher compared to actual revenue in 2020/21.
 - 10 Total operating expenditure for 2021/22 was \$349.0m or \$4.1m higher than actual expenditure in 2020/21 and includes unbudgeted expenses of \$2.5m attributed to the response to and clean up of, the Wickham fires.
 - 11 CN's operating result includes 50% of the group net profit after tax (NPAT) for Newcastle Airport given CN's joint ownership with Port Stephens Council. The Group NPAT for Newcastle Airport and Astra Aerolab was a loss of \$2.3m versus a forecast profit of \$4.0m. Half of this loss (\$1.16m) is reflected in CN's consolidated financial statements, and is \$3.16m lower than what was forecast in CN's 2021/22 adopted budget.
 - 12 Airport operations was significantly impacted by COVID-19 and the resulting extended lockdowns in Melbourne, Greater Sydney and Central Coast, the ACT, Brisbane and the Hunter.
 - 13 The adopted budget for 2021/22 was a surplus of \$1.2m and had been built on an assumption that the impact of the pandemic would steadily decline throughout the year.
 - 14 Prior to COVID-19, CN produced net operating surpluses for six consecutive financial years. The adopted budget for 2022/23 is a return to surplus of \$1.3m consistent with CN's commitment to long term financial sustainability and the ability to generate annual funding to facilitate key objectives identified in Our Budget and Newcastle 2040.
 - 15 In 2021/22, CN outperformed the benchmarks in all but one of the six financial key performance ratios set by the Office Local Government (OLG), including the own source operating revenue ratio, unrestricted current ratio, debt service cover ratio, rates and annual charges outstanding percentage and cash expense ratio. The operating performance ratio was (0.64%) against a benchmark of >0.00%.

FINANCIAL IMPACT**Operating Result**

- 16 The operating result is calculated on a full accruals basis which means that all costs / income which relate to the current financial year are included irrespective of whether a cash inflow / outflow has been made or not (with the exception of the pre-payment of Federal Assistance Grants by the Commonwealth Government, which are accounted for in the year they are paid).
- 17 To facilitate comparison, the Income Statement from the Financial Statements is reformatted and summarised below:

Line No		2021/22 (\$'000) Actual	2020/21 (\$'000) Actual
i)	Income from continuing operations	353,598	340,517
ii)	Expenses from continuing operations	(348,967)	(344,867)
iii)	Operating result from continuing operations	4,631	(4,350)
iv)	Net operating result for the year before grants and contributions provided for capital purposes	(12,467)	(30,156)

Analysis of the movement of individual line items from the table above are:

18 Line (i): Income from continuing operations

The 2021/22 revenue represents an increase of \$13.1m on 2020/21. Rates and annual charges income increased by \$6.3m arising from the Independent Pricing and Regulatory Tribunal (IPART) approved rate peg of 2.0% and an increased number of rateable properties. User fees and charges increased by \$11.4m with the main driver being increased tipping tonnage and revenue at the Summerhill waste facility which resulted in an associated increase in expenditure on the NSW Government's s88 Waste Levy. Other increases were evidenced in grants and contributions for operating purposes of \$11.2m. This was partially offset by a decrease in grants and contributions for capital purposes of \$8.7m, interest and investment income of \$3.2m, other revenues of \$2.2m and other income of \$1.7m.

19 Line (ii): Expenses from continuing operations

The 2021/22 expenditure represents an increase of \$4.1m on 2020/21. This was largely due to increases in other expenses \$13.0m, including \$6.6m on the s88 Waste Levy, employee benefits and oncosts of \$7.2m, depreciation, amortisation and impairment of \$2.3m whilst there was reduced spend in

materials and services of \$12.2m, net loss on disposal of \$4.9m and borrowing costs \$1.4m.

20 Line (iii): Operating result from continuing operations

The operating result for 2021/22 was an increase of \$9.0m on the equivalent result in 2020/21. This was due to an increase in income of \$13.1m as outlined in paragraph 14 offset by an increase in expenditure of \$4.1m as outlined in paragraph 15.

21 Line (iv): Net operating results for the year before grants and contributions provided for capital purposes

CN's operating result before contributions and capital grants in 2021/22 was an operating deficit of \$12.5m, which is a favourable movement of \$17.7m from the 2021/22 net operating result.

22 Budget to actual comparison (Page 4 of the financial statements)

The budget disclosed in the income statement on page 4 of the financial statements is the original budget as detailed in the 2021/22 'Our Budget' (2021/22 Delivery Program and Operational Plan) which was adopted at the Ordinary Council meeting held on 25 May 2021 and does not include CN's COVID-19 response, or any budget adjustments approved by Council at the quarterly budget reviews during 2021/22. The actual result for 2021/22 was a net deficit excluding capital grants and contributions of \$12.5m against an adopted budget surplus of \$1.2m.

23 The explanation of the key variances between actual and budget results is as follows:

- i) User charges and fees achieved lower than budgeted revenue of \$6.8m. The major drivers of the variance were lower revenue received from Newcastle Airport caused by capital city lockdowns in Sydney, Brisbane, and Melbourne along with Newcastle and the Hunter region, and historic wet weather conditions leading to less income from Transport NSW projects.
- ii) Other revenue was under budget by \$3.6m as a result of lower parking and fines revenue due to COVID-19 impacts during the year, particularly during the shutdown period.
- iii) Total grants and contributions revenue was favourable to budget by \$18.5m as a result of increased developer contributions, which are placed into restricted reserves, due to strong growth in the City Centre and an increase in the Commonwealth Financial Assistance Grant due to it being paid in advance to all councils.
- iv) Interest and investment income achieved higher than budgeted revenue by \$1.6m due to interest on investments exceeding budget expectations and a dividend from CN's investment in the TCorp growth fund.

