



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 13 December 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**

8 December 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  
13 DECEMBER 2022**

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*(Distributed under separate cover)*

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*(Report to be distributed at the meeting)*

**FOR DOCUMENTS MARKED 'DISTRIBUTED UNDER SEPARATE COVER' REFER TO COUNCIL'S WEBSITE AT [www.newcastle.nsw.gov.au](http://www.newcastle.nsw.gov.au)**

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

**CONFIRMATION OF PREVIOUS MINUTES**

**MINUTES – PUBLIC VOICE COMMITTEE MEETING 15 NOVEMBER 2022**

**RECOMMENDATION**

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

**ATTACHMENTS**

**Attachment A:** 221115 Public Voice 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](http://www.newcastle.nsw.gov.au)*

**Attachment A:**

**CITY OF NEWCASTLE**

**Minutes of the Public Voice Committee Meeting held in the Council Chambers, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West on Tuesday 15 November 2022 at 6.00pm.**

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**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), J Rigby (Executive Director City Infrastructure), D Clarke (Executive Director Corporate Services), L Duffy (Acting Executive Director Creative & Community Services), M Bisson (Interim Executive Director Planning & Environment), S Moore (Manager Finance, Property & Performance), E Kolatchew (Manager Legal & Governance), P Emmett (Development Assessment Section Manager), A Knowles (Councillor Services/Minutes), R Garcia (Information Technology and AV Support) and W Haddock (Information Technology).

**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.

**REQUEST TO ATTEND VIA AUDIO VISUAL LINK**

Nil.

**APOLOGIES**

Nil.

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

Nil.

**PUBLIC VOICE SESSIONS**

**ITEM-1 PV 15/11/22 - 7 GWYDIR ROAD NEW LAMBTON - DA2022/00513 – DUAL OCCUPANCY - INCLUDING ONE INTO TWO LOT SUBDIVISION AND DEMOLITION OF EXISTING STRUCTURES**

Diana Sanders and Jeremy Norgard addressed Council and outlined concerns and objections to the development application. Emma Mason and Joel Coleman addressed Council in support of the development application.

**The meeting concluded at 6.58pm.**

**MINUTES - BRIEFING COMMITTEE MEETING 15 NOVEMBER 2022**

**RECOMMENDATION**

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

**ATTACHMENTS**

**Attachment A:** 221115 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](http://www.newcastle.nsw.gov.au)*

**Attachment A:**

**CITY OF NEWCASTLE**

**Minutes of the Briefings Committee Meeting held in the Council Chambers, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West on Tuesday 15 November 2022 at 6.58pm.**

---

**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), J Rigby (Executive Director City Infrastructure), D Clarke (Executive Director Corporate Services), L Duffy (Acting Executive Director Creative & Community Services), M Bisson (Interim Executive Director Planning & Environment), S Moore (Manager Finance, Property & Performance), E Kolatchew (Manager Legal & Governance), P Emmett (Development Assessment Section Manager), A Knowles (Councillor Services/Minutes), R Garcia (Information Technology and AV Support) and W Haddock (Information Technology).

**REQUEST TO ATTEND VIA AUDIO VISUAL LINK**

Nil.

**APOLOGIES**

Nil.

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

Nil.

**BRIEFING COMMITTEE REPORTS**

**ITEM-5 BR 15/11/22 - AUSTRALIAN IRANIAN COMMUNITY OF NEWCASTLE – ADVOCACY AND AWARENESS RAISING FOR THE SITUATION OF WOMEN IN IRAN**

The Australian Iranian Community of Newcastle addressed Council providing an overview of the need for democracy and justice in Iran. They discussed the notable increases in women's involvement in revolutions and reform movements and the importance of gaining support and advocacy within the community.

**The meeting concluded at 7.20pm.**

**MINUTES - ORDINARY COUNCIL MEETING 22 NOVEMBER 2022**

**RECOMMENDATION**

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

**ATTACHMENTS**

**Attachment A:** 221022 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](http://www.newcastle.nsw.gov.au)*



**Attachment A:**

**CITY OF NEWCASTLE**

**Minutes of the Ordinary Council Meeting held in the Council Chambers, Level 1, City Administration Centre, Newcastle West on Tuesday 22 November 2022 at 6.00pm.**

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**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 (Executive Director Corporate Services), L Duffy (Acting Director Community and Creative Services), J Rigby (Executive Director City Infrastructure), M Bisson (Interim Executive Director Planning and Environment), A Jones (Director and Interim Manager Waste Services), E Kolatchew (Manager Legal and Governance), S Moore (Manager Finance, Property and Performance), N Kaiser (Interim Manager Media Engagement Economy and Corporate Affairs), R Dudgeon (Interim Manager Project Management Office), 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.

**REQUEST TO ATTEND BY AUDIO VISUAL LINK / APOLOGIES**

Nil.

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

**Councillor Clausen**

Councillor Clausen declared a non-significant non-pecuniary interest in Notice of Motion Item 36 – Rates Notice Proposal to Reduce Vacant Housing stating that while he and his partner leased a property in Mayfield East to Home in Place (Compass Housing) there was no connection between the motion and any income he received. Councillor Clausen advised he declared the property each year on his pecuniary interest return and noted the tenant was Home in Place. He considered that he had a non-significant, non-pecuniary interest in the item being debated and managed the interest by remaining in the Chamber.

**Councillor Church**

Councillor Church declared a less than significant non-pecuniary interest in Notice of Motion Item 36 – Rates Notice Proposal to Reduce Vacant Housing stating that he worked in the residential property market and would leave the Chamber for discussion of the item.

**Councillor Winney-Baartz**

Councillor Winney-Baartz declared a non-pecuniary non-significant interest in Notice of Motion Item 36 – Rates Notice Proposal to Reduce Vacant Housing stating that she was a volunteer Board member of Hunter Homeless Connect who were mentioned in the motion and would remain in the Chamber for discussion on the item.

**CONFIRMATION OF PREVIOUS MINUTES**

**MINUTES - PUBLIC VOICE COMMITTEE MEETING 18 OCTOBER 2022**

**MINUTES - BRIEFING COMMITTEE MEETING 18 OCTOBER 2022**

**MINUTES - ORDINARY COUNCIL MEETING 25 OCTOBER 2022**

**MOTION**

Moved by Cr Duncan, seconded by Cr Barrie

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

**Carried  
unanimously**

**LORD MAYORAL MINUTE**

**ITEM-21                      LMM 22/11/22 – CITY OF NEWCASTLE AND UBE CITY  
SISTER CITY 42<sup>ND</sup> ANNIVERSARY**

**MOTION**

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

- 1 Notes that on 21 November 1980, the City of Newcastle signed a Sister City agreement with Ube City, Yamaguchi Prefecture, Japan, thanks to significant relationship building by the then Lord Mayor, Joy Cummings;
- 2 Recognises that Monday 21 November 2022 marks the 42<sup>nd</sup> anniversary of this treasured relationship between Newcastle and Ube, with ongoing ties in education, youth exchange, economics, sport and art;
- 3 Acknowledges this auspicious occasion with an online meeting between Lord Mayor Nuatali Nelmes and Deputy Lord Mayor Declan Clausen, and the Mayor of Ube, Keiji Shinozaki, and senior officials, to reconnect after the COVID-19 pandemic and share the wonderful progress being made in both cities;
- 4 Resolves to explore opportunities to partner with Ube on its GIGA School Concept, National e-Sports Championships, and carbon neutrality initiatives to reduce greenhouse gas emissions;

- 5 Extends an invitation to Mayor Shinozaki and delegates to visit Newcastle in 2023 with the reopening of international borders, where the City of Newcastle would warmly welcome the delegation with a civic reception.

**Carried  
unanimously**

**ITEM-22 LMM 22/11/22 – CITY OF NEWCASTLE ACCELERATED  
DEVELOPMENT APPLICATION SYSTEM**

**MOTION**

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

- 1 Congratulates the Planning and Environment Directorate for the successful development, trial and roll-out of the new City of Newcastle Accelerated Development Application System, as detailed in Item-72 CCL 27/09/2022.
- 2 Notes the implementation of the system has the ability to reduce processing times for eligible development applications to within five to 15 days.
- 3 Notes that the Accelerated DA pathway presents an innovative approach to facilitating timely development outcomes, with some of the onus on the applicant to provide a quality submission that reduces the double-handling of information and speeds up the process, while still ensuring applicants are able to expect the same standard of professional review for each application seen by the CN assessment team.
- 4 Explores opportunities to further highlight the success of the Accelerated Development Application System by collaborating with other government authorities on its adoption state-wide.

**Carried  
unanimously**

**ITEM-23 LMM 22/11/22 – S.88 DOMESTIC WASTE MANAGEMENT  
SERVICE CHARGE**

**MOTION**

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

- 1 Reaffirms its support for the return of 100% of section 88 Domestic Waste Management Service Charge (the "waste levy") funds to be returned to local government for reinvestment in recycling facilities, landfill diversion, community education, technology improvements and circular economy opportunities;
- 2 Notes that City of Newcastle is liable for the metropolitan levy rate of \$151.60 per tonne of landfill, compared to the regional levy rate of \$87.30 per tonne, a \$32 per tonne difference and additional cost to Newcastle ratepayers of \$2.1 million in 2022/23;

- 3 Acknowledges analysis undertaken by CN officers that shows an additional \$18.7 million has been paid by Newcastle ratepayers over the past decade due our categorisation by the NSW Government.
- 4 Notes the waste levy consists of approximately 50-65% of the cost of waste disposal by CN, with \$37m currently being paid in levy contributions and only \$175,000 returned to CN to fund its resource recovery projects, which is the actual intention of the levy.
- 5 Refers to CN's detailed submission to IPART regarding waste management charges, dated 20 October 2020 and reaffirms our support of its contents.
- 6 Calls on both the NSW Government and Opposition to commit to the full return of 100% of the waste levy local councils to fund waste diversion from landfill initiatives such as those outlined in Our Sustainable Waste Strategy 2023.

**Carried  
unanimously**

## REPORTS BY COUNCIL OFFICERS

### **ITEM-91                      CCL 22/11/22 - TABLING OF REGISTER OF DISCLOSURES OF INTEREST - 1 AUGUST TO 31 OCTOBER 2022**

#### **MOTION**

Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

That Council:

- 1 Notes the tabling of the Register of Disclosures of Interest (for the period 1 August to 31 October 2022) by the Chief Executive Officer (CEO).

**Carried  
unanimously**

### **ITEM-96                      CCL 22/11/22 - ADOPTION OF PLANNING AGREEMENT FOR 10 DANGAR STREET, WICKHAM**

#### **MOTION**

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

- 1 Adopts the Planning Agreement for 10 Dangar Street, Wickham (**Attachment A**) and authorises the Chief Executive Officer (CEO) to execute the Planning Agreement.
- 2 Notes that City of Newcastle (CN) received no submissions on the draft Planning Agreement during public exhibition.

**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-98 CCL 22/11/22 - SUPPLEMENTARY REPORT - ADOPTION OF  
NEWCASTLE HERITAGE POLICY**

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Duncan

That Council:

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

**Carried  
unanimously**

**ITEM-102 CCL 22/11/22 - SEPTEMBER QUARTERLY PERFORMANCE  
REPORT ON THE 2018-2022 DELIVERY PROGRAM**

**MOTION**

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

- 1 Receives the 2022-2026 Delivery Program - September Quarterly Performance Report (Report) at **Attachment A**.

**Carried  
unanimously**

**ITEM-103 CCL 22/11/22 - EXECUTIVE MONTHLY PERFORMANCE  
REPORT**

**MOTION**

Moved by Cr Clausen, seconded by Cr Winney-Baartz

That Council:

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

**Carried  
unanimously**

**ITEM-92 CCL 22/11/22 - APPLICATION FOR (NEWCASTLE) SHOW HOLIDAY**

**MOTION**

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

- 1 Resolve to make an application for a Local Public Holiday on Newcastle Show Day, and if that is not approved by the Minister for Employee Relations (The Hon Damien Tudehope MLC) request his approval for a Local Event Day for the Newcastle Show Day (consistent with Council's decisions in 2015, 2016, 2017, 2018, 2019, 2020, 2021 and 2022).

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

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

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

**Carried**

**ITEM-93 CCL 22/11/22 - ADOPTION OF OUR SUSTAINABLE WASTE STRATEGY**

**MOTION**

Moved by Cr Adamczyk, seconded by Cr Clausen

That Council:

- 1 Adopts Our Sustainable Waste Strategy – Strategic Framework (**Attachment A**), White Paper (**Attachment B**) and Delivery Plan (**Attachment C**)
- 2 Receives Our Sustainable Waste Strategy – Engagement Report (**Attachment D**)

**Carried  
unanimously**

**ITEM-94 CCL 22/11/22 - ADOPTION OF NEWCASTLE CULTURAL  
PRECINCT CONCEPT MASTERPLAN**

In moving the motion, Councillor Duncan included a Part B.

**MOTION**

Moved by Cr Duncan, seconded by Cr Adamczyk

**Part A**

That Council:

- 1 Adopts the Newcastle Cultural Precinct Concept Masterplan at **Attachment A**.

**Part B**

That Council

- 1 Requests that City of Newcastle planning staff investigate and report via the Community and Culture Advisory Committee and DCP Working Party to operationalise, codify and enhance the work of the Masterplan as an advisory document within the DCP Modernisation Project.

**Carried  
unanimously**

**ITEM-95 CCL 22/11/22 - ENDORSEMENT OF 2021/2022 ANNUAL  
REPORT**

**MOTION**

Moved by Cr Duncan, seconded by Cr Mackenzie

That Council:

- 1 Endorses CN's 2021/22 Annual Report and its submission to the NSW Minister for Local Government by 30 November 2022.

**Carried  
unanimously**

**ITEM-97 CCL 22/11/22 - PUBLIC EXHIBITION OF PLANNING  
AGREEMENT FOR 30 AND 31 VISTA PARADE, KOTARA**

**MOTION**

Moved by Cr Winney-Baartz, seconded by Cr Wood

That Council:

- 1 Places the Planning Agreement (**Attachment A**) and Explanatory Note (**Attachment B**) for 30 and 31 Vista Parade, Kotara on public exhibition for 28 days.

- 2 Considers a report on the Planning Agreement and Explanatory Note following public exhibition.

**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**

**ITEM-99 CCL 22/11/22 - ADOPTION OF COMPLIANCE AND ENFORCEMENT POLICY**

**MOTION**

Moved by Cr Adamczyk, seconded by Cr Richardson

That Council:

- 1 Places the City of Newcastle's Compliance and Enforcement Policy at **Attachment A** on public exhibition for 28 days.

**Carried  
unanimously**

**ITEM-100 CCL 22/11/22 - ADOPTION OF COUNCIL POLICIES**

**MOTION**

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

- 1 Adopts the Donations Program Policy at **Attachment A**.
- 2 Refers the Procurement Policy at **Attachment B** to the Asset Advisory Committee for review before reporting back to Council.
- 3 Adopts the Public Voice and Public Briefings Policy at **Attachment C** subject to the following amendments to Clause 5.11 and 9.6:
  - 5.11 A list of decisions relating to Public Voice applications will be published quarterly on CN's website with an accompanying memo to be issued to Councillors including the reason any applications were declined.
  - 9.6 A list of decisions relating to Public Briefings applications will be published quarterly on CN's website with an accompanying memo to be issued to Councillors including the reason any applications were declined.



**AMENDMENT**

Moved by Cr Church, seconded by Cr Pull

Delete clause 5.10 of the Public Voice and Public Briefings Policy at **Attachment C**.

*The final decision to accept or decline a Public Voice application rests with the Manager Planning, Transport & Regulation in consultation with the CEO and Executive Director Planning & Environment*

**Defeated**

**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 Church and Mackenzie.

**Carried**

**ITEM-101 CCL 22/11/22 - SEPTEMBER QUARTERLY BUDGET REVIEW**

In moving the motion, Councillor Mackenzie included a Part B.

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Clausen

**Part A**

That Council:

- 1 Receives the September Quarterly Budget Review Statement (**Attachment A**) and adopts the revised budget as detailed therein.

**Part B**

- 1 Notes the significant commitment that City of Newcastle makes through the budget to deliver infrastructure projects across the local government area.
- 2 Notes that Council resolved in March 2019 to approve the installation of traffic control signals at the intersection of Chinchon and Clyde Streets Islington, which is a high priority project to improve pedestrian, cyclist and road user safety.
- 3 Notes that that the capital works program for 2022/23 includes the tendered installation of traffic control signals at the intersection of Chinchon and Clyde Streets Islington, and that following approval by TfNSW the project can now proceed with tendering of the works for completion this financial year.

**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:**

Councillor Church.

**Carried**

**ITEM-104 CCL 22/11/22 - TENDER REPORT – CONSTRUCTION OF DARLING STREET OVAL GRANDSTAND – CONTRACT 2023/010T**

**MOTION**

Moved by Cr Winney-Baartz, seconded by Cr McCabe

That that recommendation at Attachment A be adopted.

That Council:

- 1 Rejects all tenders received for the Darling Street Oval Grandstand for Contract No. 2023/010T due to all tenders significantly exceeding the budget funding for the project.
- 2 Endorses not calling for fresh tenders due to the timeframes associated with the grant funding attached to this project which would extend the project timeline and jeopardise the grant funds.
- 3 Authorises the Chief Executive Officer or his delegate to enter into negotiations with Kingston Building Pty Ltd, with the intent of forming a contract for a lower amount aligned more closely to the allocated project budget, as this will provide the best opportunity to achieve the timeframes associated with the grant funding to enable successful delivery of this project.
- 4 The confidential attachments relating to the matters specified in s10A(2)(d) of the *Local Government Act 1993* be treated as confidential and remain confidential until the Chief Executive Officer determines otherwise.

**Carried  
unanimously**

The Chief Executive Officer reported the resolution of the partial confidential report.

**NOTICES OF MOTION**

**ITEM-36 NOM 22/11/22 - RATES NOTICE PROPOSAL TO REDUCE VACANT HOUSING**

Councillor Church left the Chamber for discussion on the item.

