

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.

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 42ND 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 42nd 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 Chinchin 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 Chinchin 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 Councils 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 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.