

## CITY OF NEWCASTLE

**Minutes of the Ordinary Council Meeting held in the Council Chambers, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West on 23 August 2022 at 6.05pm.**

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### **PRESENT**

The Lord Mayor (Councillor N Nelmes), Councillors E Adamczyk, J Barrie, 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), F Leatham (Director People and Culture), D Manderson (Acting Director Infrastructure and Property), L Duffy (Acting Director City Wide Services), K Hyland (Interim Director Strategy and Engagement), S Moore (Manager Finance), M Bisson (Manager Regulatory Planning and Assessment), E Kolatchew (Manager Legal), M Murray (Chief of Staff), L Zoneff (Media Adviser), E Horder (Councillor Services/Minutes), A Knowles (Councillor Services/Meeting Support), J Redriff (Legal/Meeting 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**

#### **MOTION**

Moved by Cr Mackenzie, seconded by Cr Pull

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

**Carried**

### **DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS**

#### **Councillor Clausen**

Councillor Clausen declared a non-significant interest in NOM Item 29 – Availability and Affordability of Flood Insurance for Residents and Businesses in Low Lying Areas stating this was consistent with previous declarations due to his employment and would manage the conflict by remaining in the Chamber for discussion on the item.

## **CONFIRMATION OF PREVIOUS MINUTES**

### **MINUTES - ORDINARY COUNCIL MEETING 26 JULY 2022**

#### **MOTION**

Moved by Cr Barrie, seconded by Cr McCabe

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

**Carried**

## **LORD MAYORAL MINUTE**

### **LMM 23/08/22 – STATE ELECTION PRIORITIES**

#### **MOTION**

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

- 1 Notes that the New South Wales State Election is to take place on Saturday, 25<sup>th</sup> March 2023.
- 2 Supports the projects and policies as listed within the City of Newcastle Advocacy document as election priorities for the benefit of the Newcastle community.
- 3 Seeks commitments from all parties, independents and candidates for these projects and policies including:
  - a. Hunter Park/Broadmeadow;
  - b. John Hunter Health and Innovation Precinct;
  - c. Equity in access to government funding streams;
  - d. Richmond Vale Rail Trail;
  - e. Stockton Coastal Erosion Mitigation and Mass-sand renourishment – CN invested more than \$5 million on coastal protection measures prior to the Stockton CMP being certified in August 2020 and committed a further \$27.5 million to implement the Stockton CMP. Hunter Central Coast Development Corporation (HCCDC) have been engaged to lead the work of successfully identifying sand sources in the Harbour and are well placed to continue this work with the mass nourishment campaign including identifying and project managing all remaining investigations and environmental assessments, as the proponents of the mining licence for offshore sand extraction for mass renourishment;
  - f. Commitment to social, affordable and public housing.
  - g. Meaningful action on climate change;
  - h. Catalytic Economic Development Actions:
    - i. Port of Newcastle diversification;
    - ii. Support Offshore Wind projects;
    - iii. University of Newcastle STEMM Regional Transformation Hub;
    - iv. Increased Arts & Culture funding streams;