- v) Materials and services exceeded the Adopted Budget by \$1.4m due to increased expenditure in CN's works program of \$10.2m as part of the Council adopted Community Economic and Resilience package. This was partly offset by lower spends in Newcastle Airport, major events and civil construction as a result of the ongoing impacts of COVID-19 and inclement weather.
- vi) Depreciation was \$1.7m higher than budgeted due to a higher cost base for infrastructure assets revalued in 2021 and updated useful lives.
- vii) Other expenses were \$9.8m over budget due to the higher NSW Government s88 Waste Levy as a direct result of increased tipping volumes at Summerhill, and a fair value decrement on investments.
- viii) Net loss from disposal of assets was \$1.1m over budget as a result of write-off of existing assets due to renewal work completed on large long-life infrastructure within the city.

24 A high level analysis of material budget variations (above 10%) is shown in Note B5-1 of the Financial Statements.

Audited Key Performance Ratios

25 Note G5-1 on Page 88 of the Financial Statements details CN's key financial performance measures. Key variances are discussed below.

26 Operating Performance Ratio (0.64)%

This ratio measures a Council's achievement of containing operating expenditure within operating revenue. This ratio focuses on operating performance, and hence capital grants and contributions, fair value adjustments, and reversal of revaluation decrements are excluded.

The benchmark is greater than 0%. **Accordingly CN's performance in 2021/22 is slightly below the benchmark ratio.**

27 Own source operating revenue ratio 86.23%

This ratio measures fiscal flexibility and the degree of reliance on external funding sources such as operating grants and contributions. CN's financial flexibility improves the higher the level of its own source revenue. **The benchmark is greater than 60% and CN exceeded this benchmark.**

28 Unrestricted current ratio 1.95x

The unrestricted current ratio measures CN's ability to meet its obligations (current liabilities) using current assets. **The benchmark is greater than 1.5x and CN exceeded this benchmark.**

29 **Debt service cover ratio 5.0x**

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments. **The benchmark is greater than 2x and CN exceeded this benchmark.**

30 **Rates and annual charges outstanding ratio 3.36%**

This ratio assesses the impact of uncollected rates and annual charges on liquidity and the adequacy of recovery efforts. **The benchmark is less than 10% (for Councils classified as regional and rural) and CN achieved this benchmark.**

31 **Cash expense cover ratio 6.05 months**

This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow. **The benchmark is greater than three months and CN exceeded this benchmark.**

Financial Performance Measures

32 The Audit and Risk Committee has been proactive throughout the year in reviewing CN's financial performance and commitment sustainability.

33 The Adopted Budget for 2021/22 was revised to a deficit of \$11.6m at the September 2021 Quarterly Budget Review to address the on-going effects of COVID-19 during the year. This planned decision was sustainable and affordable and was workshopped with Councillors and the Audit and Risk Committee.

34 Ensuring CN is financially sustainable remains a priority, as reflected in the Long-Term Financial Plan which forecasts ten successive budget surpluses over the coming decade.

35 The Adopted Budget for 2022/23 is a surplus of \$1.27m, not including revenue from capital grants and contributions.

COMMUNITY STRATEGIC PLAN ALIGNMENT

36 This report aligns to Newcastle 2040 under the Achieving Together theme and priority of 'Inclusive and integrated planning' in particular:

4.1.1 Financial sustainability – Make sound financial decisions that are consistent with CN's risk management framework and long-term planning. Sustainably manage assets and revenue streams to meet community expectations.

IMPLEMENTATION PLAN/IMPLICATIONS

- 37 The Financial Statements reflect the outcomes of actions, activities and projects contained in the 2021/22 Operational Plan and subsequent Quarterly Budget and Performance Reviews approved by Council.

RISK ASSESSMENT AND MITIGATION

- 38 The Local Government Act 1993 (as amended) requires the Financial Statements to be externally audited. This audit has been completed by the NSW Audit Office, who issued an Unqualified Audit opinion for the 2021/22 financial year.
- 39 CN's Financial Statements in respect of the year ended 30 June 2022 have been prepared in accordance with:
- i) The Local Government Act 1993 (as amended) and the Local Government (General) Regulations 2021;
 - ii) Australian Accounting Standards and professional pronouncements;
 - iii) The Local Government Code of Accounting Practice and Financial Reporting (Guidelines); and
 - iv) The Local Government Asset Accounting Manual.

RELATED PREVIOUS DECISIONS

- 40 At the August 2022 Ordinary Council Meeting Council resolved:
- 1 *That Council notes the preparation of CN's Financial Statements for the year ended 30 June 2022 is underway and upon completion they will be referred to the CN's Auditors, NSW Audit Office, in accordance with Section 413 (1) of the Act.*
 - 2 *That Council authorises the Lord Mayor, a Councillor, the Chief Executive Officer and the Responsible Accounting Officer to sign the Statements by Councillors and Management (Attachments A and B) in accordance with Section 413 (1) of the Act at the conclusion of the external audit.*
 - 3 *That Council endorses publication on CN's website of the intention to present its audited Financial Statements and the date fixed for this Ordinary Council meeting, and determines that this meets the public notice requirements of Section 418 and Section 705(3) of the Act.*

CONSULTATION

- 41 The Director, Financial Audit, of the Audit Office of New South Wales provided a report on the conduct of the audit and an engagement closing report to the Audit and Risk Committee on 6 October 2022.