In moving the motion, Councillor McCabe moved an alternate motion to that outlined in the business papers.

**ORIGINAL MOTION**

That City of Newcastle;

- 1 notes Priority 1.2.3 'Equitable Communities' of Newcastle 2040 Community Strategic Plan that affirms CN's commitment to 'supporting access to affordable, sustainable and inclusive housing, food, services, programs and facilities which improve quality of life and the strength of our community'.
  - 2 notes that according to the 2016 Census, 6,499 or 9.8% of private dwellings in the Newcastle LGA were unoccupied.
  - 3 notes that according to the 2021 Census,
    - a. 7.7% of Newcastle's private dwellings were empty (5,531 dwellings)
    - b. social housing stock in the Newcastle LGA contracted from 6.2% to 5.3% of total rental housing stock between 2016 and 2021.
  - 4 notes that only a small percentage of empty dwellings would be for Short Term Rental Accommodation (like Airbnb) According to the NSW Dept for Planning, Industry and Environment, there were only 313 registered non-hosted Short Term Rental Accommodation (STRAs) in the Newcastle LGA in September 2022.
  - 5 notes that a vacancy rate of 4% or less is considered a tight rental market and that the average vacancy rate for the past year has been 2.5% or lower in the Newcastle LGA.
  - 6 Authorise the Lord Mayor to include a message on all future rate notices highlighting the housing crisis in Newcastle and to continue this until the rental vacancy rate improves to higher than 4%.
  - 7 Suggests that the wording for the rates notice could be:

'Dear Newcastle ratepayer, our city is currently experiencing a housing crisis and Newcastle City Council is investigating all possible options to ensure that Newcastle remains an affordable place to live for everybody. If you own an unoccupied property, you might be able to assist by improving the extremely low rental vacancy rate. On the 2016 Census night there were 6,499 unoccupied private dwellings and on the 2021 census night there were 5,531. We encourage you to consider leasing any vacant housing to those who are looking for a home to rent. We also encourage you to consider leasing your home through a community housing provider who can lease your dwelling and use state government subsidies to make it affordable for those on low incomes and those escaping domestic violence. Please contact council staff if you would like to discuss these options further.'
- and:
- 8 notes CN's commitment to investigate data collection and provision as a community service (see 3.2.4 of the Response to LMM 27/07/2021 Strategies to Ameliorate the Conditions of Those in Homelessness in Newcastle)

- 9 notes that CN already subscribes to Community Profile, Social Atlas and Population Forecast tools of the ID (Informed Decisions) website
- 10 Makes funds available to subscribe to the Housing Monitor, Economic Profile and Community Views tools of the ID website (<https://home.id.com.au/demographic-resources/>) to augment CN commitment to providing evidence based decision making social policy especially in regards to the housing crisis.

**MOTION**

Moved by Cr McCabe, seconded by Cr Mackenzie

That City of Newcastle;

- 1 notes Priority 1.2.3 'Equitable Communities' of Newcastle 2040 Community Strategic Plan that affirms CN's commitment to 'supporting access to affordable, sustainable and inclusive housing, food, services, programs and facilities which improve quality of life and the strength of our community'.
- 2 notes that according to the 2016 Census, 6,499 or 9.8% of private dwellings in the Newcastle LGA were unoccupied.
- 3 notes that according to the 2021 Census,
  - a) 7.7% of Newcastle's private dwellings were empty (5,531 dwellings)
  - b) social housing stock in the Newcastle LGA contracted from 6.2% to 5.3% of total rental housing stock between 2016 and 2021.
- 4 notes that only a small percentage of empty dwellings would be for Short Term Rental Accommodation (like Airbnb) According to the NSW Dept for Planning, Industry and Environment, there were only 313 registered non-hosted Short Term Rental Accommodation (STRAs) in the Newcastle LGA in September 2022.
- 5 notes that a vacancy rate of 4% or less is considered a tight rental market and that the average vacancy rate for the past year has been 2.5% or lower in the Newcastle LGA.
- 6 Authorise council's communications team, MECA, to consider an appropriate wording and appropriate use of council's communication channels such as the newsletter, social media and the website.
- 7 Suggests that the wording could be:

'Dear Newcastle ratepayer, our city is currently experiencing a housing crisis and Newcastle City Council is investigating all possible options to ensure that Newcastle remains an affordable place to live for everybody. If you own an unoccupied property, you might be able to assist by improving the extremely low rental vacancy rate. On the 2016 Census night there were 6,499 unoccupied private dwellings and on the 2021 census night there were 5,531. We encourage you to consider leasing any vacant housing to those who are looking for a home to rent. We also encourage you to consider leasing your home through a community housing provider who can lease your dwelling and use state government subsidies to make it affordable for those on low incomes and those escaping domestic

violence. Please contact council staff if you would like to discuss these options further.'

- 8 Refers the matter of vacant housing and the rental housing crisis to the Affordable Housing Working Party to explore options to promote awareness, which could be undertaken by CN and other relevant housing providers and stakeholders.

and:

- 9 notes CN's commitment to investigate data collection and provision as a community service (see 3.2.4 of the Response to LMM 27/07/2021 Strategies to Ameliorate the Conditions of Those in Homelessness in Newcastle)
- 10 notes that CN already subscribes to Community Profile, Social Atlas and Population Forecast tools of the ID (Informed Decisions) website
- 11 Makes funds available to subscribe to the Housing Monitor, Economic Profile and Community Views tools of the ID website (<https://home.id.com.au/demographic-resources/>) to augment CN commitment to providing evidence based decision making social policy especially in regards to the housing crisis.

#### **AMENDMENT**

Moved by Cr Adamczyk, seconded by Cr Winney-Baartz

- 1 That Council adopts the Director's Report on the Notice of Motion, ie
  - a) Refers the matter of vacant housing and the rental housing crisis to the Affordable Housing Working Party to explore options to promote awareness, which could be undertaken by CN and other relevant housing providers and stakeholders.
  - b) Notes that CN will explore options to expand its ID (Informed Decisions) subscription to include the Housing Monitor, Economic Profile and Community Views tools.
- 2 Notes that many of the actions identified in the original motion are currently being addressed by the Affordable Housing Working Party (AHWP).
- 3 Notes with thanks the collaborative work of the City of Newcastle Affordable Housing Working Party in 2022; of the diverse stakeholder representatives from Community Housing Providers and Community Housing Organisations, Local Aboriginal Land Councils, women's domestic violence refuges, temporary accommodation providers, tenants advocacy, philanthropy, State Government, industry, private sector, and university, who have joined in commitment to working to understand local situated knowledge, expert solutions, opportunities, and existing examples to develop appropriate and achievable local Council responses and State and Federal Government advocacy to tackle the complex and multifarious crises of housing ownership and rental accessibility, affordability, and insecurity in our city;

- 4 Celebrates our achievements in 2022 for the actions that have been taken to respond to housing and homelessness in the City of Newcastle, through the AHWP and under the direction of our Council and 24/04/2021 and 27/07/2021 Lord Mayoral Minutes 'Housing affordability crisis in Newcastle' and 'Strategies to ameliorate the conditions of those in homelessness in Newcastle', of:
- Intensive engagement undertaken with the local homelessness and community sector to inform our responses to the complex and multifaceted gendered, aged, and socio-economic challenges that people in our city are facing in accessing affordable housing,
  - An EOI to invite partners to investigate solutions to build more social or affordable housing on Council-owned assets,
  - Investigation and report back into strategies to ameliorate the conditions of those in homelessness in Newcastle including the viability of safe sleeping zones and lockers,
  - The Homelessness Action Project, in collaboration with Lake Macquarie City Council (LMCC), to connect community sector organisations to better support those at risk of and experiencing homelessness in our community, and to collect and report on data to build a local evidence base to underpin our responses and solutions to homelessness,
  - Projects selected in Wallsend to be co-funded under our State Government LAHC/CN MOU to deliver a net uplift of public and social housing in the city, and in line with ongoing State Government advocacy for support measures which increase the supply of affordable housing such as social and community housing build and stock upgrade programs,
  - City of Newcastle resolutions put to and adopted in the LGNSW housing policy platform, including ongoing policy advocacy to increase public and social housing, and to ensure developer contributions remain in the area to fund necessary community infrastructure as need for services and amenity increases with population growth,
  - Federal policy advocacy to establish a minimum income base in the income support system by lifting all income support payments to at least \$69 a day, and implementing a new rental investment incentive scheme to replace the discontinued National Rental Affordability Scheme (NRAS),
  - Embedding affordable rental measures, definitions, and targets in our *Local Social Strategy* (currently on exhibition),
  - Our revised *Housing Policy* due to come to Council in December 2022 (including after consultation with our AHWP) which commits to use regulatory controls to increase the supply of affordable housing for very low, low and moderate income households, including by:
    - using planning agreements to achieve our affordable housing target of 15% and affordable rental targets in urban renewal and greenfield development,
    - Associated amendments to the *Local Environmental Plan*, and
    - preparing an affordable housing contributions scheme (AHCS);
  - Communications within the sector and publicly regarding CN's role and response to homelessness
- 5 Acknowledges the contribution of City of Newcastle staff in 2022 to the achievements of point 4, noting these have only been possible through the

commitments and passions of our City of Newcastle community, social and regulatory planners, who have been doing incredible work in this space to support the Elected Council in researching, developing, and sharing knowledges to offer practical solutions to responding to homelessness and housing unaffordability in our city, and

- 6 Invites City of Newcastle and Councillors to publicly support the Hunter Homeless Connect screening of 'The Hidden Faces of Homelessness' Documentary on 5 December 2022, where stakeholder representatives including from the AHWG will join a local panel to discuss tangible solutions to the rental, homelessness, and affordable housing crises in Newcastle.

**Carried**

The amendment then became the motion.

The motion moved by Councillor McCabe and seconded by Councillor Mackenzie, as amended by Councillor Adamczyk and Councillor Winney-Baartz, was put to the meeting.

**Carried  
unanimously**

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

**ITEM-37                      NOM 22/11/22 - STOCKTON EROSION**

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Barrie

That Council:

- 1 Reiterates the urgency of addressing erosion at Stockton which is threatening public and private property. Erosion at Stockton is unique and is caused primarily by the NSW Government's breakwall which ensures the safe operation of the Port of Newcastle.
- 2 Notes that Stockton Beach is Crown Land, owned by the NSW Government.
- 3 Notes that significant work has been undertaken to understand the cause of erosion and beach recession, and gain community support for an evidence-based solution. The NSW Government certified the Stockton Coastal Management Plan in August 2020, which recommends mass sand nourishment via offshore sand extraction (2.4 million cubic metres of sand) as the long-term solution, with a cost estimate of \$21m for the initial sand nourishment, and \$12m in maintenance each decade following.
- 4 Notes that the City of Newcastle (CN) has already invested more than \$4.6m since the adoption of the Coastal Management Plan, towards the total CN commitment of \$27.5 million made in 2020. This covers CN's on-shore works which complement mass nourishment such as buried protection structures and emergency works.

- 5 Supports the successful application to the Federal Government's Coastal and Risk Mitigation Program, which will enable the Commonwealth and Council to co-fund \$6.2million to immediately source 300,000 cubic metres of sand from the entrance of the harbour to provide short-term relief to the current shoreline recession, ahead of mass sand nourishment. The jointly funded project will fund investigations and approvals for sand sources from the north arm of the Hunter River, as well as three suitable bodies of sand in the Stockton Bight, which were identified in the NSW Government's 2021 Stockton Offshore Sand Exploration Project.
- 6 Supports the application for this Federal fund that was submitted by the NSW Government, which identified that the Hunter Central Coast Development Corporation (HCCDC) would project manage the delivery of the grants.
- 7 Acknowledges that mining and offshore sand extraction is not the core business of local government, and is outside our expertise. It is unreasonable that Council would now be required to own a mining licence in order to ensure the survival of a state government asset at risk due to another state government asset (the break wall) that ensures the safe operation of the Port of Newcastle.
- 8 Calls on the NSW Government, which currently holds an Exploration Licence at Stockton, to use its expertise to ensure a planning pathway is secured for offshore extraction as per the NSW Government adopted Stockton CMP.
- 9 Notes that the Mining Licence is just one of the approvals required to extract sand from offshore. Offshore extraction has never before been undertaken in NSW, and there remains uncertainty on the planning pathway.
- 10 Resolves that a mass offshore sand nourishment delivery program must be led by the NSW Government. This will result in significant efficiencies and economies of scale. All extraction approval and licences should sit with this body as per current practise.
- 11 Calls on the NSW Government to honour the commitment it made in the Commonwealth Grant application by directing HCCDC to complete the nominated work to secure the mining licence and planning approvals, noting that funding has been secured from the Commonwealth and City of Newcastle.
- 12 Calls on the NSW Government to fund mass sand nourishment consistent with the Stockton Coastal Management Plan which it endorsed in 2020.

Councillor Clausen proposed the following Part B:

Notes the multiple funding paths available to the State Government to address Stockton Erosion including:

- 1 The significant underspend in the State Government's \$73 million coastal grant program, with \$34 million in funding reportedly left unallocated.



- 2 The record mining royalties from exports due to the high Newcastle thermal coal price, forecast to earn the State Government an additional \$810.1 million in 2021-22 and \$3.8 billion over the four years to 2025-26, relative to expectations at the 2021-22 half year Budget review, and
- 3 Supports community calls for the Government to consider establishing an environmental levy on tonnages from the Port of Newcastle to support coastal and estuary climate change adaptation, mitigation and address coastal erosion in NSW. A levy as low as \$1 per tonne would provide a guaranteed funding stream to address erosion caused by the Port infrastructure.

The mover and seconder of the motion accepted Part B into the motion.

**PROCEDURAL MOTION**

Moved by Cr Pull, seconded by Cr Wark

Parts A and B be dealt with seriatim.

**Carried  
unanimously**

**PART A**

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Barrie

That Council:

- 1 Reiterates the urgency of addressing erosion at Stockton which is threatening public and private property. Erosion at Stockton is unique and is caused primarily by the NSW Government's breakwall which ensures the safe operation of the Port of Newcastle.
- 2 Notes that Stockton Beach is Crown Land, owned by the NSW Government.
- 3 Notes that significant work has been undertaken to understand the cause of erosion and beach recession, and gain community support for an evidence-based solution. The NSW Government certified the Stockton Coastal Management Plan in August 2020, which recommends mass sand nourishment via offshore sand extraction (2.4 million cubic metres of sand) as the long-term solution, with a cost estimate of \$21m for the initial sand nourishment, and \$12m in maintenance each decade following.
- 4 Notes that the City of Newcastle (CN) has already invested more than \$4.6m since the adoption of the Coastal Management Plan, towards the total CN commitment of \$27.5 million made in 2020. This covers CN's on-shore works which complement mass nourishment such as buried protection structures and emergency works.

- 5 Supports the successful application to the Federal Government's Coastal and Risk Mitigation Program, which will enable the Commonwealth and Council to co-fund \$6.2million to immediately source 300,000 cubic metres of sand from the entrance of the harbour to provide short-term relief to the current shoreline recession, ahead of mass sand nourishment. The jointly funded project will fund investigations and approvals for sand sources from the north arm of the Hunter River, as well as three suitable bodies of sand in the Stockton Bight, which were identified in the NSW Government's 2021 Stockton Offshore Sand Exploration Project.
- 6 Supports the application for this Federal fund that was submitted by the NSW Government, which identified that the Hunter Central Coast Development Corporation (HCCDC) would project manage the delivery of the grants.
- 7 Acknowledges that mining and offshore sand extraction is not the core business of local government, and is outside our expertise. It is unreasonable that Council would now be required to own a mining licence in order to ensure the survival of a state government asset at risk due to another state government asset (the break wall) that ensures the safe operation of the Port of Newcastle.
- 8 Calls on the NSW Government, which currently holds an Exploration Licence at Stockton, to use its expertise to ensure a planning pathway is secured for offshore extraction as per the NSW Government adopted Stockton CMP.
- 9 Notes that the Mining Licence is just one of the approvals required to extract sand from offshore. Offshore extraction has never before been undertaken in NSW, and there remains uncertainty on the planning pathway.
- 10 Resolves that a mass offshore sand nourishment delivery program must be led by the NSW Government. This will result in significant efficiencies and economies of scale. All extraction approval and licences should sit with this body as per current practise.
- 11 Calls on the NSW Government to honour the commitment it made in the Commonwealth Grant application by directing HCCDC to complete the nominated work to secure the mining licence and planning approvals, noting that funding has been secured from the Commonwealth and City of Newcastle.
- 12 Calls on the NSW Government to fund mass sand nourishment consistent with the Stockton Coastal Management Plan which it endorsed in 2020.

**Carried  
unanimously**

**PART B**

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Barrie

That Council

Notes the multiple funding paths available to the State Government to address Stockton Erosion including:

- 1 The significant underspend in the State Government's \$73 million coastal grant program, with \$34 million in funding reportedly left unallocated.
- 2 The record mining royalties from exports due to the high Newcastle thermal coal price, forecast to earn the State Government an additional \$810.1 million in 2021-22 and \$3.8 billion over the four years to 2025-26, relative to expectations at the 2021-22 half year Budget review, and
- 3 Supports community calls for the Government to consider establishing an environmental levy on tonnages from the Port of Newcastle to support coastal and estuary climate change adaptation, mitigation and address coastal erosion in NSW. A levy as low as \$1 per tonne would provide a guaranteed funding stream to address erosion caused by the Port infrastructure.

**For the Motion:**

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

**Against the Motion:**

Councillors Barrie, Church, Pull and Wark.

**Carried**

**ITEM-38**

**NOM 22/11/22 - CITY NAMING POLICY**

**MOTION**

Moved by Cr Mackenzie, seconded by Cr McCabe

That the City of Newcastle

- 1 Notes the importance of geographical place names in our city for navigation and reference purposes, but also in terms of heritage, identity, values and aspirations.
- 2 Notes that geographical naming, especially for new Council assets, provides opportunity for recognising Aboriginal and Torres Strait Islander cultural heritage and history in the public domain, and for reflecting changing demographics and values of the city.
- 3 Notes that Council does not have a City Naming Policy to provide a framework to guide naming proposals for new assets and for changing a name of an existing Council asset.