- v. Waste management and circular economy innovation investment, including reform of the s88 Waste Levy;
- vi. Commitment to rebuilding Australia's Strategic Maritime Fleet;
- i. Key transport projects:
  - i. Newcastle Light Rail expansion
  - ii. Expedited Lower Hunter Freight Corridor feasibility study
  - iii. Initiation of the Newcastle to Sydney Fast Rail business case
  - iv. Newcastle interchange ferry terminal
  - v. Minmi Road upgrade
- j. Government Service Support, including:
  - i. Establishment of a Local Government Natural Disaster Mitigation Fund;
  - ii. Restoring GP Access funding to the Mater Hospital
  - iii. Advocacy to the Federal Government to restore Financial Assistance Grants;
- k. Local Infrastructure:
  - i. Flood mitigation at Wallsend – recent independent investigations indicate that costs for channel widening & bridge renewal now exceed \$35 million;
  - ii. Cottage Creek upgrades
  - iii. Local Centres Program
    - 1. Orchardtown Road
    - 2. Wallsend Stage 3A & 3B
    - 3. Mayfield Local Centre
    - 4. Georgetown Local Centre
    - 5. Waratah Local Centre
    - 6. East End Public Domain Stage 1 & 2
    - 7. Wood Street Centre
- l. Local sports infrastructure:
  - i. National Park No. 1 Sportsground redevelopment
  - ii. Surf Lifesaving Club redevelopment funding
  - iii. Active Hub programs
  - iv. CN's equitable access to Sporting Facilities Fund
- m. Local Parks, Playgrounds and Pathways Program:
  - i. Bathers Way
  - ii. City Centre to Merewether Cycleway – Stage 2
  - iii. Newcastle West Bi-directional Cycleway – West End Stage 2, Phase 1
  - iv. Newcastle East End Streetscapes Upgrades and Cycleway
  - v. Signalisation of Cycleway Intersections
  - vi. Link Road Cycleway connections cycleway connections
  - vii. Maitland Road rail crossings cycleway upgrades
  - viii. Active Transport Infrastructure Program
  - ix. National Park Cycleway.

- 4 Notes that our funding priorities have remained consistent, with the City of Newcastle advocating for funding to deliver these projects across multiple election and budget cycles, and their identification in various external stakeholder strategies including Infrastructure Australia Priority List 2022, Hunter & Central Coast Development Corporation strategic planning, Hunter Joint Organisation advocacy, the NSW Government's Greater Newcastle Metropolitan Plan 2036 and the draft Hunter Regional Plan 2041.

**Carried  
unanimously**

## **REPORTS BY COUNCIL OFFICERS**

### **ITEM-61 CCL 23/08/22 - TABLING OF REGISTER OF DISCLOSURES OF INTEREST - 1 MAY TO 31 JULY 2022**

#### **MOTION**

Moved by Cr Mackenzie, seconded by Cr Wark

That Council:

- 1 Note the tabling of the Register of Disclosures of Interest (for the period 1 May to 31 July 2022) by the Chief Executive Officer (CEO).

**Carried  
unanimously**

### **ITEM-62 CCL 23/08/22 - ADOPTION OF COUNCIL POLICIES**

#### **MOTION**

Moved by Cr Mackenzie, seconded by Cr Wark

That Council:

- 1 Adopts the Effective Communication between Councillors and Staff Policy at **Attachment A**.
- 2 Adopts the Art Gallery Acquisitions and De-Accessioning Policy at **Attachment B**.
- 3 Adopts the Social Media Policy at **Attachment C**.

**Carried  
unanimously**

**ITEM-65**                      **CCL 23/08/22 - VARIATION TO DEVELOPMENT STANDARDS - 2ND QUARTER 2022**

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Duncan

That Council:

- 1      Receives the report on approved development variations between 1 April 2022 and 30 June 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).

**Carried  
unanimously**

**ITEM-66**                      **CCL 23/08/22 - AUTHORISATION FOR SIGNING OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2022**

**MOTION**

Moved by Cr Duncan, seconded by Cr Wark

That Council:

- 1      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 CN's Auditors, NSW Audit Office, in accordance with Section 413(1) of the Local Government Act 1993 (Act).
- 2      Authorises the Lord Mayor, a Councillor, the Chief Executive Officer and the Responsible Accounting Officer to sign the Statements by Councillors and Management in accordance with Section 413(2) of the Act at the conclusion of the external audit (**Attachments A and B**).
- 3      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.