- 42 A workshop on the financial statements was provided to Councillors on 11 October 2022.
- 43 In accordance with the provisions of s.418, of the Local Government Act 1993 (as amended), public notice of the meeting date at which the CN's Financial Statements will be presented was notified on CN's website on 18 October 2022. Copies of the Financial Statements, together with the Auditor's Report, were available for inspection by members of the public from 18 October 2022 to 24 October 2022 at the City Administration Centre. Written submissions were able to be lodged by close of business on 24 October 2022.

BACKGROUND

- 44 Following presentation of the Financial Statements to Council, copies will be available from the City Administration Centre and CN's website.

OPTIONS

Option 1

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

Option 2

- 46 Council resolves not to receive and adopt the Financial Statements and Accompanying Notes, in respect of the year ended 30 June 2022, together with the Auditor's Report. This would result in CN not complying with the requirements of the Local Government Act 1993 (as amended). This is not the recommended option.

REFERENCES

ATTACHMENTS

Item 86 Attachment A: City of Newcastle's Financial Statements

Item 86 Attachment A distributed under separate cover

ITEM-87 CCL 25/10/22 - WALLARAH ROAD, NEW LAMBTON - RAISED PEDESTRIAN CROSSING

REPORT BY: PLANNING, TRANSPORT AND REGULATION
CONTACT: INTERIM EXECUTIVE DIRECTOR PLANNING AND ENVIRONMENT / ACTING MANAGER PLANNING TRANSPORT AND REGULATION

PURPOSE

To approve the installation of a raised pedestrian crossing with kerb extensions on Wallarah Road New Lambton, including associated lighting upgrades, landscaping, and footpath connections.

RECOMMENDATION

That Council:

- 1 Approves the installation of a raised pedestrian crossing with kerb extensions and associated footpath connections on Wallarah Road New Lambton, as generally shown in **Attachment A**.

KEY ISSUES

- 2 A concept plan has been developed to improve safety and accessibility for pedestrians crossing Wallarah Road, near Womboin Road, New Lambton. The concept has been developed to improve pedestrian safety and amenity by replacing the existing children's crossing on Wallarah Road, particularly for high school students and general access to sports and recreation facilities in the precinct.
- 3 A proposal to install a raised pedestrian crossing was exhibited for 28 days (see **Attachment B**) with submissions closing 29 July 2022. The exhibited scope of works included:
 - a) Construction of a raised pedestrian crossing in Wallarah Road with kerb extensions,
 - b) New footpath on west of Wallarah Road, to connect the crossing with the cycleway,
 - c) Upgrade of street lighting,
 - d) Signage and line marking works, and
 - e) Removal of the existing children's crossing to the south of the proposed new crossing.
- 4 153 submissions were received and are collated in **Attachment C**. 152 of the submissions were in support of the crossing (18 with changes), with one objection. Key issues raised in submissions were as follows:

- a) Issues with the location of the crossing being affected by crest near Womboin Road or affecting traffic at the intersection of Womboin Road and Wallarah Road.
CN response: The crossing is located on the direct pedestrian desire line along Womboin Road. The location adjacent the intersection is consistent with comparable treatments across the city, with the expected impact to the intersection performance being minimal.
- b) The raised threshold for the crossing being unnecessary and causing discomfort for people in vehicles.
CN response: The threshold will comply with appropriate standards and be comparable to other devices, to assist with the regulation of vehicle speeds in the area and improve safety for pedestrians.
- c) Address illegal parking/access on the ovals by vehicles under the project.
CN response: Illegal vehicle use on the oval is a compliance issue not related to infrastructure, however tree planting and the footpath should help deter illegal access to the oval.
- d) Potential for the proposed footpath to be a shared path.
CN response: This section of Wallarah Road is not on the Cycling Plan and is not suitable for upgrading to a shared path. There are other existing connections between the cycleway and Womboin Road.
- e) Requests for nearby pedestrian infrastructure including a footpath along Womboin Road adjacent to the oval.
CN response: These requests would be considered within the PAMP as separate projects.

FINANCIAL IMPACT

- 5 Design funding for the crossing upgrade was included in the 2021/22 Pedestrian Access and Mobility Plan Program (Transport Portfolio) under the Civil Works Program. This project was not initially budgeted in the 2022/23 Program, however budget has been requested in the September 2022 quarterly budget review to finalise design. The project will be submitted for construction funding under eligible grant funding opportunities and will be included under future Capital Works budget allocations through the Transport Program.

NEWCASTLE 2040 ALIGNMENT

- 6 The proposed raised pedestrian crossing on Wallarah Road is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

Liveable

- 1.1 Enriched neighborhoods and places
 - 1.1.1 Well-designed places
- 1.2 Connection and fair 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

Sustainable

- 2.1 Action on climate change
- 2.1.3 Resilient urban and natural areas

IMPLEMENTATION PLAN/IMPLICATIONS

- 7 The proposal is consistent with the Newcastle Transport Strategy to improve conditions for pedestrians and reduce urban traffic speeds.
- 8 Approval of the upgrade is not delegated to City of Newcastle (CN) officers and must be referred to Council for determination.

RISK ASSESSMENT AND MITIGATION

- 9 The proposal has been developed to improve pedestrian safety through reduction in vehicle speed, prioritisation of pedestrian movement, and providing for those needing accessible infrastructure.
- 10 Detailed design will address relevant Austroads and Transport for NSW guidelines and standards. Safety in design assessments and road safety audits will be undertaken.

RELATED PREVIOUS DECISIONS

- 11 Nil

CONSULTATION

- 12 The proposal was exhibited for 28 days, with submissions closing 29 July 2022. Details were published on CN's website and copies of the flyer at **Attachment B** distributed to residents and mailed to non-resident owners.
- 13 Newcastle City Traffic Committee considered a report on the outcomes of the exhibition at its meeting of 26 August 2022 and endorsed the proposal for referral to Council.