- 4 Develop a draft Naming Policy to provide a principle-based approach to naming of city assets consistent with the policies of the NSW Geographical Names Board, including consideration of local heritage, diversity, community sensitivity and consultation.

**AMENDMENT**

Moved by Cr Winney-Baartz, seconded by Cr Richardson

That Council:

- 1 Notes the importance of geographical place names in our city for navigation and reference purposes, but also in terms of heritage, identity, values and aspirations.
- 2 Notes that geographical naming, especially for new Council assets, provides opportunity for recognising Aboriginal and Torres Strait Islander cultural heritage and history in the public domain, and for reflecting changing demographics and values of the city.
- 3 Notes that Council does not have a City Naming Policy to provide a framework to guide naming proposals for new assets and for changing a name of an existing Council asset.
- 4 Notes the progress that has been made since Council's resolution of 9 July 2020 on the renaming of CN buildings and other features, including a standing item on the agenda of each Guaraki Committee on placing naming.
- 5 In collaboration with the Gurakai Committee, develops a draft Naming Policy to provide a principle-based approach to naming of city assets consistent with the policies of the NSW Geographical Names Board, including consideration of local heritage, diversity, community sensitivity and consultation. This Naming Policy should outline a process to provide Local Mob with an opportunity for input and approval over the use of local Aboriginal names, and a review of existing names.

The mover and seconder accepted the amendment into the motion.

**AMENDMENT**

Moved by Cr Pull, seconded by Cr Barrie

- 1 Notes the importance of geographical place names in our city for navigation and reference purposes, but also in terms of heritage, identity, values, aspirations and recognition of community service.

The mover and seconder accepted the amendment into the motion.

The motion moved by Councillor Mackenzie and seconded by Councillor McCabe, as amended by Councillors Winney-Baartz, Richardson, Pull and Barrie was put to the meeting.

**Carried  
unanimously**

**ITEM-39                      NOM 22/11/22 - CO-FUNDING AN AERIAL BUNDLED CABLING PROGRAM**

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Clausen

That City of Newcastle

- Notes the contribution of Newcastle’s street tree population to the city’s urban forest, an intergenerational resources that provides multiple community benefits, and the need to improve practices and capacity to ensure these benefits.
- Notes the responsibility of Council for the holistic management of urban forest assets owned or controlled by the City of Newcastle, as outlined in the Newcastle Urban Forest Policy.
- Notes the ongoing collaborative relationship between Ausgrid staff, contractors and the City of Newcastle in managing both electrical line clearances and tree canopy to build a mutually beneficial forward plan, especially since January 2021. Outcomes from workshop sessions to date have included the identification of sites where Ausgrid’s essential service lines and CN’s significant tree stands co-exist, and scoped works options including engineering solutions such as bundled insulated cables.
- Supports Ausgrid’s proposal for co-funding of Aerial Bundled Cable (ABC) upgrades in collaboration with Councils as part of their Draft Plan 2024-29.
- Writes a letter of ‘in-principle’ support to Ausgrid for their ABC program, specifically in support of the budget allocation of \$12.2 million to work with local governments to deliver more aerial bundled cable.
- Writes to the NSW Department of Planning and Environment to request funding to support councils with their contribution towards an ABC program.
- Scope and report to the elected council potential opportunities, in collaboration with Ausgrid, for local ABC upgrades in priority locations in the Newcastle LGA.

**AMENDMENT**

Moved by Cr Clausen

That City of Newcastle

- Notes the contribution of Newcastle’s street tree population to the city’s urban forest, an intergenerational resources that provides multiple community benefits, and the need to improve practices and capacity to ensure these benefits.
- Notes the responsibility of Council for the holistic management of urban forest assets owned or controlled by the City of Newcastle, as outlined in the Newcastle Urban Forest Policy.

- Notes the collaborative relationships that are forming between Ausgrid staff, contractors and the City of Newcastle in managing both electrical line clearances and tree canopy to build a mutually beneficial forward plan, especially since January 2021. Outcomes from workshop sessions to date have included the identification of sites where Ausgrid's essential service lines and CN's significant tree stands co-exist, and scoped works options including engineering solutions such as bundled insulated cables.
- Notes that in September 2022, Ausgrid released its draft 'Our Draft Plan for 2024-29' for public consultation.
- That CN makes an urgent submission to Ausgrid's Draft Plan endorsing advocacy from Councils across metropolitan NSW to re-establish a fair Ausgrid funding program for Aerial Bundled Cable (ABC) or undergrounded cables upgrades to protect urban canopies from wineglassing and destruction, and the importance of adding the protection of street trees in their operations into Ausgrid's accompanying climate resilience framework.
- Writes to the Treasurer and Minister for Energy, Minister for the Environment, Minister for Local Government and the NSW Department of Planning and Environment requesting the Government's support for councils towards an Ausgrid ABC Program to protect urban forests.
- Scope and report to the elected council potential opportunities, in collaboration with Ausgrid, for local ABC upgrades in priority locations in the Newcastle LGA to protect our urban forest.

As the mover of the motion Councillor Mackenzie accepted the amendment into the motion.

The motion as amended was put to the meeting.

**Carried  
unanimously**

**The meeting concluded at 9.36pm.**

**REPORTS BY COUNCIL OFFICERS**

**ITEM-105                      CCL 13/12/22 – CCL 13/12/22 - CODE OF CONDUCT ANNUAL STATISTICS**

**REPORT BY:                    EXECUTIVE MANAGEMENT**  
**CONTACT:                     COMPLAINTS COORDINATOR**

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**PURPOSE**

To report City of Newcastle's (CN) Code of Conduct complaints statistics for the period 1 September 2021 to 31 August 2022 in accordance with Office of Local Government (OLG) requirements.

**RECOMMENDATION**

That Council:

- 1 Notes City of Newcastle's Code of Conduct Complaints Statistics Report for the period 1 September 2021 to 31 August 2022 at **Attachment A**.

**KEY ISSUES**

- 2 Part 11 of CN's Procedure for the Administration of the Code of Conduct (Procedure) requires the Complaints Coordinator (Manager Legal and Governance) to report the following to Council and the OLG for the period 1 September to 31 August each year:
  - i) the total number of Code of Conduct complaints made about Councillors and the Chief Executive Officer under the Code of Conduct in the year to September;
  - ii) the number of Code of Conduct complaints referred to a Conduct Reviewer;
  - iii) the number of Code of Conduct complaints finalised by a Conduct Reviewer at the preliminary assessment stage, and the outcome of those complaints;
  - iv) the number of Code of Conduct complaints investigated by a Conduct Reviewer;
  - v) without identifying particular matters, the outcome of investigations completed under the Procedure;
  - vi) the number of matters reviewed by the OLG and, without identifying particular matters, the outcome of those reviews; and
  - vii) the total cost of dealing with Code of Conduct complaints made about Councillors and the Chief Executive Officer in the year to September, including staff costs.

**FINANCIAL IMPACT**

- 3 The total cost of dealing with Code of Conduct complaints, including staff costs, for the period 1 September 2021 to 31 August 2022, was \$38,233.

**NEWCASTLE 2040 ALIGNMENT**

- 4 The noting of the Code of Conduct complaints statistics is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

**Achieving Together**

4.2 Trust and Transparency

**IMPLEMENTATION PLAN/IMPLICATIONS**

- 5 The Code of Conduct complaints statistics are submitted to the OLG and made publicly available on its 'Your Council' website.

**RISK ASSESSMENT AND MITIGATION**

- 6 Noting and submitting Code of Conduct complaints statistics to the OLG ensures CN complies with legislative requirements. Following these requirements reduces the risk of damage to public confidence in local government associated with complaints and breaches of the Code of Conduct.

**RELATED PREVIOUS DECISIONS**

- 7 At the Ordinary Council meeting held on 23 November 2021, Council noted CN's Code of Conduct complaints statistics for the period 1 September 2020 to 31 August 2021.

**CONSULTATION**

- 8 No consultation was required as this is a statutory process under the Procedure.

**BACKGROUND**

- 9 CN's Code of Conduct for Councillors and associated Procedure are consistent with the Model Code of Conduct for Local Councils in NSW, produced by the OLG in accordance with the Local Government (General) Regulation 2005.

**OPTIONS**

**Option 1**

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



**Option 2**

- 11 Council does not adopt the recommendation. CN has a legislative obligation to lodge the report with the OLG and it is appropriate for Council to note this. This is not the recommended option.

**REFERENCES**

Procedure for the Administration of the Code of Conduct

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

**ATTACHMENT**

**Item 105 - Attachment A:** Annual report on City of Newcastle's Code of Conduct Complaints Statistics for the period 1 September 2021 to 31 August 2022.

**Item 105 – Attachment A:**

Model Code of Conduct Complaints Statistics Newcastle City Council		
<b>Number of Complaints</b>		
1 a	The total number of complaints <b>received</b> in the period about councillors and the General Manager (GM) under the code of conduct	3
b	The total number of complaints <b>finalised</b> in the period about councillors and the GM under the code of conduct	3
<b>Overview of Complaints and Cost</b>		
2 a	The number of complaints <b>finalised at the outset</b> by alternative means by the GM or Mayor	1
b	The number of complaints <b>referred to the Office of Local Government (OLG)</b> under a special complaints management arrangement	0
c	The number of code of conduct complaints <b>referred to a conduct reviewer</b>	2
d	The number of code of conduct complaints <b>finalised at preliminary assessment</b> by conduct reviewer	0
e	The number of code of conduct complaints <b>referred back to GM or Mayor</b> for resolution after preliminary assessment by conduct reviewer	0
f	The number of finalised code of conduct complaints <b>investigated by a conduct reviewer</b>	2
g	The number of finalised complaints investigated where there was found to be <b>no breach</b>	2
h	The number of finalised complaints investigated where there was found to be <b>a breach</b>	0
i	The number of complaints referred by the GM or Mayor <b>to another agency</b> or body such as the ICAC, the NSW Ombudsman, OLG or the Police	0
j	The number of complaints being investigated that are <b>not yet finalised</b>	0
k	The <b>total cost</b> of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	38,233

Preliminary Assessment Statistics	
3	The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:
a	To take no action (clause 6.13(a) of the 2020 Procedures) <input type="text" value="0"/>
b	To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2020 Procedures) <input type="text" value="0"/>
c	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2020 Procedures) <input type="text" value="0"/>
d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2020 Procedures) <input type="text" value="0"/>
e	To investigate the matter (clause 6.13(e) of the 2020 Procedures) <input type="text" value="0"/>
Investigation Statistics	
4	The number of investigated complaints resulting in a determination that there was <b>no breach</b> , in which the following recommendations were made:
a	That the council revise its policies or procedures <input type="text" value="0"/>
b	That a person or persons undertake training or other education (clause 7.40 of the 2020 Procedures) <input type="text" value="0"/>
5	The number of investigated complaints resulting in a determination that there <b>was a breach</b> in which the following recommendations were made:
a	That the council revise any of its policies or procedures (clause 7.39 of the 2020 Procedures) <input type="text" value="0"/>
b	In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.37(a) of the 2020 Procedures) <input type="text" value="0"/>
c	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.37(b) of the 2020 Procedures) <input type="text" value="0"/>
d	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.37(c) of the 2020 Procedures) <input type="text" value="0"/>
6	Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2020 Procedures) <input type="text" value="0"/>

Categories of misconduct	
7	The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:
a	General conduct (Part 3) <input type="text" value="0"/>
b	Non-pecuniary conflict of interest (Part 5) <input type="text" value="0"/>
c	Personal benefit (Part 6) <input type="text" value="0"/>
d	Relationship between council officials (Part 7) <input type="text" value="0"/>
e	Access to information and resources (Part 8) <input type="text" value="0"/>
Outcome of determinations	
8	The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation <input type="text" value="0"/>
9	The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by OLG <input type="text" value="0"/>

**ITEM-106 CCL 13/12/22 - ADOPTION OF 2023 COUNCIL MEETING SCHEDULE**

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

**PURPOSE**

To adopt the schedule for Council Meetings to be held in the 2023 calendar year.

**RECOMMENDATION**

That Council:

- Adopts the following schedule for Council Meetings to be held in the 2023 calendar year:

	<b>Week 1</b>	<b>Week 2</b>	<b>Week 3</b>	<b>Week 4</b>	<b>Week 5</b>
<b>February</b>		Councillor Workshops or other sessions, as required	<b>Public Voice, Public Briefing and Development Applications Committee Meetings, as required</b>	<b>Ordinary Council Meeting</b>	No week 5
<b>March</b>	Quarterly Advisory Committee meetings  Additional workshops, Councillor professional development or other sessions, as required	Councillor Workshops or other sessions, as required	<b>Public Voice, Public Briefings, and Development Applications Committee Meetings, as required</b>	<b>Ordinary Council Meeting</b>	No week 5
<b>April</b>		<i>No meetings</i>	<i>No meetings</i>	<i>Note: Anzac Day Tuesday 25 April 2023</i>  <i>The following meetings will be held on <b>Wednesday 26 April 2023:</b></i>  <b>Public Voice, Public Briefings, and Development Applications Committee Meetings, as required and Ordinary Council Meeting</b>	No week 5

# CITY OF NEWCASTLE

	<b>Week 1</b>	<b>Week 2</b>	<b>Week 3</b>	<b>Week 4</b>	<b>Week 5</b>	
<b>May</b>	Quarterly Advisory Committee Meetings  Additional workshops, Councillor professional development or other sessions, as required	Councillor Workshops or other sessions, as required	<b>Public Voice, Public Briefings, and Development Applications Committee Meetings, as required</b>	<b>Ordinary Council Meeting</b>	Councillor Workshops or other sessions may be scheduled as required	
<b>June</b>		<b>Public Voice, Public Briefings, and Development Applications Committee Meetings, as required</b>	<i>No meetings</i>  <i>Australian Local Government Association - National General Assembly (18-21 June 2023)</i>	<b>Ordinary Council Meeting</b>	No week 5	
<b>July</b>		Councillor Workshops or other sessions, as required	<b>Public Voice, Public Briefings, and Development Applications Committee Meetings, as required</b>	<b>Ordinary Council Meeting</b>	No week 5	
<b>August</b>		Councillor Workshops or other sessions, as required	<b>Public Voice, Public Briefings, and Development Applications Committee Meetings, as required</b>	<b>Ordinary Council Meeting</b>	Councillor Workshops or other sessions, as required	
<b>September</b>		Councillor Workshops or other sessions, as required	<b>Public Voice, Public Briefings, and Development Applications Committee Meetings, as required</b>	<b>Ordinary Council Meeting</b>	No week 5	
<b>October</b>		Councillor Workshops or other sessions, as required	<b>Public Voice, Public Briefings, and Development Applications Committee Meetings, as required</b>	<b>Ordinary Council Meeting</b>	Councillor Workshops or other sessions, as required	
<b>November</b>		Councillor Workshops or other sessions, as required	<i>No meetings</i>  <i>LGNSW State Conference (12-14 November 2023)</i>	<b>Public Voice, Public Briefings, and Development Applications Committee Meetings, as required</b>	<b>Ordinary Council Meeting</b>	No week 5

	Week 1	Week 2	Week 3	Week 4	Week 5
December	Public Voice, Public Briefings, and Development Applications Committee Meetings, as required	Ordinary Council Meeting	<i>Recess period</i>	<i>Recess period</i>	No week 5

- 2 Notes that all Council Meetings will normally commence at 6:00pm on a Tuesday with the location of all Council Meetings being the City Administration Centre, 12 Stewart Avenue, Newcastle West, unless otherwise determined by the Chief Executive Officer (CEO) in consultation with the Lord Mayor. Council Meetings are livestreamed and attendance may be by audio-visual means in accordance with CN's Code of Meeting Practice (COMP).
- 3 Notes that for the purposes of the Instruments of Delegation to the Lord Mayor and CEO, Council's "Recess Period" commences from midnight 12 December 2023 and ceases at midnight on Monday 5 February 2024.

**KEY ISSUES**

- 4 The schedule ensures that City of Newcastle (CN) meets the requirements of section 365 of the *Local Government Act 1993 (NSW)* (the Act) which provides that Council must meet at least ten times per year, with each Meeting being in a different month.
- 5 Clause 3.2A of CN's COMP requires Council to adopt a Meeting cycle before the first Council Meeting of each calendar year.

**FINANCIAL IMPACT**

- 6 CN's adopted Budget for 2022/23 provides for Meetings.

**NEWCASTLE 2040 ALIGNMENT**

- 7 Adopting a schedule of Council Meetings is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan including:

**4 Achieving Together**

- 4.2 Trust and Transparency
  - 4.2.1 Genuine engagement
- 4.3 Collaborative and Innovative approach
  - 4.3.1 Collaborative organisation
  - 4.3.3 Data-driven decision-making and insights

**IMPLEMENTATION PLAN/IMPLICATIONS**

- 8 In accordance with the requirements of the Act and the COMP, Meeting dates and times are advertised on CN's website.

**RISK ASSESSMENT AND MITIGATION**

- 9 Appropriately scheduled Meetings ensure CN complies with legislative requirements.

**RELATED PREVIOUS DECISIONS**

- 10 At the Ordinary Council Meeting held on 23 November 2021, Council adopted the Council Meeting schedule for 2022.

**CONSULTATION**

- 11 No consultation is required as this is a statutory process under the Act and COMP.

**BACKGROUND**

- 12 Not applicable.

**OPTIONS**

**Option 1**

- 13 The recommendations as at Paragraphs 1 - 3. This is the recommended option.

**Option 2**

- 14 Council does not adopt the recommendation. An alternative Meeting schedule proposal for 2023 may be put forward by Councillors, provided that it allows for at least ten Council Meetings, with each Meeting being in a different month. Any increase in the number of Meetings or significant change to the proposed Meeting cycle would need to be considered in light of resourcing and budget requirements. This is not the recommended option.