**Carried**

**ITEM-68**                      **CCL 23/08/22 - EXECUTIVE MONTHLY PERFORMANCE REPORT**

**MOTION**

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

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

**Carried  
unanimously**

**MOTION**

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

- 1 Endorse the motions for submission to the 2022 LGNSW Annual Conference as set out at Attachment A, with the following amendments to Motions 4 and 5, and insertion of a new Motion 14:

**MOTION 4 – Disaster Mitigation and Recovery Funding**

That LGNSW:

- 1 Notes the devastating natural disasters which have ravaged the state over the past number of years as a result of increased natural disasters.
- 2 Acknowledges that the increased occurrence of these disasters is largely as a result of climate change.
- 3 Calls on the NSW and Federal Governments to work cooperatively and urgently establish a Local Government Natural Disaster Fund which provides local governments with the resources needed to mitigate the current and longer-term impacts of extreme weather events on local physical and social infrastructure.
- 4 Calls on the NSW Government to formally recognise we are in a state of climate emergency.
- 5 Calls on the NSW Government to appoint a Minister for Climate Change to work collaboratively with whole of government, particularly with the Minister for Emergency Services and Resilience, Minister for Environment and Minister for Local Government to champion climate change prevention, mitigation and natural disaster recovery efforts across the state.

**BACKGROUND**

Australia has been profoundly impacted by natural disasters in the past few years, and the impacts of climate change will result in more frequent and more severe disasters in the future.

Communities need support to take preventative and mitigation measures to limit the severity of disasters, as well as appropriate and adequate support to recover from these events. Natural disasters have claimed many lives and impacted hundreds of thousands of people.

Less than five percent of disaster funding in Australia goes towards mitigation and community resilience measures. This figure needs to rise to ensure that communities – particularly those where exposure to fires and floods is greatest – are better prepared for climate change. Protecting communities from the impacts of bushfires, floods, and sea-level rise – and helping them adapt to climate change – are priorities for local government. Not only does effective disaster prevention and mitigation reduce Commonwealth and state and territory expenditure on recovery after an event, but it is also important in reducing the risks faced by communities and preparing for increased future risks. We need to avoid rebuilding in areas that should not be built in, and the increasing pressure and cutting of red tape to enable development in inappropriate areas.

It is critical that communities are prepared for the impacts of climate change and adopt complementary strategies for resilience (prevention), reducing (mitigation) and managing (adaptation) these impacts.

Local governments and their communities are on the frontline when dealing with the risks and impacts of climate change. Councils need to prepare for the unavoidable impacts of climate change (through prevention, mitigation, and adaptation) and play a significant role in reducing Australia's carbon footprint by mitigating the CO2 emissions from their assets and supporting emission reduction efforts by their local communities. They need to be supported by all levels of government to work with their communities to transition them to a low carbon future.

#### **MOTION 5 – Housing Affordability**

That LGNSW:

- 1 Calls on the NSW State Government to increase its investment in public and social housing, working in partnership with all levels of government to meet local demand and deliver post-pandemic economic stimulus.
- 2 Calls on the NSW State Government to increase its investment in affordable housing, including measures to prevent housing stress and vulnerability in rental and ownership for low-moderate income earners.
- 3 Calls upon the state government to ensure that all new public, social and affordable housing at a minimum incorporates the new accessibility standards in the National Construction Code.

#### **BACKGROUND:**

Previously, former Premier Gladys Berejiklian said that housing affordability was "the biggest issue people have across the state".

The shortage and rising costs of rental properties and affordable home ownership are having significant social and economic impacts in cities and towns across Australia, including rural and regional communities. This is due to a range of factors including changes to recent migration patterns, cheap finance and labour and material shortages in the construction sector. The impacts on local governments and communities includes housing stress for individuals and families, difficulty in attracting and housing key workers and an increase in homelessness. Whilst the provision of affordable housing is not a local government responsibility, councils often facilitate affordable housing within their communities, operating within state/territory planning, financial and other legislation requirements. For councils looking to drive a locally led economic recovery and create new jobs in their communities, an appropriate supply and mix of housing to suit diverse community needs is crucial.

CN has been actively responding to Affordable Housing challenges in the Newcastle LGA. A Memorandum of Understanding (MoU) between the NSW Government – Land and Housing Corporation and CN was signed in late 2021. The objective of the MoU is to deliver improved outcomes with a net uplift in public and social and affordable housing for the people of Newcastle. An important feature of the MOU will see CN supporting LAHC's redevelopment program through the provision of an annual payment equivalent to the rates paid by LAHC in the Newcastle LGA for the next three years. The payment, which will be matched by LAHC, will be reinvested into funding delivering new public and social housing in the region during the same period.