BACKGROUND

- 14 Wallarah Road between Womboin Road and Monash Road is a 50 km/h local road, which includes sections under a 40 km/h school zone. A major shared path crosses this road 190 metres south of Womboin Road. School bus routes operate on this stretch of road, with one stop on the east side of the road north of the shared path. Wallarah Road is 130 metres from Lambton High School and has sporting fields and recreational facilities on either side.
- 15 Surveys were undertaken in September 2020 which indicated 71 students crossed the southern leg of the intersection, between 8.00am and 9.00am and that average daily traffic on Wallarah Road north of Hobart Road is 3580 vehicles per day. The 85th percentile speed was 54 km/h and average AM peak traffic 477 vehicles per hour.

OPTIONS

Option 1

16 The recommendation as per Paragraph 1. This is the recommended option.

Option 2

17 Council does not support the proposed pedestrian crossing in Wallarah Road, New Lambton. This is not the recommended option.

REFERENCES

ATTACHMENTS

Item 87 Attachment A: Wallarah Road, New Lambton – Proposed raised pedestrian crossing near Womboin Road

Item 87 Attachment B: Wallarah Road, New Lambton – Consultation Flyer

Item 87 Attachment C: Wallarah Road, New Lambton – Summary of submission

Item 87 Attachments A-C distributed under separate cover

ITEM-88 CCL 25/10/22 - BRIDGE STREET, WARATAH - RAISED PEDESTRIAN CROSSING

REPORT BY: PLANNING & ENVIRONMENT
CONTACT: INTERIM EXECUTIVE DIRECTOR OF PLANNING & ENVIRONMENT / ACTING MANAGER PLANNING, TRANSPORT AND REGULATION

PURPOSE

To approve the upgrade of the existing children's crossing on Bridge Street Waratah, to a raised pedestrian crossing with kerb extensions, associated lighting upgrades, rain gardens and landscaping, signage, and line marking works.

RECOMMENDATION

That Council:

- 1 Approves the upgrade of the existing children's crossing on Bridge Street Waratah, to a raised pedestrian crossing with kerb extensions, associated lighting, landscaping, signage and line marking, as generally shown in **Attachment A**.

KEY ISSUES

- 2 A concept plan has been developed to improve safety and accessibility for school children crossing Bridge Street Waratah, near Boomerang Road, and adjacent to Waratah Public School.
- 3 A proposal to install a raised pedestrian crossing was exhibited for 28 days (see **Attachment B**) with submissions closing on 29 July 2022. The exhibited scope of works included:
 - a) Construction of a raised pedestrian crossing on Bridge Street, near Boomerang Road
 - b) Construction of kerb extensions at the raised pedestrian crossings, including rain gardens and landscaping
 - c) Upgrade of street lighting to meet Australian Standards
 - d) Signage and line marking works.
- 4 Eight submissions were received and are collated in **Attachment C**. All responses provided support for the upgraded crossing (one with changes and another with a further recommendation).
 - a) One submission requested that consideration be given for turning restrictions on Coolamin Road.
CN response – This is outside the scope of this project. It may be considered in future precinct transport planning for Waratah.

- b) Another submission recommended another pedestrian crossing be considered near St Phillips Christian College.
CN response – This is outside the scope of this project. It may be considered in future developments of the pedestrian facilities in Waratah.

FINANCIAL IMPACT

- 5 Design funding for the crossing upgrade was included in the 2022/23 Pedestrian Access and Mobility Plan Program (Transport Portfolio) under the Civil Works Program. The project will be submitted for construction funding under eligible grant funding opportunities and will be included under future Capital Works budget allocations through the Transport Program.

NEWCASTLE 2040 ALIGNMENT

- 6 The proposed raised pedestrian crossing on Bridge Road is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

Liveable

- 1.1 Enriched neighborhoods and places
 - 1.1.1 Well-designed places
- 1.2 Connection and fair 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
 - 1.3.4 Effective public transport

Sustainable

- 2.1 Action on climate change
 - 2.1.3 Resilient urban and natural areas

IMPLEMENTATION PLAN/IMPLICATIONS

- 7 The proposal is consistent with positions outlined in the Newcastle Transport Strategy to improve conditions for pedestrians and reduce urban traffic speeds.
- 8 Approval of the upgrade is not delegated to CN officers and must be referred to Council for determination.

RISK ASSESSMENT AND MITIGATION

- 9 The proposal has been developed to improve pedestrian safety through reduction in vehicle speed, prioritisation of pedestrian movement, and providing for those needing accessible infrastructure.
- 10 Detailed design will address relevant Austroads and Transport for NSW guidelines and standards. Safety in design assessments and road safety audits will be undertaken.

- 11 Tree retention and planned landscaping will reduce the urban heat island effects, limiting exposure of pedestrians and residents to extreme temperature.

RELATED PREVIOUS DECISIONS

- 12 Nil.

CONSULTATION

- 13 The proposal was exhibited for 28 days, with submissions closing on 29 July 2022. Details were published on CN's website and copies of the flyer at **Attachment B** distributed to residents and mailed to non-resident owners.
- 14 The Newcastle City Traffic Committee considered a report on the outcomes of the exhibition at its meeting of 23 August 2022 and endorsed the proposal for referral to Council.