**REFERENCES**

[City of Newcastle Code of Meeting Practice, June 2022](#)

**ATTACHMENTS**

Nil.

**ITEM-107 CCL 13/12/22 – SUPPLEMENTARY REPORT -  
COMPULSORY ACQUISITION OF COMMUNITY LAND BY  
TRANSPORT FOR NSW – NEWCASTLE INNER CITY  
BYPASS**

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

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**PURPOSE**

To provide an update to Item 39 - Compulsory Acquisition Of Community Land By Transport For NSW – Newcastle Inner City Bypass (**Attachment A**) reported at the Ordinary Council Meeting held on 24 May 2022.

**RECOMMENDATION**

That Council:

- 1 Notes the compensation value of the land compulsorily acquired by Transport for NSW (TfNSW) as determined by the Valuer General was \$2,140,000.

**KEY ISSUES**

- 2 At the Ordinary Council Meeting held on 24 May 2022, Council endorsed a report recommending the rejection of TfNSW's offer for eight parcels of Community Land of \$1,155,000, with the compensation determination to instead be made by the Valuer General.
- 3 TfNSW compulsorily acquired the land on 6 June 2022 by way of a Gazettal Notice.
- 4 The Valuer General made a preliminary determination on 30 September 2022 and a final determination on 10 November 2022, without any further amendments, for a compensation value of \$2,140,000, an amount \$985,000 above TfNSW's final offer.

**FINANCIAL IMPACT**

- 5 CN will receive \$2,140,000 from the compulsory acquisition, and interest will be payable calculated from the transfer date of 6 June 2022 to the date the compensation is paid, usually 28 days from the date of determination.
- 6 The proceeds received from the compulsory acquisition will be transferred to the internal cash reserve, Works Program – New and Upgrade. This reserve was formerly known as the Land and Property Reserve.



**BACKGROUND**

- 7 CN and TfNSW were in discussion for several years regarding proposed land acquisitions for the completion of the Jesmond to Rankin Park section of the Newcastle Inner City Bypass, adjacent to John Hunter Hospital.
- 8 Despite attempts by CN officers to reach a fair and equitable offer for compensation based on CN's valuation, TfNSW rejected all offers, despite the large differential between its proposed compensation and CN's valuation, and compulsorily acquired the land through Gazettal.

**OPTIONS**

**Option 1**

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

**ATTACHMENTS**

- Item 107 - Attachment A:** Original Council Report of CCL 24/05/22 – Compulsory Acquisition Of Community Land By Transport For NSW – Newcastle Inner City Bypass.

**Item 107 - Attachment A** - Original Council Report of CCL 24/05/22 – Compulsory Acquisition Of Community Land By Transport For NSW – Newcastle Inner City Bypass.

**ITEM-39 CCL 24/05/22 - COMPULSORY ACQUISITION OF COMMUNITY LAND BY TRANSPORT FOR NSW – NEWCASTLE INNER CITY BYPASS**

**REPORT BY: INFRASTRUCTURE AND PROPERTY  
CONTACT: DIRECTOR INFRASTRUCTURE AND PROPERTY /  
MANAGER PROPERTY AND FACILITIES**

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### **PURPOSE**

To make a determination on the compensation proposed by Transport for NSW (TfNSW) for the acquisition of land in Lambton and New Lambton.

### **RECOMMENDATION**

That Council:

- 1 Rejects the compensation offer made by TfNSW for the compulsory acquisition of eight parcels of Community Land (Land) as shown at **Attachment A**.
- 2 Endorses seeking a determination by the Valuer General on the compensation payable.
- 3 Endorses entering into a Deed of Release at a compensation value determined by the Valuer General.
- 4 Grants authority to the Chief Executive Officer or his delegate to execute all relevant documentation to effect the transaction.
- 5 Endorses entering into a licence for access to the Land while compensation is being determined.

### **KEY ISSUES**

- 6 TfNSW require the Land as shown at **Attachment A** for the Jesmond to Rankin Park section of the Newcastle Inner City Bypass.
- 7 City of Newcastle (CN) has received an offer of \$1,155,000 (Offer) for the Land from TfNSW. The independent valuation obtained by CN for the Land is \$1,950,000.
- 8 CN does not believe TfNSW's Offer is market value, in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* (Act) and would not provide value for money for ratepayers if accepted.

- 9 On 1 March 2022, TfNSW formally issued a Proposed Acquisition Notice (PAN), which will result in the Land transferring to TfNSW on 1 June 2022 (after 90 days).
- 10 The Act allows the parties to attempt to agree a compensation figure during this period. If the parties agree, a Deed of Compensation will be entered into between the parties.
- 11 Despite numerous attempts by CN to further negotiate the compensation, TfNSW have advised its Offer will not be amended.
- 12 If the parties do not agree to a compensation figure prior to the transfer, any compensation payable by TfNSW can be assessed by the Valuer General.
- 13 It is estimated that the transfer of the land will occur in accordance with the Act on or around 10 June 2022.
- 14 Once the Valuer General provides their determination, the parties will enter into a Deed of Release for the land to fully transfer to TfNSW.
- 15 In addition, CN are seeking approval to enter into a Licence with TfNSW in the interim to occupy the land until the acquisition is finalised.
- 16 Based on the current CN valuation and a yield of 7%, CN propose an annual rent of \$135,000, pro-rated for the period up to transfer of the land which has been agreed by TfNSW.

### **FINANCIAL IMPACT**

- 17 If CN accept TfNSW's Offer, CN will receive \$1,155,000.
- 18 If CN does not accept the Offer, the Valuer General will determine the compensation payable.
- 19 If CN enter into a licence for early access to the Land, CN will receive an estimated \$45,000.

### **COMMUNITY STRATEGIC PLAN ALIGNMENT**

- 20 This report aligns with the following Newcastle 2040 Community Strategic Plan priority:

#### **Achieving Together**

- 4.1 Inclusive and Integrated Planning
- 4.1.1 Financial Sustainability

### **IMPLEMENTATION PLAN/IMPLICATIONS**

- 21 The plan of acquisition will be registered at the Land Registry Service, a Government Gazette notice will be published, and the land will be vested to TfNSW.

## RISK ASSESSMENT AND MITIGATION

- 22 The Valuer General may assess the compensation to be lower than the Offer. CN will provide copies of both of CN's valuations to the Valuer General showing the methodology and justification for the compensation being sought.

## RELATED PREVIOUS DECISIONS

- 23 Nil.

## CONSULTATION

- 24 On 21 April 2022, the matter was tabled to CN's Asset Advisory Committee. The Committee endorsed continued negotiations with TfNSW in an effort to achieve the most positive outcome for ratepayers, and requested the proposed acquisition be reported to Council.

## BACKGROUND

- 25 CN and TfNSW have been in discussion for several years regarding proposed land acquisitions for the completion of the Jesmond to Rankin Park section of the Newcastle Inner City Bypass, adjacent to John Hunter Hospital.
- 26 In April 2021, the formal six-month negotiation process required under section 10A of the Act commenced.
- 27 CN obtained a valuation of the Land, totalling \$2,600,000, with TfNSW offering \$418,000.
- 28 After both parties' valuers met to discuss their methodologies, CN's valuer revised the valuation to \$1,950,000.
- 29 TfNSW has not provided any further valuation, however, have revised their offer to \$1,155,000.
- 30 TfNSW has now issued the formal PAN which allows independent assessment of the compensation by the Valuer General. The PAN allows 90 days for both parties to agree on compensation, however, after the 90-day period, the compulsory acquisition will be published in the Government Gazette and CN's interest in the land will be extinguished. This does not affect the compensation payable as determined by the Valuer General.
- 31 TfNSW have also requested a Licence from CN to access the Land prior to the compensation determination. 28 days public notification period for the proposed Licence is required in accordance with the *Local Government Act*.

## OPTIONS

### Option 1

- 32 The recommendation as at Paragraphs 1 to 5. This is the recommended option.

**Option 2**

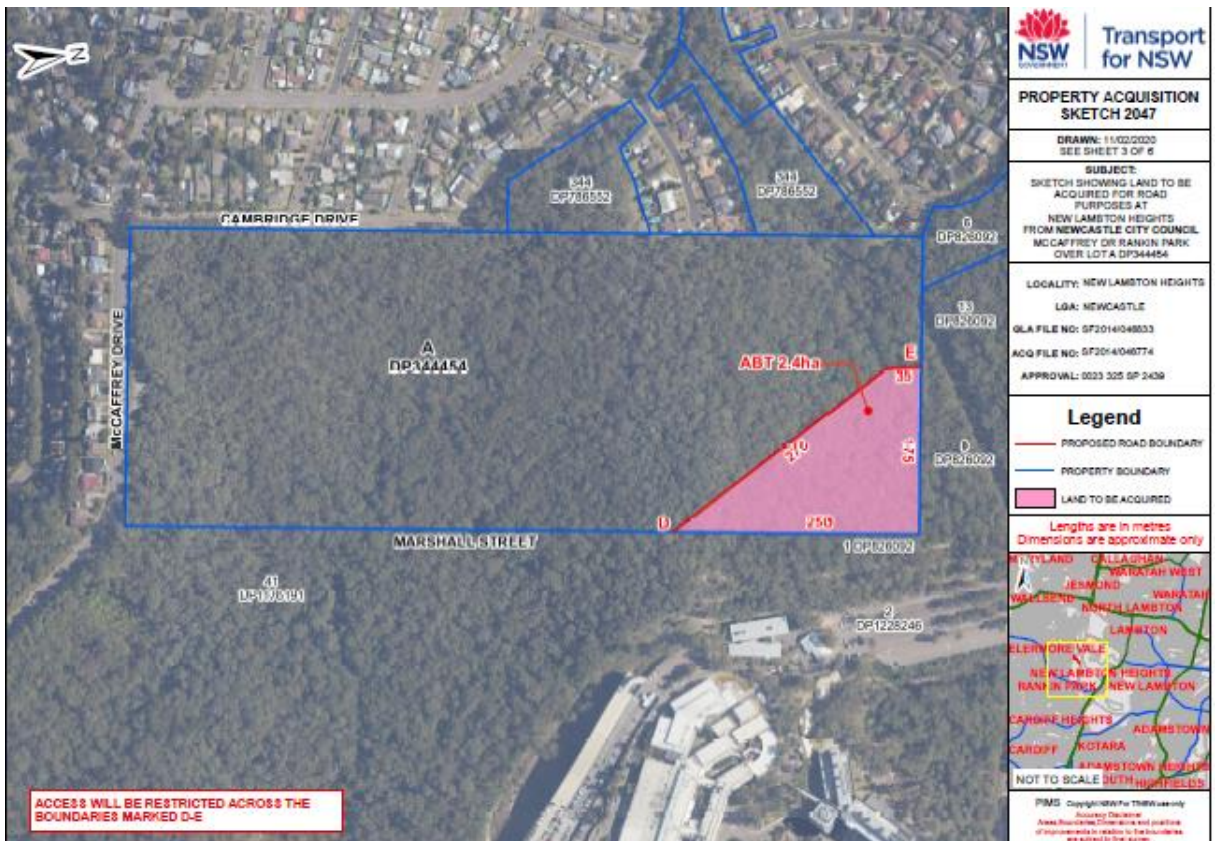
- 33 CN accept TfNSW's offer of \$1,155,000, and grant authority to the Chief Executive Officer or his delegate to execute all relevant documentation to effect the transactions. This is not the recommended option.

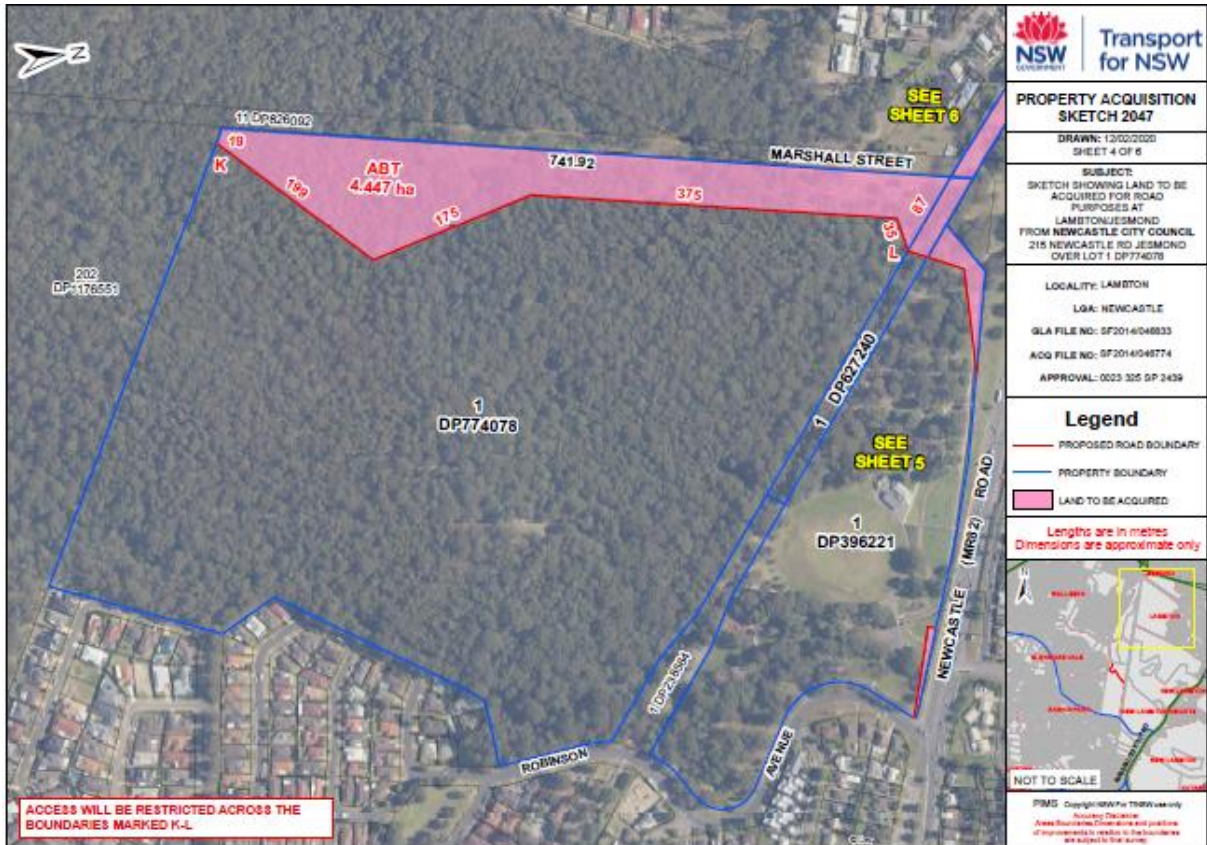
**REFERENCES**

**ATTACHMENTS**

**Item 39 Attachment A:** Land Acquisition Maps

Item 39 Attachment A - Land Acquisition Maps





# CITY OF NEWCASTLE

Ordinary Council Meeting 13 December 2022

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**ITEM-108 CCL 13/12/22 – ADOPTION OF COUNCIL POLICIES**

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

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**PURPOSE**

To adopt policies.

**RECOMMENDATION**

That Council:

- 1 Adopts the Investment and Borrowing Policy at **Attachment A**.
- 2 Adopts the Community Grants Policy at **Attachment B**.
- 3 Adopts the Housing Policy at **Attachment C**.
- 4 Adopts the Procurement Policy at **Attachment D**.

**KEY ISSUES**

- 5 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 only effective when they are regularly reviewed and updated.
- 6 It is recommended that all policies adopted by the former Council be re-adopted by the new Council, ideally within the first 12 months of the new term. The benefits of re-adopting policies within the first 12 months of 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.
- 7 The revised policies (with tracked changes) and a summary of each policy is at Attachments A - D.

**FINANCIAL IMPACT**

- 8 There is no budget implication in adopting Council policies.

**NEWCASTLE 2040 ALIGNMENT**

- 9 Adopting these policies is consistent with the priorities of the Newcastle 2040 Community Strategic Plan.

**4 Achieving Together**

4.2 Trust and Transparency

4.2.1 Genuine engagement

4.2.2 Shared information and celebration of success

4.2.3 Trusted Customer Experience

**IMPLEMENTATION PLAN/IMPLICATIONS**

10 Adopted Council policies are published on CN's website.

**RISK ASSESSMENT AND MITIGATION**

11 Reviewing policies regularly and in line with each Council term ensures that policies remain up-to-date and relevant.

12 Risks are mitigated by ensuring policies are drafted in accordance with legislative requirements, Ministerial Orders or model policies as specified by Office of Local Government.

**RELATED PREVIOUS DECISIONS**

13 At the Ordinary Council Meeting held on 27 July 2021, Council adopted the Investment and Borrowing Policy.

14 At the Ordinary Council Meeting held on 27 April 2021, Council adopted the Community Grants Policy.

15 At the Ordinary Council Meeting held on 26 October 2021, Council adopted the Housing Policy.

16 At the Ordinary Council Meeting held on 22 November 2022, Council referred the Procurement Policy to the Asset Advisory Committee.

**CONSULTATION**

17 Public exhibition of the policies is not required as each was previously publicly exhibited and then adopted by Council in 2021. Proposed changes are either in accordance with legislative and related requirements, or minor in nature. Refer to the summary document included with each policy at Attachments A - D.

**BACKGROUND**

18 Nil.

**OPTIONS**

**Option 1**

19 The recommendation as at Paragraphs 1 - 4. This is the recommended option.

**Option 2**

20 Council does not adopt the recommendations as at Paragraphs 1 - 4. This is not the recommended option.

**REFERENCES**

Nil.

**ATTACHMENTS**

**Item 108 - Attachment A:** Investment and Borrowing Policy

**Item 108 - Attachment B:** Community Grants Policy

**Item 108 - Attachment C:** Housing Policy

**Item 108 - Attachment D:** Procurement Policy

**Item 108 - Attachments A – D distributed under separate cover**

**ITEM-109                    CCL 13/12/22 – ADOPTION OF HARBOUR FORESHORE  
MASTERPLAN**

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

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**PURPOSE**

To adopt the Harbour Foreshore Masterplan (Plan).