CN calls on the Federal Government to lean into the Affordable Housing challenge too. CN continues to hold the view that at least a 25% Affordable Housing Mandate on government owned land should be supported, with land owned by the government that is fast-tracked for development having a 25% mandated minimum of Affordable Housing, with provision of public, social and affordable housing types maintained proportionate to private dwellings. Likewise, CN supports the introduction of a minimum 15% Affordable Housing Mandate on privately developed land with 15% of dwellings designated as Affordable Housing will be available for rental or sale to low to moderate income households.

#### **MOTION 14 – NSW Stormwater Management Service Charge**

That LGNSW:

- 1 Calls upon the NSW State Government to review the pricing and associated guidelines for the NSW Stormwater Management Service Charge.



## **BACKGROUND:**

The NSW Stormwater Management Service Charge (also known as the NSW Stormwater Levy) was introduced in 2006 to raise funding specifically for local government drainage and floodplain management programs.

The charge was capped at \$25 per property in the legislation, and has remained fixed and unindexed since then.

The cost of delivering stormwater services now far exceeds sustainable expenditure on council stormwater services, and the levy has not kept pace with CPI.

Sydney Water, Hunter Water and Central Coast Council have stormwater services charges set by IPART that are between three and five times higher than Council's stormwater levy.

Given the recent Flood crisis, a review of the Stormwater Levy is required to address the sustainability of pricing and update the guidelines on how the levy is calculated, can be spent, and indexed to increase in line with IPART's determination for the separate water authorities.

## **PROCEDURAL MOTION**

Moved by Cr Pull, seconded by Cr Barrie

That the motions be voted on in seriatim.

**Defeated**

## **PROCEDURAL MOTION**

Moved by Cr Barrie seconded by Cr Pull

That Motions 1, 2, 4, 10 and 11 form Part A and the remaining motions form Part B and Parts A and B be voted on in seriatim.

**Carried**

## **PART A**

### **MOTION**

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

Endorse Motions 1, 2, 4, 10 and 11 for submission to the 2022 LGNSW Annual Conference as set out at Attachment A and Motion 4 as amended.

#### **For the Motion:**

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

#### **Against the Motion:**

Councillors Barrie, Pull and Wark.

**Carried**

## **PART B**

### **MOTION**

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

Endorse Motions 3, 5, 6, 7, 8, 9, 12, 13 and 14 for submission to the 2022 LGNSW Annual Conference as set out at Attachment A, with the insertion of the new Motion 14.

**Carried  
unanimously**

At this stage of the meeting Councillor Mackenzie gave notice of a late item of business - NOM 23/08/22 - Community Engagement Plan for Newcastle 500 Contract Extension.

### **ITEM-64                      CCL 23/08/22 - ADOPTION OF NEWCASTLE DEVELOPMENT CONTROL PLAN 2012 SECTION 6.03 WICKHAM**

#### **MOTION**

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

- 1 Adopts the Newcastle Development Control Plan 2012 Section 6.03 Wickham at **Attachment A**.

#### **For the Motion:**

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

#### **Against the Motion:**

Nil.

**Carried**

### **ITEM-67                      CCL 23/08/22 - DARBY STREET, COOKS HILL - ADOPTION OF THE TRIAL TRAFFIC CALMING INFRASTRUCTURE CONCEPT PLAN**

#### **MOTION**

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

- 1 Adopts the Darby Street Trial Traffic Calming Infrastructure Concept Plan (Plan) as set out at **Attachment A**.

**For the Motion:**

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

**Against the Motion:**

Councillor Pull.

**Carried**

**ITEM-69**

**CCL 23/08/22 - WRITE-OFF OF SUNDRY DEBT**

**MOTION**

Moved by Cr Clausen, seconded by Cr Pull

That Council:

- 1 Resolves to write off the sundry debt account totaling \$164,043.32 (as detailed at **Attachment A**) in accordance with Clause 213 of *the Local Government (General) Regulation, 2005*.
- 2 This confidential attachment relating to the matters specified in s10A(2)(d) of the *Local Government Act 1993* be treated as confidential and remain confidential until the Chief Executive Officer determines otherwise.