BACKGROUND

- 15 The Waratah Public School has reported frequent incidences of tripping due to lack of kerb ramps and stepped kerb on the western side of Bridge Street. There were also consistent reports of traffic failing to observe the current children's crossing during operational hours. A site visit was conducted in June 2019 with representatives of the Department of Education, CN and the school to discuss potential improvements, and the proposal to upgrade the existing crossing was supported by all stakeholders.
- 16 In September 2019 CN undertook counts of pedestrian and traffic volumes. The results indicated that volumes met the Transport for NSW pedestrian and traffic volume warrants for an upgraded pedestrian crossing at this location.

OPTIONS

Option 1

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

Option 2

- 18 Council does not support the proposed pedestrian crossing upgrade at Bridge Street Waratah. This is not the recommended option.

REFERENCES

ATTACHMENTS

- Item 88 Attachment A:** Bridge Road, Waratah – Raised Pedestrian Crossing – Proposed upgrade plan
- Item 88 Attachment B:** Bridge Road, Waratah – Raised Pedestrian Crossing – Consultation Flyer
- Item 88 Attachment C:** Bridge Road, Waratah – Raised Pedestrian Crossing – Summary of submissions.

Item 88 Attachments A-C distributed under separate cover

ITEM-89 CCL 25/10/22 - ADOPTION OF SPECIAL RATE EXPENDITURE POLICY

REPORT BY: CREATIVE & COMMUNITY SERVICES
CONTACT: ACTING EXECUTIVE DIRECTOR CREATIVE & COMMUNITY SERVICES / ACTING MANAGER MEDIA ENGAGEMENT ECONOMY & CORPORATE AFFAIRS

PURPOSE

To adopt the revised Special Business Rate Expenditure Policy (Policy).

RECOMMENDATION

That Council:

- 1 Adopts the Special Business Rate Expenditure Policy at **Attachment A**.

KEY ISSUES

- 2 Policies are key control documents for City of Newcastle (CN) that mitigate risk. They are critical to supporting effective and evidence-based decision making and ensure CN complies with relevant legislation and guidelines. Policies are most effective when they are regularly reviewed and updated.
- 3 It is recommended Council re-adopt all policies within the first 12 months of their new term. Benefits of re-adopting policies within the first 12 months of the new Council term include:
 - i) All policies are on a consistent review cycle;
 - ii) Councillors have assurance that all Council adopted policies are up to date;
 - iii) Councillors are aware of the policies early in the term which provides the opportunity to understand their application and content.
- 4 The Policy provides a framework for CN to manage the Special Business Rate (SBR) program.
- 5 A summary of Policy and Proposed Changes is at **Attachment B**, and the Special Business Rate Expenditure Policy (tracked changes) provided at **Attachment C**.

FINANCIAL IMPACT

- 6 Nil.

NEWCASTLE 2040 ALIGNMENT

- 7 Adopting these policies is consistent with the following Newcastle 2040 priorities and objectives:

Creative Newcastle

3.1 Vibrant and creative City

- 3.1.1 Vibrant events
- 3.1.2 Bold and challenging programs
- 3.1.3 Tourism and visitor economy
- 3.1.4 Vibrant night-time economy

3.2 Opportunities in jobs, learning and innovation

- 3.2.1 Inclusive opportunities
- 3.2.2 Skilled people and businesses
- 3.2.3 Innovative people and business

3.3 Celebrating culture

- 3.3.1 Nature cultural and creative practitioners
- 3.3.2 Promote Newcastle as a major arts and cultural destination
- 3.3.3 Culture in everyday life

3.4 City-shaping partnerships

- 3.4.1 Optimise city opportunities

Achieving Together

4.2 Trust and Transparency

- 4.2.3 Trusted customer experience

IMPLEMENTATION PLAN/IMPLICATIONS

- 8 The adopted Policy will be published on CN's website.

RISK ASSESSMENT AND MITIGATION

- 9 The Policy provides a framework to mitigate risk and ensure CN meets all requirements of the Local Government Act 1993.

RELATED PREVIOUS DECISIONS

- 10 At the Ordinary Council Meeting held on 27 August 2019 Council resolved to adopt a SBR Expenditure Policy.

CONSULTATION

- 11 CN undertook internal consultation on the draft updated SBR Expenditure Policy with key considerations including aligning the Policy with those of other funding programs and providing more clarity around the expenditure of funds.
- 12 CN undertakes regular consultation with the business community via regular attendance at BIA meetings.

BACKGROUND

- 13 CN's role is to collect the SBR funds and manage the operational framework for the local Business Improvement Association network, and to ensure all funds are expended in accordance with the requirements of the Local Government Act 1993. The SBR on select commercial property owners exists in perpetuity and is levied on an annual basis.

OPTIONS

Option 1

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

Option 2

- 15 Council resolves not to adopt the Policy. This is not the recommended option.

REFERENCES

ATTACHMENTS

- Item 89 Attachment A:** Special Business Rate Expenditure Policy
Item 89 Attachment B: Summary of Policy and Proposed Changes
Item 89 Attachment C: Special Business Rate Expenditure Policy (tracked changes)

Item 89 Attachments A-C distributed under separate cover

ITEM-90 CCL 25/10/22 - EXECUTIVE MONTHLY PERFORMANCE REPORT

REPORT BY: CORPORATE SERVICES
CONTACT: INTERIM EXECUTIVE DIRECTOR CORPORATE SERVICES /
MANAGER FINANCE, PROPERTY AND PERFORMANCE

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 2022/23 Operational Plan as at the end of September 2022.
- 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 September 2022.