**RECOMMENDATION**

That Council:

- 1     Adopts the Harbour Foreshore Masterplan at **Attachment A**.

**KEY ISSUES**

- 2     The Plan has been prepared for the Harbour Foreshore precinct inclusive of Wharf Road, Foreshore Reserve and Foreshore Park. The purpose of the Plan is to document the strategic long-term vision and conceptual layout for the Harbour Foreshore precinct to guide future development and management of the area as the city's key iconic destination and premier major events park.
- 3     Future upgrades of the public domain and recreation spaces in the Foreshore precinct will be subject to detailed design and further community engagement.
- 4     The Plan creates a vision for the Foreshore precinct that will increase community and visitor usage, enhance the identity of the city while improving universal access throughout. Cycling provisions are provided along Wharf Road with strong connections to the citywide cycle network.
- 5     The Plan includes provision for a regional playspace and waterplay area. Variety the Children's Charity and Touched by Olivia Foundation have worked closely with City of Newcastle (CN) on the design of the inclusive playspace.
- 6     Development of the Plan involved extensive community engagement, providing the community a chance to have a say on their vision for the future of the precinct. The draft Plan was placed on public exhibition throughout October 2022. The community were encouraged to provide feedback via the dedicated Have Your Say Page on CN's website and attend drop-in sessions. Community feedback has been positive as shown in the public exhibition summary report at **Attachment B**.
- 7     The community highlighted strong support for the proposed changes along Wharf Road, Foreshore Reserve and the new tree groves and community lawns. Submissions were received regarding tree species diversity in relation to shade and amenity. In response to this feedback the Plan's indicative tree species list has been updated.

- 8 The Plan's intent for revegetation of Foreshore Park is to increase the amount of shaded canopy by 250% from 2,800 sqm to 9,800 sqm at the completion of the Plan's implementation and establishment of trees. Trees will be selected for climate adaptation, improved precinct biodiversity, and amenity value to the park.
- 9 Community feedback has been reviewed and addressed by CN officers. Actions associated to each task are detailed at Attachment C.

**FINANCIAL IMPACT**

- 10 The Plan is designed to be delivered over a ten-year period. The actions and projects identified will be budgeted in future works programs and the Long-Term Financial Plan.
- 11 \$1.5 million is included in the adopted 2022/23 budget for completion of the Plan (complete), detailed design of the playspace, and early site works including service upgrades and demolition of redundant facilities to enable the delivery of the playspace and amenities.
- 12 Construction of the playspace, including waterplay construction and amenities with a kiosk/café space is listed for inclusion in the 2023/24 capital works program.
- 13 Successful grant funding applications to supplement the installation of the inclusive playspace and incorporated waterplay space, and amenities/kiosk include:
  - i) two grants totalling \$733,000 (\$500,000 and \$233,000) from the Newcastle Port Community Contribution Fund;
  - ii) \$300,000 from Everyone Can Play and the NSW Department of Planning and Environment; and
  - iii) \$45,000 from Variety the Children's Charity for design of the inclusive playspace.
- 14 CN has submitted a grant funding request of \$2,275,032 from Resources for Regions Round 9 and the Department of Regional NSW, and will continue to seek funding opportunities to aid in the delivery of this project.

**NEWCASTLE 2040 ALIGNMENT**

- 15 The Plan is consistent with multiple strategic directions within the Newcastle 2040 Community Strategic Plan:

**Liveable Newcastle**

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

1.2 Connected and fair communities

1.2.1 Connected communities

1.2.2 Inclusive communities

1.2.3 Equitable communities

1.2.4 Healthy communities

1.3 Safe, active, and linked movement across the city

1.3.1 Connected cycleways and pedestrian networks

1.3.2 Road networks

1.3.3 Managed parking

**IMPLEMENTATION PLAN/IMPLICATIONS**

16 CN's Parkland and Recreation Strategy (2014) identified a need to develop a regional playground at Foreshore Park.

17 The Plan fulfils the strategies defined within The Foreshore Plan of Management (2015) and several other key CN strategic policies including:

- i) Disability Inclusion Action Plan 2022,
- ii) Aboriginal Heritage Management Strategy 2018,
- iii) Heritage Strategy 2020,
- iv) On Our Bikes Cycling Plan 2021,
- v) On the Street Parking Plan 2021,
- vi) Connecting Newcastle - Our urban renewal vision 2016,
- vii) Newcastle After Dark 2018-2022, and
- viii) Newcastle Destination Management Plan 2021 – 2025.

**RISK ASSESSMENT AND MITIGATION**

18 The Plan has been developed in close consultation with key stakeholders, asset owners and service providers. Key issues have been identified and mitigated throughout the design process.

**RELATED PREVIOUS DECISIONS**

19 At the Ordinary Council meeting held on 27 September 2022, Council endorsed placing the draft Plan on public exhibition.

**CONSULTATION**

20 Three phases of community consultation occurred in the development of the Plan. Phase one established the values and expectations the community held for the project space. This included school workshops with Variety the Children's Charity.

- 21 Phase two engagement involved exhibition of draft concepts for Foreshore Park. Several changes to the Plan have since occurred, including the relocation of the playspace and an increased focus on the cultural walk along the original foreshore edge. Phase three engagement was the exhibition of the draft Plan.
- 22 A Community Reference Group (CRG) was formed with external stakeholders and community members. The CRG provided feedback as the Plan was developed. The CRG met three times at early concept, detailed concept, and post phase two engagement to review the future direction of the Plan.
- 23 Draft plans were presented to the Newcastle Cycling Working Party on 10 June 2021, where recommended cycle widths and road speeds were provided.
- 24 Draft plans were presented to the Newcastle City Traffic Committee on 20 September 2021, where in-principle support was received for the proposed traffic changes to Wharf Road and Argyle Street.
- 25 An Accessible Design Reference Group met on two occasions and provided advice on accessibility for the playspace and waterpark. The Plan was presented to the Access Inclusion Advisory Committee on 15 September 2022.
- 26 CN's project team presented to the Guraki Aboriginal Advisory Committee throughout the development of the Plan which provided opportunities for First Nation interpretation and place throughout Foreshore Park. The Guraki Aboriginal Advisory Committee formed a sub-committee to assist in the development of these ideas. Further consultation and collaboration occurred throughout the detailed design of playspace elements, including the waterplay space, the whale swing structure, and the sandhills junior play area.
- 27 A Wharf Road detailed design workshop was held with key stakeholders on the development of concepts along Wharf Road and Foreshore Reserve. This included local businesses, the Guide Dog Association, and representations from the Port of Newcastle.
- 28 A Councillor workshop was held on 13 September 2022 to provide a detailed overview of the draft Plan prior to public exhibition. Public exhibition occurred between 28 September and 26 October 2022.

## **BACKGROUND**

- 29 The Harbour Foreshore is an area important to the Awabakal and Worimi Peoples. Several significant sites neighbour its location. Part of the site (northeast section) is within the historic Coal River Precinct, and Newcastle's historic East End.

30 The aim of the Plan is to:

- i) identify the role of the harbour foreshore and Foreshore Park as the city's premier major events park and key iconic destination;
- ii) provide social inclusion by creating truly inclusive spaces for the whole community;
- iii) embrace and honour the city's cultural heritage;
- iv) provide a regional inclusive playspace and waterplay space in partnership with Variety the Children's Charity and Touched by Olivia Foundation;
- v) improve active transport throughout the precinct with continuous links to neighbouring cycling networks;
- vi) provide a framework to improve the city's urban forest and fulfill commitments for revegetation within the East End;
- vii) provide spaces that facilitate community and regional events;
- viii) provide a structure for the successful implementation of the Plan; and
- ix) provide a structure for the 2017 tree canopy commitments for the Foreshore precinct which will increase the canopy cover by 250%.

## **OPTIONS**

### **Option 1**

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

### **Option 2**

32 Not adopt the Plan. This is not the recommended option.

## **REFERENCES**

Nil.

## **ATTACHMENTS**

**Item 109 - Attachment A:** Harbour Foreshore Masterplan

**Item 109 - Attachment B:** Phase 3 Public Exhibition Summary Report

**Item 109 - Attachment C:** Phase 3 Recommendation Actions Summary

**Item 109 - Attachments A to C distributed under separate cover**



**ITEM-110 CCL 13/12/22 – PUBLIC EXHIBITION OF NEWCASTLE 500 COMMUNITY CONSULTATION STRATEGY**

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

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**PURPOSE**

To publicly exhibit the Newcastle 500 Strategy (the Strategy).

**RECOMMENDATION**

That Council:

- 1 Places the Draft Newcastle 500 Strategy at **Attachment A** on public exhibition for a minimum of 28 days

**KEY ISSUES**

- 2 City of Newcastle (CN) is the host city partner of Supercars Australia's Thrifty Newcastle 500 street race, with the first event held in 2017 under a five-year agreement. The final event under the current agreement is scheduled for 10-12 March 2023, following a COVID-19-related cancellation in 2020 and postponement in 2021 and 2022. There is an option for a five-year extension following the 2023 event that is subject to agreement by the elected Council.
- 3 The Newcastle 500 is delivered through multiple agreements between the NSW Government (Destination NSW), Supercars Australia and CN. The primary agreement is between Destination NSW and Supercars Australia.
- 4 CN committed to undertaking broad community consultation prior to entering into any agreement for a five-year extension of the Newcastle 500, with the Strategy to be publicly exhibited and delivered in partnership with Destination NSW.
- 5 The Strategy has been developed and will be implemented by global consultancy firm KPMG and includes an evidence-based methodology to understand the opinions of the Newcastle community and ensure that key stakeholders have their voices heard and considered. The methodology includes:
  - i) A random telephone survey that is representative of the CN ABS demographic profile by age, gender, and location. This will identify the opinions of the entire community, as well as allow for statistically valid comparisons to be made across different sections of the community.
  - ii) An online survey available to the whole community, increasing inclusion and accessibility, and creating the opportunity for all members of the stakeholder ecosystem to participate in the consultation process.

- iii) Intercept surveys conducted around the event precinct to understand attendee behaviour such as visitation to local businesses.
  - iv) Three stakeholder workshops will be held following the survey closure to explore key themes and share deeper insights regarding the event. The workshops will include community, business and industry representatives identified through the survey process.
- 6 Demographic profiles and personas of stakeholder groups and location are identified in the Strategy, along with a stakeholder map outlying the ecosystem in which Newcastle 500 operates and the relationships between stakeholders.
- 7 A consultation report will be provided to Council following the consultation period that provides insights across different stakeholder groups on the level of support for the extension of the Newcastle 500 event for a further five years.

**FINANCIAL IMPACT**

- 8 Costs associated with the development, exhibition and execution of the Strategy will be funded through existing operational budgets.

**NEWCASTLE 2040 ALIGNMENT**

- 9 The Strategy aligns with the following strategic directions of the Newcastle 2040 Community Strategic Plan.

**Liveable Newcastle**

- 1.2 Connected and fair communities
  - 1.2.1 Connected communities

**Creative Newcastle**

- 3.1 Vibrant and creative city
  - 3.1.1 Vibrant events
  - 3.1.3 Tourism and visitor economy
- 3.3 Celebrating culture
  - 3.3.2 Promote Newcastle as a major arts and cultural destination
- 3.4 City-shaping partnerships
  - 3.4.2 Advocacy and partnership

**Achieving Together**

- 4.1 Inclusive and integrated planning
  - 4.1.2 Integrated planning and reporting
- 4.2 Trust and transparency
  - 4.2.1 Genuine engagement
  - 4.2.2 Shared information and celebration of success
  - 4.2.3 Trusted customer experiences

- 4.3 Collaborative and innovative approach
  - 4.3.1 Collaborative organisation
  - 4.3.3 Data-driven decision-making and insights

## **IMPLEMENTATION PLAN/IMPLICATIONS**

- 10 The Strategy will be placed on public exhibition for six weeks.
- 11 The consultation period will occur prior, during and following the March 2023 event.
- 12 Should Destination NSW and Supercars Australia propose a five-year extension to continue the event in Newcastle, community consultation is required to allow an informed decision to be made by CN on any extension. At this time no decision has been reached by any of the three parties on an extension of the race.

## **RISK ASSESSMENT AND MITIGATION**

- 13 There is reputational risk relating to any perceived lack of community consultation when considering the level of support for the extension of the Newcastle 500 event for a further five years.
- 14 This will be mitigated through a robust communications plan about the extensive and evidence-based stakeholder consultation that is taking place to ensure all stakeholders are given the opportunity to participate and genuinely contribute to the future direction of the Newcastle 500.

## **RELATED PREVIOUS DECISIONS**

- 15 At the Ordinary Council Meeting held 23 August 2022 Council resolved to prepare and publicly exhibit a community engagement plan in relation to the decision to extend the current Newcastle 500 agreement beyond 2023.

## **CONSULTATION**

- 16 KPMG undertook research to identify key stakeholders for consultation and to understand the current context and stakeholder landscape.
- 17 A Councillor workshop was held on 18 October 2022 which provided Councillors opportunity for initial feedback on the Strategy.
- 18 Community feedback received through the Public Exhibition period will be considered before finalising the Strategy. The Public Exhibition results will be shared publicly however no information identifying individuals will be shown.

## **BACKGROUND**

- 19 The Newcastle 500 is an annual event with over 154,000 people visiting the region and injecting more than \$35 million into the local economy according to research conducted in 2021 by Ernst & Young.

20 In 2016, CN signed a five-year deal to host the three-day event. Events were subsequently held in 2017, 2018 and 2019, with a cancellation in 2020 and postponement in 2021 and 2022 due to COVID-19. The final event, part of the initial five-year deal, will be held in March 2023.

**OPTIONS**

**Option 1**

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

**Option 2**

22 Council resolves not to place the Strategy on public exhibition. This is not the recommended option.

**REFERENCES**

Nil.

**ATTACHMENTS**

**Item 110 - Attachment A:** Newcastle 500 Community Consultation Strategy

**Item 110 - Attachment A distributed under separate cover**

**ITEM-111 CCL 13/12/22 – LINGARD PROPOSAL – PUBLIC EXHIBITION OF DRAFT PLANNING AGREEMENT AND DRAFT DEVELOPMENT CONTROL PLAN FOR LINGARD PRECINCT**

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

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**PURPOSE**

To exhibit the associated draft Development Control Plan and draft Planning Agreement of the Lingard Hospital Precinct Planning Proposal.

**RECOMMENDATION**

That Council:

- 1 Receives and notes the submissions made during the public exhibition period for the Planning Proposal (**Attachment A**).
- 2 Exhibits the draft Development Control Plan (DCP) for the Lingard Hospital Precinct (**Attachment B**) for 28 days and receives a report on outcomes of the exhibition.
- 3 Exhibits the draft Planning Agreement (PA) and Explanatory Note (**Attachment C**) for the Lingard Hospital Precinct (Hospital Precinct) for 28 days and receives a report on the outcomes of the exhibition.

**KEY ISSUES**

**Public Exhibition of Planning Proposal**

- 4 Council exhibited the planning proposal (PP) between 27 June 2022 and 25 July 2022. It seeks to:
  - i) Reflect Hospital Precinct's use by rezoning land at 23 Merewether Street, Merewether from R3 Medium Density Residential to SP2 Infrastructure (Health Services Facility) and land at 8 Lingard Street, Merewether from B5 Business Development to SP2 Infrastructure (Health Services Facility).
  - ii) Increase the maximum height of building (HOB) control from 10 metres to 18 metres at 23 Merewether Street and 8 Lingard Street, Merewether. This amends the maximum height for any development applications for this site.
  - iii) Remove the maximum floor space ratio (FSR) control of 0.9:1 at both 23 Merewether Street and 8 Lingard Street, Merewether. This may enable additional built form and density across the Precinct and is subject to the merit-based development assessment process and approval.

- 5 A comprehensive summary of submissions received during the public exhibition and CN's response is provided in **Attachment A**. The key issues raised in these submissions relate to the proposed building height, proposed SP2 (Health Services Facilities) zone and the removal of the FSR.
- 6 The key issues relate to concerns for the potential bulk and scale of any future development in the Hospital Precinct, and possible amenity impacts on surrounding residential dwellings. Transport and car parking management, impacts on local character, overshadowing, public benefit of proposed public domain works, noise and privacy were also raised as concerns.
- 7 The PP will amend the Newcastle Local Environmental Plan 2012 (NLEP 2012). The intent is to report the PP back to Council after the exhibition of the draft DCP and draft PA as a whole planning package.

#### **Draft DCP (Attachment B)**

- 8 The draft precinct specific DCP and PA capture proposed public works / domain upgrades for the Hospital Precinct and its surrounds to improve outcomes for car parking, traffic, connectivity and bulk and scale.
- 9 A draft concept plan was exhibited with the PP to show development opportunities in and near the Hospital Precinct. The draft DCP (**Attachment B**) replaces the concept plan. The draft DCP will guide future development and captures the role of the hospital as a major health precinct, identified in the Greater Newcastle Metropolitan Plan 2036. It provides more clarity and certainty for the community and exhibiting it will allow for community input and refinement after exhibition.
- 10 The Hospital Precinct has three smaller precincts known as the Lingard Hospital, Kingsland, and Hopkins Street Precincts. The proposed development controls guide high quality urban design elements, materials and finishes sympathetic to the surrounding residential area and ensure traffic and access impacts are addressed.
- 11 The draft DCP development controls guide and manage traffic and parking for any future development applications. It requires a Traffic Impact Assessment to support any development applications to demonstrate that the development will not impact on-street / local public parking availability and how traffic and congestion will be managed.

#### **Draft Planning Agreement (Attachment C)**

- 12 The draft PA and Explanatory Note (**Attachment C**) accompanies the PP and draft DCP, forming part of the planning package for the Lingard Hospital Precinct.
- 13 The parties to the draft PA are the developer, land owner and City of Newcastle. The proposed agreement is to deliver transport upgrades and connections, with a focus on pedestrian and vehicle movements and public domain upgrades. The draft agreement if supported will be entered into before the LEP Amendment is finalised. Once in draft form it is required to be considered, with any future development application lodged.