**Carried  
unanimously**

**NOTICES OF MOTION**

**ITEM-25**

**NOM 23/08/22 - DELIVERING REGIONAL LEVEL PLAYGROUNDS**

**MOTION**

Moved by Cr Duncan, seconded by Cr Winney-Baartz

That City of Newcastle:

- 1 Notes that since 2018 we have completed three District level facilities including the \$2 million South Stockton Active Hub, the \$2.5 million Blackbutt Adventure Playground at Richley Reserve, and the \$1.2 million inclusive, all-abilities Playground at Stevenson Park, Mayfield West, delivering on a commitment to our community to provide new and upgraded high level playgrounds throughout the Newcastle Local Government Area (LGA);
- 2 Notes that the \$1.5 million Wallsend Active Hub is at an advanced stage of the construction phase, and is on track to be opened to the public in October 2022, while the multi-million dollar investment into the new Regional level inclusive playspace and waterplay park at the iconic Foreshore Park is currently undergoing final detailed design for delivery commencement under the 2022/23 Works Program;

- 3 Advises the community that our adopted 2022/23 Budget has allocated \$1 million for the commencement of the construction of the District level playground at Gregson Park in Hamilton, in line with the adopted Gregson Park Masterplan 2021, with construction scheduled to commence in the first quarter of 2023 and set to be completed by early 2024, subject to weather conditions.

**Carried  
unanimously**

**ITEM-26                      NOM 23/08/22 - USING RECYCLED PLASTIC PRODUCTS IN  
CITY OF NEWCASTLE PROJECTS**

**MOTION**

Moved by Cr Richardson, seconded by Cr Wood

That City of Newcastle:

- 1 Notes the month of July has been recognised as “Plastic Free July” since 2011, and recognises that July this year saw this campaign celebrate more than a decade of promoting plastic free alternatives;
- 2 Notes that the Plastic Free July campaign is a key initiative of the Plastic Free Foundation, which aims to see a world free of plastic waste;
- 3 Notes that reusing the plastic that already exists is key to reducing plastic waste;
- 4 Notes that some single use plastics are essential for some consumers who require modifications for accessibility reasons;
- 5 Notes City of Newcastle’s long standing commitment to sustainability initiatives, including diverting plastic waste from landfill through the Curby soft plastics recycling scheme and the planned construction of a material recovery facility at Summerhill;
- 6 Notes that initiatives like these will support an emerging circular economy, and local manufacturers who are already manufacturing products out of recycled plastic; and
- 7 Investigates opportunities for City of Newcastle to incorporate recycled plastic products in City of Newcastle projects, where appropriate.

Councillor Mackenzie proposed an additional point 8.

- 8 Receives a report on progress and achievements to date in relation to Action 3.4 and 3.5 in the Newcastle Climate Action Plan 2021 – 2025, namely:
  - 3.4 Identify and implement opportunities to utilise recycled plastics in street furniture, posts, playgrounds and other CN infrastructure.
  - 3.5 Remove all single use plastics from operational activities.

The mover and seconder accepted the addition of point 8 into the substantive motion.

## **AMENDMENT**

Moved by Cr Pull, seconded by Cr Barrie

To include the term cost within the motion.

**Defeated**

The motion moved by Councillor Richardson and seconded by Councillor Wood was put to the meeting.

**Carried  
unanimously**

## **ITEM-27                      NOM 23/08/22 - YOUTH MOCK COUNCIL**

In moving the motion Councillor Richardson moved an additional part B.