KEY ISSUES

- 2 At the end of September 2022 the consolidated YTD actual operating position is a surplus of \$8.8m which represents a positive variance of \$9.2m against the budgeted YTD deficit of \$0.4m. This budget variance is due to a combination of income and expenditure variances which are detailed in **Attachment A**. The adopted full year budget for 2022/23 is a surplus of \$1.3m.
- 3 The net funds generated as at the end of September 2022 is a surplus of \$16.4m (after capital revenues, expenditure and loan principal repayments). This is a positive variance of \$10m to the YTD budgeted position of \$6.4m. This is primarily due to a timing variance in the delivery of CN's works program with a delay in the spend of project expenditure (both capital and operational expenditures).
- 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

FINANCIAL IMPACT

- 5 The variance between YTD budget and YTD actual results at the end of September 2022 is provided in the Executive Monthly Performance Report.

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 6 This report aligns to the Newcastle 2040 Community Strategic Plan under the strategic direction:

Achieving Together

- 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 the 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

Item 90 Attachment A: Executive Monthly Performance Report –
September 2022

Item 90 Attachment A distributed under separate cover

NOTICES OF MOTION

ITEM-34 NOM 25/10/22 - SUBMISSION ON THE DRAFT HUNTER REGIONAL TRANSPORT PLAN

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

PURPOSE

The following Notice of Motion was received on Wednesday 19 October 2022 from the abovenamed Councillors.

MOTION

That City of Newcastle

- 1 Makes a submission to the NSW Government regarding the draft Hunter Regional Transport Plan 2041 (the Plan) which is on public exhibition until Friday, 11 November 2022;
- 2 Recognises a successful city-wide multi-modal, connected transport system underpins the livelihoods, health, productivity, resilience, and prosperity of our residents therefore providing our residents and visitors with options for public and active transport systems to allow them to move easily between their place of residence to social, educational, employment, recreational, and cultural spaces and infrastructure in the city is an essential responsibility of government;
- 3 Acknowledges that growing populations are living in private rental, owner-occupied, and community- and state- supported housing in our Western Corridor, including in Minmi, Beresfield, Tarro, Wallsend, Fletcher and Maryland, and notes the identification of our Western Corridor as a priority location for future housing in the Hunter Regional Plan 2041;
- 4 Ensures the Plan addresses the lack of public rail transport infrastructure in the Western Corridor, the problematic historical under-funding and lack of strategic planning of our transport network servicing all areas across the city, particularly our western suburbs (for example, with no existing, in-use rail infrastructure in much of Ward 4), and associated heavy car reliance, for residents in suburbs such as Minmi, Wallsend, Beresfield, Tarro, Fletcher and Maryland;
- 5 Recognises the critical importance of public transport in connecting our expanding regional employment, economic, educational, and health nodes; like the John Hunter Campus as the preeminent regional health and tertiary referral hospital, with the highest trauma centre admission rates in NSW for the majority of the year, and the identification of Beresfield in the Western Corridor as a “region shaping gateway and industry precinct” in the Hunter Regional Plan 2041;

- 6 Supports the prioritisation in the Hunter Regional Plan 2014 of 'walking, cycling and public transport to create 'opportunities for people who choose not to use a car' and 'reduce car dependency, to support the ambition to ensure everyday needs are 'accessible within 15 minutes by walking';
- 7 Only supports the adopted Plan with the inclusion of the following (noting our long and consistent advocacy for projects and initiatives that meet the objectives of the NSW Government's 20-year vision for Greater Newcastle's transport network, including CN's Advocacy Priorities 2022 document [**Attachment A**]):
 - a) Extension of the Newcastle Light Rail, which would provide significantly improved public transport connectivity between the City Centre, Catalyst Precincts; such as Hunter Park at Broadmeadow, the John Hunter Hospital and Newcastle Airport, as identified in the Greater Newcastle Metropolitan Plan 2036;
 - b) Delivery of the Lower Hunter Freight Corridor, with the feasibility study expedited, and a strategic business case developed for the project as a matter of priority, noting City of Newcastle's submission in 2021 (**Attachment B**) to Transport for NSW reiterated that this critical corridor, aimed at establishing a future dedicated freight rail line between Fassifern and Hexham and bypassing residential Newcastle, would dramatically alleviate traffic congestion experienced at locations such as the Adamstown and Clyde Street level crossing gates. CN notes that our submission supported the project integration between the Lower Hunter Freight Corridor, the proposed M1 Motorway extension to Raymond Terrace and our emerging Black Hill industrial precinct; advocated for the preferred option at Hexham ensures that the corridor crosses over Maitland Road and the Hunter River to Ash Island and continues south on the northern side of the river, maintaining a reasonable distance from the suburb of Mayfield to a point where it can cross the river again on Kooragang Island, delivering on the concept of 'Port Side Rail'; and emphasised the strong benefits of delivering the rail corridor alongside the port as both future proofing the freight rail corridor and significantly minimising community impacts and supporting future economic growth. The Lower Hunter Freight Corridor further supports the identification of Beresfield as a "region shaping gateway and industry precinct" in the Hunter Regional Plan 2041;
 - c) Diversification of the Port of Newcastle, in that a Newcastle Container Terminal would create genuine competition between the two port operators and allow NSW importers and exporters to choose the most efficient supply chain for their cargo, noting that the NSW Premier only this month defended the Liberal State Government's decision to cripple the diversification of the Port of Newcastle (Newcastle Herald, 13th October 2022) and that CN supports the action currently being taken by the Port of Newcastle in partnership with ACCC to remove the anti-competitive agreements currently in place with Port Botany and Port Kembla;
 - d) Newcastle to Sydney Fast Rail strategic business case should be prioritised and corridor planning initiated, with a Fast Rail transport interchange located at Broadmeadow;