- 14 The DCP, PA and PP for the Hospital Precinct will be reported back to Council as a planning package, capturing feedback and responses received during the exhibition.

**FINANCIAL IMPACT**

- 15 The cost associated with progressing the PP including the overall planning package is funded by CN's operational budget.

**COMMUNITY STRATEGIC PLAN ALIGNMENT**

- 16 The planning package outlined in the Key Issues section above aligns with the Newcastle 2040 Strategic Plan.

**Livable Newcastle**

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

**Creative Newcastle**

- 3.2 Opportunities in jobs, learning and innovation
- 3.4 City-shaping partnerships

**Achieving together**

- 4.2 Trust and transparency
- 4.3 Collaborative and innovative approach

**IMPLEMENTATION PLAN/IMPLICATIONS**

- 17 The planning package reflects and guides the future use of the Hospital Precinct. It supports the desired outcome with planning mechanisms that enable this recognised health precinct to sensitively grow within the busy urban context.
- 18 The draft PA facilitates the delivery of improved transport infrastructure including connections to the Hospital Precinct and public domain works.
- 19 The planning package implements land use planning priorities and actions of the following State and local strategies, plans and policies:
- i) Greater Newcastle Metropolitan Plan
    - a) Strategy 4: Grow health precincts and connect the health network

Newcastle Local Strategic Planning Statement including:

- a) Planning Priority 9: Sustainable, healthy and inclusive streets, neighbourhoods and local centres.

- b) Planning Priority 10: Development responds to the desired local character of our communities.
- c) Planning Priority 11: Protect and celebrate our heritage
- d) Planning Priority 13: Grow our key health and education sectors.

## RISK ASSESSMENT AND MITIGATION

- 20 *Environmental Planning and Assessment Regulation 2021* requires development applications seeking to expand development in the Hospital Precinct to show consistency with the draft DCP and draft PA.
- 21 The *Environmental Planning and Assessment Act 1979 and Regulation 2022* detail the processes for draft DCP amendments and those to enter into a PA. This includes the recommended public exhibition period of 28 days as per CN's Community Participation Plan (CPP).

## RELATED PREVIOUS DECISIONS

- 22 At the Ordinary Council meeting held on 23 November 2021, Council resolved to commence the legislative amendment process to amend NLEP 2012 and forward the PP to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination decision pursuant to Section 3.34 of the EP&A Act.

## CONSULTATION

- 23 The PP was exhibited 27 June 2022 to 25 July 2022, attracting 12 submissions. **Attachment A** provides a summary of submissions made with responses.
- 24 The draft DCP and draft PA will be exhibited in accordance with relevant planning legislation and CN's CPP, providing opportunity for public comment. Formal submissions will be considered and may inform further refinement to the draft DCP and PA.

## BACKGROUND

- 25 The Lingard Private Hospital commenced on the site in 1981. It provides a range of health services. The PP enables the hospital to expand its services to support demand.
- 26 The request to amend the LEP was formally lodged on 17 June 2020.
- 27 The PP was submitted to DPE for a Gateway Determination on 13 January 2022.
- 28 On 17 March 2022, DPE issued Gateway Determination allowing the PP to proceed. It required changes before public exhibition. The changes were to ensure the PP considers the safety and efficiency of the transport network and impacts of the proposed bulk and building height on nearby heritage items and adjacent residential area.



**OPTIONS**

**Option 1**

29 The recommendation as at Paragraph 1 – 3. This is the recommended option.

**Option 2**

30 That Council does not proceed with public exhibition of the draft DCP and PA.  
This is not the recommended option.

**REFERENCES**

**ATTACHMENTS**

- Item 111 - Attachment A:** Submissions Table
- Item 111 - Attachment B:** Draft Development Control Plan – Lingard Hospital Precinct
- Item 111 - Attachment C:** Draft Planning Agreement - Lingard Hospital Precinct

**Item 111 - Attachments A-C – Distributed under separate cover**

**ITEM-112 CCL 13/12/22 – TOOKE STREET, COOKS HILL – PEDESTRIAN FACILITY UPGRADES**

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

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**PURPOSE**

To approve the installation of kerb extensions and reconstruction of local traffic area entry treatment on Tooke Street, Cooks Hill, including the associated pedestrian infrastructure and footpath connections, between Dawson Street and Darby Street, Cooks Hill.

**RECOMMENDATION**

That Council:

- 1 Approves the installation of kerb extensions and reconstruction of local traffic area entry treatment on Tooke Street Cooks Hill, including the associated pedestrian infrastructure and footpath connections, as shown in **Attachment A**.

**KEY ISSUES**

- 2 A concept plan has been developed to improve pedestrian safety and accessibility on Tooke Street at the intersections with Dawson Street and Darby Street. This work will be completed in collaboration with stormwater infrastructure upgrades which are planned for the street.
- 3 A proposal to install kerb extensions and reconstruct the local traffic area entry treatment in Tooke Street was exhibited for 28 days (see **Attachment B**) with submissions closing on 19 August 2022. The exhibited scope of work included:
  - a) Upgrade of the existing stormwater pipe between Dawson Street and Darby Street,
  - b) Provision of new stormwater pits and pipes crossing Dawson Street and Tooke Street,
  - c) Construction of kerb extensions at Dawson Street with kerb ramps,
  - d) Replacement of the existing paved threshold at the Darby Street intersection with a new pedestrian refuge and a speed hump, and
  - e) Signage and line marking work.
- 4 Eight submissions were received and are collated in **Attachment C**. All submissions received were supportive of the pedestrian facility upgrade (six with proposed changes). Key issues identified by respondents were as follows:
  - a) Recommendation for a 'bend out' design across Tooke Street at Darby Street.  
*CN response - Due to existing site constraints including the adjacent access points for the mechanic, alternate designs which required additional road space were not supported at this time.*
  - b) Recommendation for a continuous footpath across Tooke Street at Darby Street.

*CN response - Continuous footpath treatments were considered but were not supported due to the recorded pedestrian numbers at the site. This will be considered under a full review of the Cooks Hill Local Area Traffic Management Plan (LATM) to provide consistency for the area.*

- c) Issues with the potential for installed kerb ramps to have steep gradients like existing ramps and recommendation that all corners of the Tooke Street/Dawson Street intersection be considered.

*CN response - The kerb ramps have been designed to standard with close consideration of useability. Kerb extensions for the other corners were considered but not prioritised at this time.*

- d) Requests for nearby pedestrian infrastructure.

*CN response – These requests would be considered within the Pedestrian Plan and LATM study as separate projects.*

## **FINANCIAL IMPACT**

- 5 Design funding for the stormwater and pedestrian upgrade is included in the 2022/23 budget, with construction funding proposed to be allocated under the 2023/24 budget.

## **NEWCASTLE 2040 ALIGNMENT**

- 6 The proposed kerb extensions and reconstruction of local traffic area entry treatment on Tooke Street Cooks Hill 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 positions outlined in the Newcastle Transport Strategy to improve conditions for pedestrians and reduce urban traffic speeds.
- 8 Approval of the upgrade cannot be 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 the reduction of vehicle speeds and providing improved connectivity for those needing accessible infrastructure. Infrastructure will also address areas of ponding, provide improved conditions for street trees, and remove parked vehicles from infringing on the intersection clearance.

## RELATED PREVIOUS DECISIONS

- 10 Nil

## CONSULTATION

- 11 The proposal was exhibited for 28 days, with submissions closing on 19 August 2022. Details were published on CN's website and copies of the flyer at **Attachment B** were distributed to residents and mailed to non-resident owners.
- 12 Newcastle City Traffic Committee considered a report on the outcomes of the exhibition at its meeting of 27 September 2022 and endorsed the proposal for referral to Council.

## BACKGROUND

- 13 Stormwater assets in Tooke Street, between Dawson Street and Darby Street require upgrading. These works require the reconstruction of sections of pavement, kerb and guttering, and the existing refuge and threshold entry treatment west of Darby Street.
- 14 The intersection of Tooke Street and Dawson Street has a range of existing issues related to underground utilities, established trees, and historic sandstone kerbs which has resulted in compromised provision of access infrastructure for pedestrians.
- 15 In addition to the stormwater renewal, these existing issues are to be addressed through the extension of kerbs into the existing roadway. This will provide additional clearance around trees and utilities, and provide sufficient clearance for the installation of kerb ramps at each corner. This will also improve pedestrian connectivity in the area, through to the adjacent Centennial Park.
- 16 The intersection of Tooke Street and Darby Street is an entry location to the Cooks Hill local traffic management area. The existing treatment includes a raised threshold with pavers, kerb extensions, and central refuge, which was a treatment consistent to the surrounding area. The current infrastructure does not comply with current standards, and there are ongoing maintenance issues related to the use of pavers that will be addressed under the proposed project.
- 17 The indicative plans, as shown in **Attachment A**, outline the extent of works proposed under this project.

**OPTIONS**

**Option 1**

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

**Option 2**

19 Council does not support the proposed pedestrian facility upgrade at Tooke Street Cooks Hill. This is not the recommended option.

**REFERENCES**

Nil.

**ATTACHMENTS**

**Item 112 - Attachment A:** Tooke Street, Cooks Hill – Proposed upgrade plan

**Item 112 - Attachment B:** Tooke Street, Cooks Hill – Consultation flyer

**Item 112 - Attachment C:** Tooke Street, Cooks Hill – Summary of submissions

**Item 112 – Attachments A – C distributed under separate cover.**

**ITEM-113 CCL 13/12/22 - TENDER REPORT – STOCKTON BURIED PROTECTION STRUCTURE – CONTRACT 2023/022T**

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

**PURPOSE**

To accept a tender the construction of the Stockton Buried Protection Structure in accordance with Contract No. 2023/022T.

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

**REASON FOR CONFIDENTIALITY**

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

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

**GROUND FOR CLOSING PART OF THE MEETING**

In respect to section 10D(2) of the Act, the grounds on which part of a meeting is to be closed for the discussion of the particular item must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. Accordingly, an appropriate resolution to proceed is required first.

**MOTION TO PROCEED**

The discussion of the confidential attachments take place in a closed session, with the press and public excluded, for the following reasons:

- A The matter relates to tenders for the Stockton Buried Protection Structure for Contract No. 2023/022T.
- B It is contrary to the public interest to discuss tenders in an open meeting because the information provided to Council by tenderers is provided on the basis that it will be treated by Council as commercial-in-confidence. A practice of disclosing sensitive commercial information to the public, including competitors, could result

in the withholding of such information by tenderers. This would lead to a reduction in the supply of information relevant to Council's decision. A disclosure of confidential information by Council could result in Council being the subject of litigation for breach of confidence.

- C The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.
- 

## RECOMMENDATION

- 1 At **Attachment A**.

## KEY ISSUES

### Tender

- 2 The tender is for the construction of a buried terminal protection structure at the southern end of Mitchell Street, Stockton.

### Contract Term

- 3 The contract period is eight months, with a 12 month defect liability period.

### Advertising of Tenders

- 4 The tender was advertised in the Newcastle Herald on Saturday 8 October 2022, the Sydney Morning Herald on Tuesday 4 October 2022, and nationally on the Tenderlink website.

### Tenders Received

- 5 Tenders closed at 2pm on Tuesday 1 November 2022. Tender submissions were received from:

- i) Brefni,
- ii) Haslin Constructions, and
- iii) Saunders Civilbuild.

### Evaluation Process

- 6 The tenders were assessed against the following criteria:

- i) Supplier Diversity 5%
- ii) WHS 10%
- iii) Pricing 40%
- iv) Program & Capacity 10%
- v) Methodology 10%
- vi) Previous Experience & Reference 25%

- 7 The tenders were assessed by a tender evaluation panel of City of Newcastle (CN) officers. The panel was selected based on experience and knowledge of the project.
- 8 Probity oversight was provided by an external probity advisor, who was present during all panel meetings and included in all relevant correspondences in accordance with CN's Procurement Policy.

**Recommended Tenderer**

- 9 The recommended tenderer is a civil engineering contractor who has delivered award winning infrastructure projects, is ISO-accredited and has experience with steel reinforcement and piling contractors.

**FINANCIAL IMPACT**

- 10 The total estimated cost of this contract, including the proposed contract amount, allowances for project management, contingency and other associated project costs, is within the multi-year budgeted amount allocated for this project.
- 11 A grant funding application was submitted to the Department of Planning and Environment (DPE) as part of the Coastal Estuary Implementation Program 2022 for \$2,336,001 in funding. The result of the grant funding application is expected before the end of 2022.

**IMPLICATIONS**

**Policy Implications**

- 12 This proposed project aligns with the Newcastle 2040 Community Strategic Plan as follows:

**Livable**

- 1.1 Enriched neighbourhoods and places
- 1.1.2 Well-designed places

**Sustainable**

- 2.1 Action on climate change
- 2.1.2 Know and share our climate risk
- 2.1.3 Resilient urban and natural areas

**Environmental Implications**

- 13 CN has engaged the project designer, an independent coastal engineering consultant, to perform quality assurance checks (including environmental controls) alongside CN representatives during the construction phase of the project.
- 14 The recommended tenderer has an environmental management system that is certified to the relevant Australian Standard and has demonstrated an ability to construct the works in a manner utilising best environmental management practices and all work will be in accordance with the various management plans prepared for the project.



**Social Implications**

- 15 This project is being implemented in accordance with the short term actions in the Stockton Coastal Management Plan (CMP) 2020, approved by the NSW Minister for Local Government. The buried protection structure is required to shield the shoreline from storm erosion and shoreline recession at the southern end of the Mitchell Street seawall.

**Ecological Sustainability**

- 16 The recommended tenderer does not have a specific ecological sustainable development policy in place. The recommended tenderer has not been prosecuted for environmental offences, nor is it involved in any of the prescribed activities such as uranium mining, wood chipping, nuclear energy or timber harvesting.

**IMPLEMENTATION**

- 17 The construction of the buried protection structure will involve:
- i) The construction of a 126 metre long vertical secant pile buried protection structure that meets both the requirements of the Stockton CMP 2020 and the expectations of the community,
  - ii) Provision of pedestrian access measures such as fencing and landscaping,
  - iii) Identification and relocation of existing services within the verge of Mitchell Street within the project area, and
  - iv) Implementing a post construction maintenance and monitoring regime.

**CONSULTATION/COMMUNICATION**

- 18 Consultation throughout the planning phase of the project has been undertaken with the following property/asset owners and stakeholders:
- i) NSW Department of Planning and Environment (DPE),
  - ii) Jemena Gas,
  - iii) The Deputy Premier's Stockton Beach Taskforce
  - iv) Stockton Caravan Park
  - v) Stockton Surf Life Saving Club (SLSC),
  - vi) Lexie's At The Beach Café,
  - vii) The Stockton Community Liaison Group (SCLG), and
  - viii) Stockton residents.

## BACKGROUND

- 19 Stockton has a long history of exposure to coastal hazards. Since the construction of the Mitchell Street seawall in 1989 by the NSW Government and the later construction of the Stockton SLSC seawall in 2016 by CN, there has been an ongoing acknowledgement of the need to protect CN and private assets that are most at risk. While these existing seawalls are useful in providing protection to the assets immediately in front of them, dissipating wave and ocean energy to either side of these seawalls has led to a heightened risk of coastal erosion at the ends of these seawalls.
- 20 Management actions established in the Stockton CMP 2020 identified the need for buried protection structures at the ends of existing seawalls as a necessary short term action to be delivered. The buried protection structure site located south of Mitchell Street seawall, is the most critical location for the proposed structures.
- 21 The calling of tenders was in accordance with the requirements of section 55 of the Act. The process followed was in accordance with Part 7 of the Regulation. Council is required to accept tenders in accordance with clause 178 of the Regulation (see Options).

## OPTIONS

### Option 1

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

### Option 2

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

### Option 3

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

### Option 4

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

### Option 5

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

## ATTACHMENTS

**Item 113 - Attachment A:** Confidential Recommendation

**Item 113 - Attachment B:** Confidential Tender Evaluation Matrix - Summary

***Attachments A-B refer Confidential Council Meeting Agenda – 13 December 2022***

**NOTICES OF MOTION**

**ITEM-40                      NOM 13/12/22 – CYBER SECURITY**

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

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**PURPOSE**

*The following Notice of Motion was received on 1 December 2022 from the abovenamed Councillors.*

**MOTION**

That Council:

- 1      Notes the elevated international level of Cyber Security events, including recent malicious cyber activity which has impacted many Australians.
- 2      Notes the investments made by CN to protect the integrity of its online systems, and the work undertaken with the community to support good online practices (including via community outreach and education through our Libraries).
- 3      Notes the outcomes of the NSW Parliamentary Inquiry into Cyber Security, following a major data breach of Service NSW.
- 4      Consistent with the Inquiry's findings, calls on the NSW Government to support the local government sector in its protection of data held online, by providing a relevant permanent funding stream to assist and supplement investment of this protection by councils already, noting the highly sensitive information held by the local government sector.
- 5      Notes in May 2022, the OLG advised that a Local Government Cyber Security Policy would be released to Councils in late 2022. To date, these guidelines have not been released.
- 6      Notes that the Audit Office of NSW plans to undertake an audit into cyber security in local government in 2022-23.
- 7      Provides Councillors a workshop in early 2023 on CN's cyber security outlook, initiatives and response.

**BACKGROUND**

CN acknowledges the difficulty and cost associated with ensuring the security of not only the personal data of ratepayers, but also the general integrity of CN's online systems and protection of highly sensitive information including financial and planning related matters.

There is a planned analysis by the NSW Auditor General due to be reported within the next twelve months, but CN draws attention to and acknowledges the submission by

LGNSW to the Parliamentary Inquiry into Cyber Security, and that Inquiry's subsequent report.