### **MOTION**

Moved by Cr Richardson, seconded by Cr Pull

#### **Part A**

That City of Newcastle:

- 1 Notes and congratulates the Newcastle Youth Council on the Youth Mock Council held in July 2022;
- 2 Notes that the Youth Mock Council developed and adopted the following motions:
  - a. Youth Mental Health
  - b. Better Maintenance or the Renewal of Existing Public Facilities
  - c. Development of a Reusable Menstrual Products' Rebate Program
- 3 Shares these motions with the relevant Strategic Advisory Committees, Members of the Executive Leadership Team, Council officers and Government Agencies.
- 4 Requests a report be provided to councillors by the relevant council officers assessing the viability, cost, and merits of each proposal, if they were to be adopted as policy of the Council.

#### **Part B**

That Council reiterates its commitment to the Youth Council and quality civics engagement and education.

That Councillor members of the Youth Council are requested to review the delivery of the Youth Council, including its processes, forward agenda, and the role of the YC/YMC in the delivery of civics education.

**Carried  
unanimously**

In moving the motion Councillor Pull moved an amended point 4.

**MOTION**

Moved by Cr Pull, seconded by Cr Barrie

That City of Newcastle

- 1 Notes the longstanding issues with traffic congestion in our suburban streets.
- 2 Notes the work and investment by various levels of Government to alleviate traffic congestion and build vital links across our city and region.
- 3 Notes severe traffic congestion issues along Maud Street, Wilkinson Avenue, and Sandgate Road/Tillie Street.
- 4 Writes to the Minister for Regional Transport and Roads, the Hon. Sam Farraway MLC, Parliamentary Secretary for the Hunter, the Hon. Taylor Martin MLC, and the NSW Opposition Leader, Chris Minns MP;
  - a. urging the NSW Government to investigate and explore options which will help to alleviate traffic congestion in our suburban streets, and build cross-city link roads.
  - b. highlighting the Wallsend-Mayfield Arterial Road project, in particular the potential link through Birmingham Gardens between University Drive and Cameron Street, as a potential solution to congestion issues.

Councillor Adamczyk foreshadowed a substantive motion.

The motion moved by Councillor Pull and seconded by Councillor Barrie was put to the meeting.

**For the Motion:** Councillors Barrie and Pull.

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

**Defeated**

**MOTION**

Moved by Cr Adamczyk, seconded by Cr Richardson

That Council:

- 1 Doesn't support the Wallsend-Mayfield Arterial Road Project which was abandoned by the NSW government 41 years ago.
- 2 Notes the significant investment CN has made in recent years in delivering local centre upgrades Wallsend, Birmingham Gardens and Shortland, and existing commitments to further investment in these suburbs.

- 3 Notes that thousands of Novocastrians now live within the corridor of this abandoned road proposal.

These properties may include:

- i) Innumerable homes and residents affected.
  - ii) Innumerable businesses, including a local central business centre, and a sports club
  - iii) Our heritage spaces;
    - the heritage buildings
    - the telephone exchange,
    - the Wallsend pioneer hall,
    - the Wallsend Park Grove of Remembrance
    - Diggers sports club
  - i) Our green spaces
    - Including Wallsend Park, and
    - The skate park that Council continues to invest significant money into as a local community hub
    - The amenity for walkers, dogs, cyclists, that use our cycleways both behind Wilkinson Avenue right through to the Tramway Track connecting through to Glendale
  - iv) Our services and utilities
    - Including energy and natural and man made water courses
    - The Council storage facility at Wallsend Park to service our community spaces
  - v) Our cultural facilities
  - vi) Like our Mosque, baptist, seventh day Adventist, and Russian orthodox churches
  - vii) Health and care services
    - Like the aged care facility as Jesmond Grove
    - One of our major regional hospitals - the Mater
    - Child care facilities on Uni drive
    - Or the homelessness and disadvantage services at Hope Street in Wallsend that serves ever increasing numbers of disadvantaged and homeless people in our community
  - vii) The community spaces
    - Like the new Blue Gum Hills Mens shed recently built
    - Like the Regional Scout Hall
  - viii) Green Corridor
    - Our green Corridor and the lungs of the city beyond
- 4 Request a report back to Council on the public and private property that would need to be acquired and the potential costs (economic, environment, social, heritage) of delivering this proposal.