- e) The need for a Newcastle Inner City Bypass Rapid Public Transport connection between the John Hunter Hospital and the University of Newcastle, including the provisioning of active transport links between these major regional employment, economic, educational, and health nodes;
 - f) Widening of Minmi Road between Minmi and Wallsend as a crucial piece of city infrastructure in alleviating heavy private vehicle traffic along the main arterial road in the city's growing Western Corridor;
 - g) Newcastle Interchange Ferry Terminal & an additional commuter ferry terminal at Stockton;
 - h) An additional entry to Summerhill Waste Recycling Facility from the M1 Link Road; as a crucial piece of city infrastructure in alleviating heavy traffic along the main arterial road in the city's growing Western Corridor;
 - i) Delivers the Richmond Vale Rail Trail, noting that at least \$35 million is required for the development of the trail within the Newcastle Local Government Area, a project that will provide valuable commuter, recreational and tourism opportunities for the city and the region, and is identified in the Greater Newcastle Metropolitan Plan 2036;
 - j) Active Transport upgrades including funding towards the next stages of the Bathers Way and funding for the Active Transport Infrastructure Program including the following cycleway upgrades:
 - i. City Centre to Merewether Cycleway, Stage 2;
 - ii. Newcastle West Bi-directional Cycleway –West End Stage 2, Phase 1;
 - iii. Newcastle East End Streetscapes Upgrades and Cycleway;
 - iv. Signalisation of Cycleway Intersections;
 - v. Cycleway connections with Link Road upgrade;
 - vi. Maitland Road Rail Crossings Cycleway upgrades;
 - vii. National Park Cycleway
 - k) Restoration of Park and Ride service between Broadmeadow and the John Hunter Hospital;
 - l) The creation of an investment stream for safer, walkable streets and vibrant public spaces to champion a walking culture;
- 8 Additionally notes the City's submission to the NSW Legislative Council's Inquiry into the Privatisation of Bus Services which noted that:
- a) CN believes privatisation of public transport, where a reduction of service results, is not in the public interest, and does not align with our strategic vision for a connected and integrated multimodal transport network for our city;
 - b) CN is currently unable to access equitable grant funding to improve bus stop infrastructure such as seating and shelters, at the same level as LGAs that are able to access grant funding;
 - c) Novocastrians are currently ineligible to access the \$250 Regional Seniors Travel Card, creating a situation where neighbours on one side of the street in the adjoining Lake Macquarie City Council Local Government Area (LGA) are eligible for the significant rebate, while residents in the City of Newcastle LGA cannot access the subsidy;
 - d) The NSW Government missed an opportunity to harness Newcastle's deep manufacturing capabilities by establishing the

NSW electric bus fleet manufacturing and maintenance facility in Western Sydney;

- 9 Resolves the severe need for funding and planning for infrastructure to meet the existing and future multi-modal transport needs of our population, and identifies as critical investigation areas where a strategic case for these projects should be urgently prioritised and initiated, including consideration of:
- a) A future rail system servicing the Western Corridor; including from Wallsend, to Maryland and Fletcher, Minmi, and Beresfield and Tarro, as a crucial piece of city infrastructure in alleviating heavy private vehicle traffic along the main arterial roads in the city's growing Western Corridor;
 - b) Rapid transport links between major regional employment centres, the John Hunter Hospital and the University of Newcastle, including the provision of active and public transport as part of the Newcastle Inner City Bypass project.

BACKGROUND

Draft Hunter Regional Transport Plan

Overview

By 2041, the Hunter region is predicted to grow by 100,000 people. To ensure that Transport can support this growth and realise the region's community vision, it's time to look at managing the transport network differently.

The draft Hunter Regional Transport Plan (the Plan) provides a vision for how the Hunter's transport network, infrastructure and services will be managed and developed over time to realise community aspirations.

The NSW Government released [Future Transport Strategy](#) that builds on Future Transport 2056 (originally released in 2018); a long-term plan for transport in NSW. This draft Transport Plan outlines what this means for the Hunter region over the next 20 years.

The development of the Plan has been guided by formal engagement and workshops with key State and local government stakeholders from all 10 councils across the Hunter, relevant state agencies and the Hunter Joint Organisation of Councils.

Have your say

The community is invited to comment on the draft Hunter Regional Transport Plan until Friday 11 November 2022. Your feedback will help Transport understand what is important to customers and the community.

Feedback on the draft plan can be provided by:

- Visiting: yoursay.transport.nsw.gov.au/hunter-regional-transport-plan
- Emailing: HunterRTP@transport.nsw.gov.au
- Writing to:
Hunter Regional Transport Plan
Transport for NSW
Locked Bag 2300, NEWCASTLE NSW 2302

Supporting plans

The Plan presents a transport vision for the Hunter and responds to the land use vision outlined in the NSW Department of Planning and Environment (DPE) Draft Hunter Regional Plan 2041. The Plan identifies the key infrastructure, services and policy interventions which will be needed to achieve this vision at a local level.