Supports that Inquiry's recommendations, particularly Recommendation 11 which reads as follows:

*That the NSW Government:*

- a) *provide further financial support to local councils to enhance their cyber security capabilities*
- b) *develop a plan in consultation with Local Government NSW to ensure local councils meet the cyber security standards identified for NSW Government agencies.*

It is important to note that all 128 councils across NSW do not have the same capacity to ensure the highest level of cyber security and any potential weakness may lead to a flow-on effect for the entire sector.

The Australian Cyber Security Centre notes the importance of collaboration is essential to addressing cyber risk: *The better news is that with increased collaboration across industry, small business, and government—and with all Australians—our joint cybersecurity future and the digital opportunities before us remain bright.*

## ATTACHMENTS

- **Minister for Local Government response to a QON regarding OLG Cyber Security Guidelines (answered 3 May 2022):**  
<https://www.parliament.nsw.gov.au/la/papers/pages/qanda-tracking-details.aspx?pk=91240>
- **Parliamentary Inquiry into Cyber Security:**  
<https://www.parliament.nsw.gov.au/lcdocs/inquiries/2611/Report%20No%2052%20-%20PC1%20-%20Cyber%20Security.pdf>
- **Australian Cyber Security Centre Annual Cyber Threat Report - June 2022:**  
<https://www.cyber.gov.au/acsc/view-all-content/reports-and-statistics/acsc-annual-cyber-threat-report-july-2021-june-2022>

**ITEM-41                    NOM 13/12/22 – 37 LLEWELLYN STREET – LOSS OF RIGHT OF WAY**

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

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**PURPOSE**

*The following Notice of Motion was received on Sunday 4 December 2022 from the abovementioned Councillors.*

**MOTION**

- 1     That Planning, Transport and Regulation investigate what appears to be the effective removal, or limitation on the use of, a right-of-carriageway at 37 Llewellyn Street Merewether, having regard for the history and circumstances of the approved development on the site.
  
- 2     That Council receives a report outlining the results of the investigation and identifying the prospects for establishing ongoing access arrangements beyond the completion of the development of the site.

**BACKGROUND**

The land at 37 Llewellyn Street Merewether was historically used as a carpark for the former Merewether RSL Club. A 3.66m wide right-of-carriageway, that benefits CN and has been in place since at least 1982, runs within and adjacent to the full length of the northern boundary of the site.

The right-of-carriageway has provided access to CN owned land in Caldwell Street that includes a playground and a pre-school. The right-of-carriageway enables access for CN maintenance vehicles and for the convenience of the community in the form of pedestrian access. A development of the site, approved under DA2016/01411 (as modified) and currently under construction, appears to limit or fully remove the previous access arrangement, generating significant community concern.

However, community concern is based on their understanding that public access to the Right of Way was granted to the Merewether community “pre-1938”, and was gifted by the RSL when selling the carpark land, adjacent to the carriageway.

As a condition of sale, the RSL said the carriageway must remain available for public use.

**ATTACHMENTS**

**NOM Item 41 - Attachment A:**  
<https://novonews.com.au/2022/01/historic-community-carriageway-under-threat-in-new-development-proposal/>

**NOM Item 41 - Attachment B:**                    Merewether Bowling Club submission

**NOM Item 41 - Attachment B - Merewether Bowling Club submission**

The development was:

- 1 Originally DA2016/01411 which was lodged 13/12/2016 and determined on 9/3/2018.
- 2 The latest MA2021/00495 for this site was lodged 22/12/2021 and determined 15/3/22 when the application was withdrawn by the developer. This modification was application to remove Clause 69 of the original approval – Right of Carriageway Access.
- 3 Response - Ref PH2019/01328 on 29/4/2019 to then Honorary Secretary, Merewether Bowling Club, Warwick Bourne. In this response it states:
  - a. 'Inquiries have established the Right of Carriageway access applicable to the property will be maintained on the northern side of the development. A condition was included in the development consent conditions requiring the proposed driveway be the subject of an appropriate reciprocal right-of carriageway for access to 25 Caldwell Street, Merewether. Furthermore, the right of way is unable to be relinquished, varied or modified without the concurrence of the City of Newcastle'
  - b. 'Once construction is complete, the 'Right of Carriageway is to be re-instated'
- 4 As the building progressed there were concerns about the alignment of the building across the right of carriageway, a meeting was held with the then President of Merewether Bowling Club (MBC) Walter Stefanszyn, Honorary Secretary MBC Lesley Afflick and former Secretary of Merewether RSL Kevin Moon & the Developer. The concerns regarding the:
  - a. Building alignment across the Right of Carriageway
  - b. Suitable access to the entry - via the building carpark and exit at the rear right hand side of the carpark to the rest of the carriageway
  - c. Suitability of this access for disabled people many of who attend the Alice Ferguson Centre and the Cottage in Campbell Park
  - d. If the carpark was to have a door to the carpark
5. It was indicated by the developer that there would be:
  - a. A slight slope down from the street level to allow entry which would be suitable for wheelchair access
  - b. Once at the rear of the carpark people will be able to access the remainder of the Right of Carriageway via an opening in the wall
  - c. No door would be on the access to the carpark

Following this meeting the subsequent Modification application (point 3 above) was submitted, a large volume of submissions were lodged against this Modification application with the developer subsequently withdrawing the said application.

It is now noted that a:

- a. Roller garage door is fitted ready for the completion this will NOT allow access to the Right of Carriageway
- b. Proposed access to the rear/side opening of the carpark is blocked by a large roller door with mechanical fixture to open the door

- c. Slope from the carpark to the rear/side opening of the carpark would not allow access for wheelchairs even if there was no door

This in affect means that the DA has not been complied with, effectively giving the developer 94.08 square metres of land x 3 levels = 282sq metres of land at no cost and the community and marginalised people have been greatly disadvantaged.

**ITEM-42                    NOM 13/12/22 – GREATER NEWCASTLE TAFE NEW INDUSTRIES TRAINING CENTRES**

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

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**PURPOSE**

*The following Notice of Motion was received on Tuesday 6 December 2022 from the abovementioned Councillors.*

**MOTION**

That City of Newcastle:

- 1     Notes the briefing note of January 2022 by Hunter Jobs Alliance recommending the establishment of *New Industries Training Centres* at TAFE NSW locations in Tighes Hill and Muswellbrook to meet the vocational training needs for renewable energy, clean technology, hydrogen and decarbonised manufacturing in the Greater Newcastle region and across NSW.
- 2     Reaffirms our support for the economic diversification of our region and the development of emerging clean manufacturing and energy creation.
- 3     Acknowledges the much-reported skills shortage within the Greater Newcastle region.
- 4     Supports investment in upskilling, re-training and education of our local community to ensure our region is best placed to support emerging clean industries.
- 5     Endorses the full seven (7) recommendations within the briefing note.
- 6     Updates our *Advocacy 2022* document to include the creation of the New Industries Training Centres as a key "ask", noting the next State election is only months away.
- 7     Writes to all local State Members of Parliament in addition to the Hon. Alister Henskens MP as Minister for Skills and Training, and Tim Crakanthorp MP as Shadow Minister for Skills and TAFE outlining the benefits of this proposal and seeking their support.

**BACKGROUND**

**JOBS IN THE HUNTER: HUNDREDS OF RENEWABLE ENERGY SECTOR JOBS GO UNFILLED DUE TO CHRONIC SHORTAGES AMID DESPERATE SEARCH FOR QUALIFIED TRADESPEOPLE**

By [Matthew Kelly](#)

Updated May 30 2022 - 9:02am, first published May 28 2022 - 5:30am



Hundreds of jobs in the multibillion-dollar renewable energy sector remain unfilled due to a chronic shortage of qualified tradespeople in the Hunter. The shortage, which industry blames in part on a lack of investment in vocational training in areas including electrical, engineering and boilermaking, threatens to derail the Hunter's clean energy transition.

Leading Hunter manufacturing firm Ampcontrol has told the *Newcastle Herald* it needs 100 skilled workers as part of its expansion plans.

Industry groups will participate in a summit next month which aims to find solutions to the deepening crisis.

"It's as much of a crisis as a crying shame because there are so many good organisations pushing for investment in the Hunter and the renewable energy zones but unless something changes soon there won't be enough people to do the work," said Andy Leadbeater, managing director of Edgeworth-based firm Reclaim Solar Energy.

"We are looking to do some work on the renewable energy zone out west and there is just a dearth of workers; you would be lucky to find an electrician."

In addition to workforce shortages, experts have warned that poor transition planning, including under-investment in training for displaced coal mining and power station workers, is likely to have disastrous consequences for years to come.

Data recently presented to the Victorian Parliament showed two out of three workers who lost their jobs following the shock closure of the Hazelwood Power Station in 2017 had not found new employment.



Metalworking: Ampcontrol metal fabrication at one of five manufacturing workshops at Tomago.

"Hazelwood closed with very little planning in place for its workforce. It shows the consequences of not planning the transition well can be pretty significant," research director at the University of Technology's Institute for Sustainable Futures Chris Briggs said.

Ampcontrol presently employs about 650 people across the region. Its expansion plans include the recruitment of about another 100 people.

Despite its size and profile, executive general manager of people and engagement Leigh Stefanszyn said the company had found itself in a "tug-of-war for talent", particularly for roles in advanced manufacturing, engineering and technology.

"Ampcontrol has been rapidly accelerating its expansion in renewable energy manufacturing over the past few years. This has highlighted the need to have a suitably skilled and diverse workforce in place to meet our customers' demands as the industry diversifies and transitions to a low-carbon economy," she said.

"We have had to be very innovative to attract and retain talent as well as develop our people's capability ensuring we have the right skills, not only for the now but for the jobs of the future. With a strong focus on research and development and technological advancement, we are continually thinking three to five years in advance but we need to start developing these skills now.

"We see our association and continued support with education, community, and business as integral to tackling this challenge across the region as we position the Hunter as an energy powerhouse."

The Institute for Sustainable Futures recently completed a research project for Infrastructure Australia about the future demand for renewables as well as skill shortages. It also advised the state government on how to maximise local jobs within the state's five renewable energy zones.

"The bottom line is that we're very unlikely to be able to build all the projects in the pipeline, because we just don't have the volume of people. There's an unprecedented pipeline of projects on the way and renewables make up a fair chunk of them," Dr Chris Briggs said.



Critical skills: Ampcontrol Electronics Technician Michael Cotton and Research Engineer Thomas Steigler rapidly developing emergency ICU ventilators in response to the COVID Pandemic.

The researchers also found the current skills shortage was likely to get worse before it improved due to a lack of investment in training.

"Investment in training has been relatively low for a variety of reasons. The sector has had real boom and bust cycles depending on government support.

It's very hard for people to feel secure investing in training in that context," Dr Briggs said.

The under-resourcing of TAFE over several decades emerged as a key theme in evidence to last year's [Upper House inquiry into the sustainability of the state's electricity system](#). The committee which oversaw the inquiry made several recommendations about the need for increased investment in education and training in the rapidly growing area of clean energy technologies in regions such as the Hunter.

The Institute for Sustainable Futures has also recommended the Hunter be considered as a strategic region for the development of a renewable energy workforce.

"When the Hunter renewable energy zone was announced it was subscribed several times over with renewable and storage projects," Dr Briggs said. "It could be a strategic reason for developing the renewable energy workforce for inland areas

because it has the depth of labour market in engineering and the industry base to support it."

Federal Labor has committed \$10 million for an Energy Futures Skills Centre at the University of Wollongong and \$2.5 million for a Renewable Energy Training facility at Wollongong TAFE.

The Hunter Jobs Alliance has called for the adoption of a model similar to one used by Victoria's Federation University and Ballarat TAFE. The organisations worked with renewable energy companies to secure Victorian government funding to build and operate an Asia Pacific Renewable Energy Training Centre that will train 600 workers a year.

"We saw an announcement for an Illawarra Energy Skills Centre at TAFE. Fair play to the Illawarra for getting themselves organised to advocate for this, but we have a lot of advantages with renewable energy zones here and over the range, innovative manufacturing, good transport links and a growing population. Newcastle and the Hunter should become the main NSW base for training workers in new industries," Hunter Jobs Alliance coordinator Warrick Jordan said.

"At the end of the day we need to make it easy for young people to picture what these careers look like, and for businesses to be confident we can supply skilled workers.

"We're in a highly competitive world and we should be doing more to back our educators to train the next generation. There's no better signal we could send than planting a flag in the ground and setting up a well-funded facility that can attract students, workers and industry."



Plenty to do: Reclaim Solar Energy managing director Andy Leadbeatter, right, with employee Jayden Austin at the Edgeworth workshop. Picture: Max Mason-Hubers

Business Hunter recently established the Hunter Future Workforces Committee that will focus on collaborations to build a pipeline and solutions to workforce transition, attraction and retention across key economic growth sectors.

"We are hearing quite starkly and frequently from businesses that they need support and sense of 'the regional plan' to address workforce pipeline issues," Business Hunter chief executive Bob Hawes said. "The remedy for the current situation is well beyond the control of an individual business or industry sector."

Business Hunter is hosting the Powering Business 2050 Industries Summit in June.

"For the Hunter to be appropriately workforce equipped we need to attract, skill, retrain the right mix of students, trainees, migrants and families to the region to populate the workforce matrix and encourage our workforce to come, stay and grow with us," Mr Hawes said. "We also need to prepare existing workforce to embrace new work opportunities - that doesn't happen without planning."

In an effort to address the skills crisis, TAFE NSW (Newcastle) will offer a fee-free Diploma of Renewable Energy and an Undergraduate Certificate in Renewable Energy commencing in semester two, 2022.

TAFE also offers five renewable energy microcredentials which can be credited towards the diploma and undergraduate certificate: They include foundation studies in renewable energy, principles of electrical engineering, grid connected PV solar power systems, energy storage systems and wind energy conversion systems.

NSW Minister for Skills and Training Alister Henskens said TAFE NSW had seen a record number of enrolments in electrotechnology and manufacturing trades across the Hunter.

"The Hunter is an economic powerhouse of our state that is booming with investment and job opportunities," he said. "Ensuring industry has access to a strong pipeline of skilled workers is critical to capitalising on these opportunities and helping the Hunter thrive for generations to come."

"I have met with business and industry leaders in the Hunter to discuss the challenges and opportunities we face when it comes to skills attraction and retention. The NSW government is working closely with industry to identify the skills needed, and affording retraining and upskilling opportunities for workers transitioning from traditional energy sector jobs."

## REFERENCES

*Tradie Deficit*, Newcastle Herald 28 May 2022.

## ATTACHMENTS

**NOM Item 42 - Attachment A** - Hunter Jobs Alliance, *A TAFE New Industries Training Centre for the Hunter* Briefing Note, January 2022.

**NOM Item 42 - Attachment A**

***A TAFE New Industries Training Centre for the Hunter***

**Briefing Note:** January 2022



**Contact**

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## Summary

2021 was a turning point for the realisation of renewable energy and clean manufacturing as economic anchors for the future prosperity of New South Wales. The runaway growth of renewables; decarbonisation investments in industries such as aluminium, steel and ammonia; the foundations of new sectors such as green hydrogen and battery manufacturing; and an enabling state policy environment have flipped the switch from aspiration to reality. While it is early days, there is a generational opportunity to lock in NSW's place as a global leader in clean energy and manufacturing.

A key hurdle is competition from those similarly well-placed to grab first-mover market share. NSW is well situated, but so are Queensland, Victoria, WA, Chile, Norway, Qatar, and the US, amongst many others. A rigorous assessment of competitive advantages – and how to leverage them with public policy and investment – is essential.

One standout advantage is NSW's vocational education and training system. Providing workers with opportunities to acquire high quality skills required by industry, and creating deep wells of 'human capital' to attract investors, are historical strengths. Other states, however, are currently proving more flexible in directing specific training investments to attract workers and investments in clean industries, outside of the constraints of the 'contestable' market model that has funded vocational training over recent years.

Government has a clear role in building skills, working with industry, and providing pathways for workers. For example, NSW has undertaken significant innovation in direct funding for training facilities for some industries with high skills demand. A notable example is civil construction, specifically the West Connex Training Academy model and its TAFE partnership, that has been adopted by other states.

However, as recent state government investments in Victorian and Queensland demonstrate, there is rapidly-evolving competition to retain training and education advantages in clean energy and related manufacturing sectors. Examples include the Federation TAFE Asia Pacific Renewable Energy Training Centre in Ballarat, and a \$50 million Queensland Government investment for renewable and hydrogen facilities at TAFE, apprenticeship centres and schools in Brisbane, Beenleigh, Townsville and Gladstone.

To that end, the Hunter Jobs Alliance believes there is a strong case for public investment in a **TAFE New Industries Training Centre**, based in the Hunter. This would create clear pathways for workers, address skills shortages, and attract investment in sectors where labour and skills significantly influence developers' location decisions.

Such a Centre should be premised on industry participation and data-driven workforce planning. It should be established and operated as part of the TAFE system to make use of existing and emerging expertise; provide consistent workforce development and training for a long-term growth industry; and to utilise existing facilities.

There is a compelling case for establishing such a Centre in the Hunter Region. Current training system strengths; emerging industries such as hydrogen, offshore wind and battery manufacture; proximity to renewable energy centres in the Central West and North West; large decarbonisation projects; and a culture of innovation and collaboration make the Hunter an ideal location to establish nation-leading training capacity for the next generation of growth industries.

## 1. Meeting Critical Demand for Renewable Energy Skills

The Hunter is at the centre of a rapidly expanding set of clean industry investments, including renewable energy developments, industrial decarbonisation projects, diversifying mine and power station sites, and new sectors such as battery manufacturing, green hydrogen and offshore wind.

Renewable energy projects, supported by storage technologies and new transmission infrastructure, continue to expand rapidly to meet the gap left as coal generators retire in coming years. Ongoing and rapid expansions are identified as essential by energy regulators and the NSW Government over the next 10-15 years. The Hunter region is linked directly to this growth through geography, transport, transmission, business and educational relationships to the state's first renewable energy growth centres in the Central West-Orana and New England Renewable Energy Zones.