**Carried**

**ITEM-29****NOM 23/08/22 – AVAILABILITY AND AFFORDABILITY OF FLOOD INSURANCE FOR RESIDENTS AND BUSINESSES IN LOW LYING AREAS****MOTION**

Moved by Cr McCabe, seconded by Cr Mackenzie

That City of Newcastle:

- 1 Notes that residents and business owners in flood risk areas of Newcastle are reporting difficulty in affording suitable flood insurance and finding that some insurers are refusing to provide flood insurance at all.
- 2 Notes that the Newcastle Flood Risk Management Plan (Table 6-10) says Council needs to ensure:
  - i) Improved understanding of flood risks by insurance companies: Work with Insurance Council of Australia to help Insurance Companies understand the risks associated with flooding so they can provide realistic insurance cover, rather than generalised over large areas / regions / states
  - ii) Improved community understanding of flood insurance: Help the community unravel the detail of insurance cover so they understand what floods are included and what isn't included in individual policies.
- 3 Initiates, organises and promotes a public information session with residents, council staff and their flood risk consultants, Hunter Water, and the Insurance Council of Australia to:
  - i) Discuss the high cost of premiums and the insurability of properties in flood risk zones in the Newcastle LGA.
  - ii) Clarify the information that council and insurers have about the risk to properties, its availability to residents, and how the information affects council planning decisions and insurance risk assessments.
  - iii) Explore ways to alleviate the financial costs that residents in low lying areas are experiencing due to their increased insurance premiums.
  - iv) Provide the opportunity for residents to ask questions of and seek clarification from the City of Newcastle, Hunter Water, and the Insurance Council of Australia around issues of flood risk assessment and flood insurance.

**AMENDMENT**

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

- 1 Acknowledges that City of Newcastle will by the end of the 2023 financial year have invested more than \$42 million in infrastructure upgrades over the past six years despite only receiving \$13 million via the stormwater levy over the same period.



- 2 Notes the release of the NSW Independent Flood Inquiry report, which made 28 recommendations across a broad range of areas, including those relating to making insurance more affordable to property owners in flood prone areas.
- 3 Notes that a review of City of Newcastle's flood studies are underway, with the Draft Flood Study for the eastern half of the LGA scheduled to be placed on public exhibition in early 2023.
- 4 Writes to the Insurance Council of Australia (ICA) to request it participate in a public information session in 2023 when the draft flood study is placed on public exhibition.

**Carried**

The motion moved by Councillor McCabe and seconded by Councillor Mackenzie, as amended by Councillors Clausen and Adamczyk, was put to the meeting.

**Carried**

## **LATE ITEM OF BUSINESS**

### **ITEM- 30                      NOM 23/08/22 - COMMUNITY ENGAGEMENT PLAN FOR NEWCASTLE 500 CONTRACT EXTENSION**

The Lord Mayor advised that she had been informed by Councillor Mackenzie of a late item of business and the business proposed was of great urgency on the grounds that the matter of Notice of Motion – Community Engagement Plan for Newcastle 500 Contract Extension, submitted by Councillor Mackenzie was required to go before Council prior to the next scheduled meeting.

Councillor Mackenzie was asked to outline the reasons for Council to consider the late item of business:

A decision is required prior to the next scheduled Council meeting due to the recent application of Supercars Australia to Heritage NSW for approval to stage the race until 2027, which has demonstrated the intention of Supercars Australia to extend the current race agreement. This has further resulted in uncertainty for residents and business owners impacted by the event, especially Newcastle East.

#### **PROCEDURAL MOTION**

Moved by Cr Mackenzie, seconded by Cr McCabe

The matter of Community Engagement Plan for Newcastle 500 Contract Extension be heard as a late item of business in accordance with the Code of Meeting Practice and as outlined by Councillor Mackenzie.

**Carried**

The Lord Mayor ruled the matter of Community Engagement Plan for Newcastle 500 Contract Extension to be of great urgency on the grounds that it required a decision by Council before the next scheduled Council meeting.