Key goals of the vision include:

- A connected region – increased population within a 30-minute public transport trip of jobs, education and services from Greater Newcastle or your nearest strategic centre (Taree, Foster-Tuncurry, Morisset, Maitland, Kurri Kurri, Cessnock, Singleton, Muswellbrook, Nelson Bay, Dungog, Scone and Raymond Terrace)
- An integrated network – that embraces the 15-minute neighbourhood planning principle where people regularly choose to walk, cycle or take public transport to shops, services, schools or work
- Inter-regional connection – that builds on the Regional Rail Fleet and road upgrades as well as a potential future Fast Rail connection to improve multi-modal connectivity between the Hunter, Central Coast and Greater Sydney for passengers and freight
- Integrated transport, land use and infrastructure – that reflects balanced movement and place outcomes, contributing to better places and improving public transport attractiveness
- Supporting economic development – through improved road and rail networks that support Newcastle Port and Williamtown Special Activation Precinct, accommodate more efficient vehicle combinations, embrace technology-driven solutions, and address first mile/last mile freight
- Supporting tourism – through an upgraded Newcastle Airport, improved road networks and public transport services as well as integrated walking and cycling connections allowing visitors to easily explore the region
- Greater productivity – integrated transport infrastructure and services that connect residents with jobs, education, leisure and health ensuring the continued growth and diversification of sectors across the region, with first and last mile solutions tailored to support successful places
- Improved customer experience – by exploiting innovation and advances in technology to enable new and more personalised mobility solutions, inform customer decision-making with more ‘real-time’ information, improve safety, network resilience and freight efficiencies
- A more sustainable region – through uptake of electric vehicles in the transport fleet, an improved EV fast charging network and supporting the proposed Hunter-Central Coast Renewable Energy Zone (REZ)

- A more resilient region – that builds climate and hazard resilience into the network's infrastructure supported by adaptive management strategies that maintain emergency access along key routes and bring the network back on-line quickly following planned and unplanned disruption.

The Plan has identified about 80 initiatives that in combination will support the 2041 regional transport vision for the Hunter.

ATTACHMENTS

- NOM Item 34 Attachment A:** City of Newcastle Advocacy Priorities 2022
NOM Item 34 Attachment B: LMM 28/09/21 - Bypassing freight from residential Newcastle
NOM Item 34 Attachment C: Draft Hunter Regional Transport Plan

NOM Item 34 Attachments A-C distributed under separate cover

**ITEM-35 NOM 25/10/22 - NEWCASTLE NEEDS A YEAR-ROUND
AQUATIC FACILITY**

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

PURPOSE

The following Notice of Motion was received on Monday 17 October 2022 from the abovenamed Councillors.

MOTION

That Council:

- 1 Notes Council's continued investment of more than \$3million to upgrade local pools, while ensuring affordable entry fees for equity in access for residents, including:

Mayfield Pool

- o Connecting pathways to new undercover picnic and accessible barbecue area
- o Three grandstands with shade
- o New playground
- o Family change room
- o Installation of new shade at deep end of the pool
- o New lane ropes
- o Installation of two umbrella shade shelters adjacent to learners pool
- o Installation of brighter lighting in change rooms
- o New pace clock

Stockton Pool

- o Major works to reduce water use
- o New boundary fencing on western side
- o Rectification of roof in main pavilion
- o Three new blanket rollers to store heat blankets
- o Relining main lines to the pool
- o Replace learners pool blanket

Lambton Pool

- o Replace 120m long water slide
- o Upgrade to water play area
- o Repaint of facility
- o New starting blocks and covers to protect the blocks for the 50m pool
- o Safety works on stairway access platform to water slide
- o Design investigations to more adequately heat the pools
- o Painting of all changerooms and non-slip at entrances
- o New lane ropes
- o Installation of Cantilever shade structure at water slide

Beresfield Pool

- o New starting blocks for the 50m pool
- o Five new shade umbrellas
- o New large pool inflatable
- o Additional bench seating
- o Additional permanent shade off changeroom pavilion

Wallsend Pool

- o New shade above seating along pool deck
- o New shade at starting block end
- o Replacement of large shade structure in open space
- o Removal of unsafe shade structure on western side
- o Replacement of playground
- o Relocation and new pace clock on South end
- o Repair/maintenance of plumbing in amenities
- o General tidy up of gardens and open space, clean of scum lines
- o Relocation of ducks
- o External garden beds mulched
- o Linemarking of car park
- o New lane ropes
- o Scheduled pressure clean of pool pre-opening

- 2 Notes the Council's commitment to providing a modern year-round public aquatic facility in Newcastle
- 3 Notes that a year-round facility requires substantial investment. Elsewhere, the NSW Government has provided significant funding for pool upgrades or redevelopments. Projects that received funding from Governments include:
 - o City of Sydney: \$106 million
 - o North Sydney: \$64 million
 - o Parramatta: \$87 million
 - o Eurobodalla: \$69 million

- 4 Notes that an aquatic facility is being considered in the Venues NSW Business Case for Hunter Park in Broadmeadow. Writes to Venues NSW seeking confirmation that land will be preserved within the Hunter Park precinct to enable a year-round aquatic facility.

- 5 Develops and promotes via all appropriate channels a public petition to the NSW Legislative Assembly calling on the NSW Government and Opposition to invest in a new year-round swimming facility in Newcastle

BACKGROUND

NA

ATTACHMENTS

NOM Item 35 Attachment A: *Petition - Newcastle needs a year-round Aquatic Facility*

NOM Item 35 Attachment A

PETITION

Newcastle needs a year-round Aquatic Facility

The residents of Greater Newcastle call on the NSW Government & the NSW Opposition to commit to funding a year-round Aquatic Facility for Newcastle

To the Speaker and Members of the Legislative Assembly,

The City of Newcastle currently does not have a year-round, publicly funded Aquatic Facility, like NSW Government funded facilities developed at Sydney City, North Sydney, Parramatta and Eurobodalla.

Residents of Greater Newcastle call on the Legislative Assembly to request that the NSW Government and NSW Opposition commit to funding and delivering a year-round Aquatic Facility in the Newcastle Local Government Area.

Name	Address	Email Address (optional)	Signature

Please scan and return petition by email to: mail@ncc.nsw.gov.au
Return via post to: City of Newcastle Aquatic Facility petition, PO Box 489, NEWCASTLE NSW 2300