The Hunter is also in the process of being developed as a Renewable Energy Zone, with an emphasis on powering heavy industry, brownfield site redevelopment, and transmission infrastructure, as well as new generation and storage infrastructure. Developments such as the repurposing of the Muswellbrook Coal and AGL Liddell sites to a mix of generation, battery and pumped hydro storage, manufacturing and hydrogen facilities; and the identification of the Hunter as a priority investment area for exploiting offshore wind resources;<sup>i</sup> as well as wind and solar projects, are generating a critical mass of emerging investment opportunities.

However, there are live concerns that a lack of skilled workers is bottlenecking renewable energy builds,<sup>ii</sup> and the future prospects of industries such as offshore wind and green hydrogen. For example, recent expert and industry commentary noted that there is "significant potential for shortages [of] engineers, electricians, then there are some specialised occupations like line workers which could impact more critical [projects]."<sup>iii</sup> Both onshore and offshore wind developers have recently noted the lack of training pathways to encourage people into the industry, with this being particularly acute in regional areas.<sup>iv</sup> There is also concern given the scale of offshore wind requires large and long-term labour forces.<sup>v</sup>



## 2. Creating a Talent Pool to Attract and Grow New Industries

Skills deficits thus pose a serious risk to the critical task of replacing ageing generation infrastructure. They also pose risks to delivering the ambitious renewable growth needed decarbonise existing manufacturing industries, provide sufficient power to grow a large-scale hydrogen industry, or accommodate the future electrification of transport.

Beyond renewable energy, there are manufacturing, clean fuels and innovation growth sectors that hold substantial promise as employment generators and will have a range of specific skill needs. New entrants in energy storage technology, such as the Energy Renaissance battery facility in Tomago with plans to employ 1700 workers, and local storage technology company MGA Thermal, are seeking to scale up operations to meet demand over coming years, and are likely to have a variety of vocational training needs specific to their technology.

As has been demonstrated successfully in the UK, the increase in scale of renewable energy can also generate significant onshoring of supply chain manufacturing. In this highly competitive sector, good policy settings can support this important manufacturing activity, but the availability of skilled workers is also of critical significance to companies in deciding where to locate, maintain and develop supply chains.

Similarly, the recent Hunter Hydrogen Roadmap<sup>vi</sup> incorporates an excellent analysis of the education and training infrastructure needed to ensure the Hunter successfully develops the hydrogen industry - in the face of considerable competition. This analysis raises the prospect of a training centre, and makes a number of recommendations that respond explicitly and implicitly to the challenges in developing skills for new, emerging industries.

While some sectors (notably renewable energy developments) have at least somewhat forecastable high growth trajectories, there are shared uncertainties in growth timelines and specific skill needs for clean energy and related manufacturing sectors. This is due to technology change, price, investment and policy factors.

Effectively designing a training system that satisfies investor needs for available skills, and provides workers with credible employment pathways, demands significant expertise and investment. It also requires a strong and durable institutional basis that builds confidence amongst developers that their training needs will be met.

Key actions include resourcing of permanent education and training capacity; strong industry partnerships; data and industry-driven workforce planning; responsive and timely development of training packages; and a collaborative education and training sector that can meet multiple skill and occupational needs.

The recommendations of the Hunter Hydrogen Strategy effectively cover these key areas, suggesting a comprehensive strategy complementing 'bricks and mortar' training facilities:

- Analysis of skills requirement, map regional readiness and workforce training demand
- Benchmark analysis of core competencies for participation in hydrogen supply chains
- Career pathways and workforce scenarios
- Establish a Hydrogen Skills Taskforce
- Scope testing and training centre

### 3. Models

Both Queensland and Victoria are commissioning training facilities to address industry shortages, to create talent pools to attract investment, and to provide training pathways for those seeking to work in renewable energy.

In Victoria, Federation TAFE collaborated with energy companies to develop a business case for the Asia-Pacific Renewable Energy Centre (APRETEC) in Ballarat in 2019<sup>viii</sup>, resulting in Victorian Government investment. Partners include renewable energy operators, developers and manufacturers GPG, Vestas, Acciona and Tilt.

Federation, as a dual university/vocational educator, is seeking to leverage the facility to combine its expertise in research and tertiary education with the provision of vocational trade and accreditation qualifications. Professor Duncan Bentley, Vice Chancellor of Victorian University, noted at the facility's launch in April 2021 that:

*The demand for jobs and growth in the renewable energy sector is fundamental to Western Victorian growth and Eastern Victorian growth ([video here](#)). So APRETEC is right at the cutting edge of delivery of skills and training to the workforce of Victoria's future.*<sup>ix</sup>

Industry participants TILT Renewables has noted the importance of providing clear pathways for workers:

*It's a really exciting opportunity to join forces with industry and a professional training provider, and provide something tangible and credible, and a real pathway into the sector.*<sup>x</sup>

The ambition of the centre to provide globally-relevant training has also been confirmed by the Australian CEO of Vestas, the world's largest wind turbine manufacturer:

*We can get someone qualified there who we could use elsewhere in the world – that's really valuable.*<sup>xi</sup>

In Queensland, \$23 million has been invested in the Pinkenba Renewable Energy Training Centre in Brisbane, supporting 300 students and 40 teaching positions in electrotechnology and renewables. The Centre, currently under construction, includes onsite wind turbine, telecommunications and solar training facilities, as well as in-field training, and will be open in June 2022.<sup>xii</sup>

The facility is explicitly targeted at attracting investment in both renewable energy, and hydrogen for domestic and export use, as described by the Queensland Premier:

*We need facilities like this now, so trainees and apprentices can develop the skills they need to ensure Queensland is ready to go as interest in and the need for renewable energy and hydrogen worldwide soars...with our abundance of solar and wind, Queensland is the ideal candidate to produce hydrogen for domestic and international use.*

In recent months the Queensland Government has also announced a \$32.6 million package to 'advance hydrogen skills, attract new workers to the sector, and meet projected demand', including \$20m for a Hydrogen Training Centre of Excellence at Beenleigh for Apprentices, \$10.6 million for a hydrogen and renewable training facility at Bohle TAFE in Townsville, and \$2m to prepare students at Gladstone High for hydrogen jobs.<sup>xiii</sup>

#### 4. The Hunter's Advantage

The Hunter region has a specific set of advantages that make it the ideal location for a New Industries Training Centre serving NSW.

Firstly, the Hunter is located in proximity to major renewable growth areas in the Central West and North West; decarbonising heavy industry; emerging clean manufacturing; and future offshore wind areas.

Secondly, there is strong existing capacity and experience in the education and training system to provide technical trades training, and TAFE in the Hunter has begun to develop specific renewable energy training.

For example, Newcastle TAFE was recently announced as one of two sites for the Diploma of Renewable Energy Engineering, with then Skills Minister Geoff Lee noting that:

*As renewables gains that head of steam that we think it will - I think it's going to create something like 59,000 jobs over the next decade or two - we'll need to offer more courses, so this is just the start... Clearly there will be a future workforce required and that's what TAFE is especially good at, looking at what we need to do to skill up people so we don't have those critical skills shortages in the future.<sup>xiv</sup>*

Related is the availability of dedicated TAFE locations that can be leveraged with targeted investment in facilities. While a specific location or locations would be the subject of a detailed business case, TAFE facilities with existing energy and trades training, such as Tighes Hill (Newcastle) and Muswellbrook, would be strong candidates.

Thirdly, there is very strong business community and regional stakeholder support for the development of renewable energy, green hydrogen, clean manufacturing and decarbonised heavy industry. Regionally-led initiatives such as the Hunter Hydrogen Roadmap are occurring alongside major investments from key industry players, local innovation and the attraction of new industry investment.

Fourth, there is a strong enabling policy environment centred on the Hunter, including Renewable Energy Zones, Clean Manufacturing Precincts, the Net Zero Industry and Innovation Program, and the NSW Hydrogen Strategy.

Finally, the Hunter has the right mix of substantial population base, lower living costs than capital city areas, lifestyle, and employment opportunities to provide an attractive proposition to students and workers undertaking short- or long-term training opportunities, as well as providing talent pools of workers and educators.

## 5. Conclusion

As the substantial public investments in Victoria and Queensland demonstrate, there is both immediate demand and competition for provision of training to the renewable energy sector to meet industry needs. Moreover, the accelerating emergence of clean manufacturing, new renewables and storage, industrial decarbonisation, and hydrogen opportunities in the Hunter provides a clear opportunity to establish nation-leading training capacity.

The regions' existing and emerging strengths, and a strongly supportive stakeholder and policy environment, provide significant impetus for public investment in a **TAFE New Industries Training Centre** serving NSW. This investment would further promote and burnish the credentials of NSW and the Hunter as globally-significant energy and manufacturing destinations, and facilitate a clear point of entry to these growth industries for young people and workers looking for new opportunities.

The Hunter Jobs Alliance offers this suggestion as a constructive contribution to the Hunter community's efforts to grow and diversify economic and job options. To that end, we outline a set of recommendations to scope and establish a New Industries Training Centre, and we welcome any feedback on these recommendations and the analysis contained within this briefing note.

## 6.Recommendations

### Policy Recommendations

1. A permanent and dedicated TAFE New Industries Training Centre (NITC) is established in the Hunter, to meet vocational training needs for renewable energy, clean technology, hydrogen and decarbonised manufacturing across NSW.
2. The establishment, staffing, operational and some course costs for the Centre are funded directly, outside of the contestable vocational training funding model, at a level sufficient to establish a world class facility, at a minimum competitive with interstate centres.
3. A permanent program is established as part of the Centre to undertake workforce planning, driven by data and industry participation, to anticipate labour, unit, courses, and training capacity demand.
4. Industry partnerships and participation are established as part of the core operating model of the Centre.
5. Collaboration with industry, the University of Newcastle, Group Training Organisations, and other providers, and stakeholders to identify complementary training provision to maximise the value of the Centre.

### Scoping Recommendations

6. NSW Government, with local stakeholders – or alternatively local education, industry, and regional stakeholders – develop a business case for the establishment of a TAFE New Industry Training Centre in the Hunter.
7. Industry engagement and data-driven workforce planning are undertaken to identify required technology, facility, courses, and delivery modes.

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<sup>i</sup> Briggs, C., M. Hemer, P. Howard, R. Langdon, P. Marsh, S. Teske and D. Carrascosa (2021). Offshore Wind Energy in Australia: Blue Economy Cooperative Research Centre, Launceston, TAS. 92p

<sup>ii</sup> Clean Energy Council (2020) *Clean Energy at Work*, June 2020, Clean Energy Council and Institute for Sustainable Futures, <https://assets.cleanenergycouncil.org.au/documents/resources/reports/Clean-Energy-at-Work/Clean-Energy-at-Work-The-Clean-Energy-Council.pdf>

<sup>iii</sup> <https://reneweconomy.com.au/could-a-skills-shortage-stall-the-renewable-energy-revolution/>

<sup>iv</sup> <https://reneweconomy.com.au/could-a-skills-shortage-stall-the-renewable-energy-revolution/>

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- <sup>v</sup> Griffin, D (2021) Testimony to Environment and Communications Legislation Committee - 01/10/2021 - Offshore Electricity Infrastructure (Regulatory Levies) Bill 2021 and Offshore Electricity Infrastructure Bill 2021, [https://www.aph.gov.au/Parliamentary\\_Business/Hansard/Hansard\\_Display?bid=committees/commsen/25190/&sid=0000](https://www.aph.gov.au/Parliamentary_Business/Hansard/Hansard_Display?bid=committees/commsen/25190/&sid=0000)
- <sup>vi</sup> Briggs, C., M. Hemer, P. Howard, R. Langdon, P. Marsh, S. Teske and D. Carrascosa (2021). Offshore Wind Energy in Australia: Blue Economy Cooperative Research Centre, Launceston, TAS. 92p
- <sup>vii</sup> Hunter Hydrogen Taskforce (2021) Hunter Hydrogen Roadmap, <https://hunter.org.au/wp-content/uploads/2021/11/20211117-Hunter-Hydrogen-Roadmap.pdf>
- <sup>viii</sup> <https://www.thecourier.com.au/story/6181095/first-steps-for-renewable-energy-training-centre/>
- <sup>ix</sup> [https://fedflix.federation.edu.au/media/APRETC+Launch+%E2%80%93+Training+the+renewable+energy+workforce+of+the+future/1\\_brvu0n71](https://fedflix.federation.edu.au/media/APRETC+Launch+%E2%80%93+Training+the+renewable+energy+workforce+of+the+future/1_brvu0n71)
- <sup>x</sup> [https://fedflix.federation.edu.au/media/APRETC+Launch+%E2%80%93+Training+the+renewable+energy+workforce+of+the+future/1\\_brvu0n71](https://fedflix.federation.edu.au/media/APRETC+Launch+%E2%80%93+Training+the+renewable+energy+workforce+of+the+future/1_brvu0n71)
- <sup>xi</sup> <https://reneweconomy.com.au/could-a-skills-shortage-stall-the-renewable-energy-revolution/>
- <sup>xii</sup> <https://www.australianmanufacturing.com.au/new-23m-facility-to-boost-queenslands-renewable-energy-sector-workforce/>
- <sup>xiii</sup> <https://www.epw.qld.gov.au/about/initiatives/hydrogen/training>
- <sup>xiv</sup> <https://www.newcastleherald.com.au/story/7539117/tafe-nsws-new-diploma-of-renewable-energy-engineering-to-debut-in-newcastle/>

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

**COUNCILLORS:        J BARRIE, C DUNCAN AND C MCCABE**

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**PURPOSE**

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

**MOTION**

That City of Newcastle:

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

facilitated by the local health district or NGO Alcohol Other Drugs Sector which works specifically to support frequent and transient visitors to Hamilton Station Park and surrounds who experience the impact of complex mental health and AOD.

## **BACKGROUND**

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

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

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

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

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

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

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

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



Other important matters to note regarding Awaba Park and surrounds:

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

## **ATTACHMENTS**

### **NOM Item 43 - Attachment A:**

4 December 2022

- [Newcastle police investigating after Beaumont Street attack with bottle](#)

### **NOM Item 43 - Attachment B:**

20 May 2021

- [Food Not Bombs Newcastle offers fresh hot meals on Wednesday nights served to anyone](#)

**ITEM-44                    NOM 13/12/22 – CORRESPONDENCE FROM HAMILTON  
BUSINESS ASSOCIATION**

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

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**PURPOSE**

*The following Notice of Motion was received on Tuesday 6 December 2022 from the abovementioned Councillors.*

**MOTION**

That Council:

- 1     Receives the attached correspondence from the Hamilton Business Association regarding a Rainbow Pedestrian Crossing.
- 2     Notes that Newcastle will host the first Official Event of Sydney World Pride, with the Pink Salt Dinner on Saturday 18 February 2023. Sydney World Pride will be the largest event held in NSW since the Sydney 2000 Olympics.
- 3     Initiates investigations (including with local business representatives, TfNSW, the Newcastle Traffic Committee and Newcastle Pride) on the installation of a rainbow crossing in Beaumont St Hamilton to coincide with World Pride Festivities, or the Newcastle Pride Festival later in 2023.

**BACKGROUND**

Nil.

**ATTACHMENTS**

**NOM Item 44 Attachment A:**     Correspondence from Hamilton Business Association

**NOM Item 44 Attachment A**



Rainbow Pedestrian Crossing Hamilton

01/01/2022

Dear Cr Clausen,

Hamilton Business Association is looking at a rainbow crossing for Beaumont St Hamilton. We understand that this subject has been put forward in the past with a negative result. However, we feel that Hamilton has now evolved into its inclusive self.

Over the past year alone we have seen broad acceptance of Paul Maher's "Free to Be Me" permanent artwork mosaic by local queer creator Yvette Ten-Bohmer, also the Gallipoli Clubs "Queer & Now" nightlife has been a regular featured event in the precinct giving local LGBTQIA+ people a safe haven to be themselves at night. Also, in support of the above activations Newcastle Pride chose Hamilton as their home for their major 2022 event in Gregson Park.

We firmly believe that all these amazing events in the past year show the progression and inclusion of the area. HBA Board would like you to support this project by way of a motion to CN and appropriate bodies so that Hamilton can show we are proud of who we are.

Kindest Regards

A handwritten signature in black ink, appearing to be 'Reece Hignell', written over a white rectangular area.

Reece Hignell

Chair Hamilton Business Association

**ITEM-45                    NOM 13/12/22 – RATES REDUCTION FOR COMMUNITY HOUSING PROVIDERS (CHPS)**

**COUNCILLOR:        J MACKENZIE**

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**PURPOSE**

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

**MOTION**

That the City of Newcastle

- 1     Notes the success of the MoU and funding agreement between NSW Land and Housing Corporation and the City of Newcastle, which has unlocked an additional \$12 million toward the delivery of social housing across the LGA over three years.
- 2     Notes that delivering social and affordable housing is a key priority of the Newcastle 2040 Community Strategic Plan and the Newcastle Local Housing Strategy 2020.
- 3     Notes that Community Housing Providers (CHPs) are regarded as ‘public benevolent institutions’ under s556 of the Local Government Act and are eligible for rate exemption where property is used for purposes consistent with the objectives of their governing constitution.
- 4     Notes that currently 75% of CHP properties are exempt from rates in the LGA, and the remaining properties are eligible to apply for exemption via application.
- 5     Writes to the relevant CHP's when issuing the next quarterly rates notice (January 2023) to invite applications for rate exemptions, where eligible in accordance with s556 of the Local Government Act, for their properties providing social, affordable and accessible housing in the Newcastle Local Government Area.

**BACKGROUND**

NSW Land and Housing Corporation, September 2022, *\$60 million social housing boost for Newcastle*, <https://www.dpie.nsw.gov.au/land-and-housing-corporation/news/60-million-social-housing-boost-for-newcastle>

Community Housing Limited v Clarence Valley Council (2015) NSWCA 327, <https://nswlr.com.au/view/90-NSWLR-292>

**ATTACHMENTS**

Nil.