## **MOTION**

Moved by Cr Mackenzie, seconded by Cr McCabe

That the City of Newcastle

- 1 Prepare and publicly exhibit a community engagement plan in relation to the decision to extend the current Supercars 500 agreement beyond 2023 to expedite extensive and broad community and stakeholder consultation.

The Lord Mayor, Cr Nelmes proposed an additional part 2 to the motion.

## **AMENDMENT**

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

- 2 Partner with Destination NSW as the lead agency for major events to prepare and publicly exhibit a community engagement plan in relation to the decision to extend the current Supercars 500 agreement beyond 2023 to expedite extensive and broad community and stakeholder consultation. Council expects this engagement will be led by DNSW.

The amendment was put to the meeting.

### **For the Motion:**

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

### **Against the Motion:**

Councillors Mackenzie and McCabe.

**Carried**

Councillor Clausen proposed a further amendment to the motion.

## **AMENDMENT**

Moved by Cr Clausen, seconded by Cr Wark

That the City of Newcastle

- 1 Subject to approval from the Heritage Council of NSW, the NSW Office of Sport and Destination NSW, Council supports the proposed dates of 10-12 March 2023 to hold the final Newcastle 500 event under the existing agreements between Destination NSW (NSW Government), City of Newcastle and Supercars Australia.
- 2 Partner with Destination NSW as the lead agency for major events to prepare and publicly exhibit a community engagement plan in relation to the decision to extend the current Supercars 500 agreement beyond 2023 to expedite extensive and broad community and stakeholder consultation. Council expects this engagement will be led by DNSW.

- 3 Delegates authority to the CEO to enter necessary agreements to facilitate the March 2023 Newcastle 500, including a Services Deed, whereby the conditions are equivalent to, or more favourable to CN than the existing agreements. Requires that all modifications to the existing Deed and Agreements to enable the March 2023 event be communicated to Councillors and published on City of Newcastle's website.
- 4 Confirms that City of Newcastle's total expenditure for the Newcastle 500 event does not exceed the current budget of \$1.6m, which is consistent with previous events.

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

**Against the Motion:** Councillors Mackenzie and McCabe.

**Carried**

#### **PROCEDURAL MOTION**

Moved by Cr Mackenzie, seconded by Cr McCabe

The points within the motion be voted on in seriatim.

**Carried**

#### **PART 1**

#### **MOTION**

Moved by Cr Clausen, seconded by Cr Wark

- 1 Subject to approval from the Heritage Council of NSW, the NSW Office of Sport and Destination NSW, Council supports the proposed dates of 10-12 March 2023 to hold the final Newcastle 500 event under the existing agreements between Destination NSW (NSW Government), City of Newcastle and Supercars Australia.

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

**Against the Motion:** Councillor Mackenzie.

**Carried**

## **PART 2**

### **MOTION**

Moved by Cr Clausen, seconded by Cr Wark

- 2 Partner with Destination NSW as the lead agency for major events to prepare and publicly exhibit a community engagement plan in relation to the decision to extend the current Supercars 500 agreement beyond 2023 to expedite extensive and broad community and stakeholder consultation. Council expects this engagement will be led by DNSW.

**Carried  
unanimously**

## **PART 3**

### **MOTION**

Moved by Cr Clausen, seconded by Cr Wark

- 3 Delegates authority to the CEO to enter necessary agreements to facilitate the March 2023 Newcastle 500, including a Services Deed, whereby the conditions are equivalent to, or more favourable to CN than the existing agreements. Requires that all modifications to the existing Deed and Agreements to enable the March 2023 event be communicated to Councillors and published on City of Newcastle's website.

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

**Against the Motion:** Councillor McCabe.

**Carried**

## **PART 4**

### **MOTION**

Moved by Cr Clausen, seconded by Cr Wark

- 4 Confirms that City of Newcastle's total expenditure for the Newcastle 500 event does not exceed the current budget of \$1.6m, which is consistent with previous events.

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

**Against the Motion:** Councillor Mackenzie.

**Carried**

**The meeting concluded at 9.54pm.**