



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 27 September 2022

**TIME:** 6.00pm

**VENUE:** Council Chambers  
2nd Floor  
City Hall  
290 King Street  
Newcastle NSW 2300

J Bath  
Chief Executive Officer

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

21 September 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.*

<b>ORDINARY COUNCIL MEETING</b> <b>27 September 2022</b>
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ITEM-80 CCL 27/09/22 – HUNTER AND CENTRAL COAST REGIONAL  
PLANNING PANEL ALTERNATIVE MEMBERSHIPS  
**(DISTRIBUTED UNDER SEPARATE COVER)**

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**(DISTRIBUTED UNDER SEPARATE COVER)**

### **CONFIDENTIAL REPORTS**

Nil

**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 - ORDINARY COUNCIL MEETING 23 AUGUST 2022**

**RECOMMENDATION**

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

**ATTACHMENTS**

**Attachment A:** 220823 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)*

**CITY OF NEWCASTLE**

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

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**PRESENT**

The Lord Mayor (Councillor N Nelmes), Councillors E Adamczyk, J Barrie, D Clausen, C Duncan, J Mackenzie, C McCabe, C Pull, D Richardson, K Wark, P Winney-Baartz and M Wood.

**IN ATTENDANCE**

J Bath (Chief Executive Officer), D Clarke (Director Governance and Chief Financial Officer), F Leatham (Director People and Culture), D Manderson (Acting Director Infrastructure and Property), L Duffy (Acting Director City Wide Services), K Hyland (Interim Director Strategy and Engagement), S Moore (Manager Finance), M Bisson (Manager Regulatory Planning and Assessment), E Kolatchew (Manager Legal), M Murray (Chief of Staff), L Zoneff (Media Adviser), E Horder (Councillor Services/Minutes), A Knowles (Councillor Services/Meeting Support), J Redriff (Legal/Meeting Support), I Lockwood (Information Technology) and R Garcia (Information Technology Support).

**MESSAGE OF ACKNOWLEDGEMENT**

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

**PRAYER**

The Lord Mayor read a prayer and a period of silence was observed in memory of those who served and died so that Council might meet in peace.

**APOLOGIES**

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Pull

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

**Carried**

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

**Councillor Clausen**

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

**CONFIRMATION OF PREVIOUS MINUTES**

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

**MOTION**

Moved by Cr Barrie, seconded by Cr McCabe

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

**Carried**

**LORD MAYORAL MINUTE**

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

**MOTION**

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

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

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

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

**Carried  
unanimously**

**REPORTS BY COUNCIL OFFICERS**

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

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Wark

That Council:

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

**Carried  
unanimously**

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

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Wark

That Council:

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

**Carried  
unanimously**



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

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Duncan

That Council:

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

**Carried  
unanimously**

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

**MOTION**

Moved by Cr Duncan, seconded by Cr Wark

That Council:

- 1 Notes the preparation of CN's Financial Statements for the year ended 30 June 2022 is underway and upon completion they will be referred to CN's Auditors, NSW Audit Office, in accordance with Section 413(1) of the Local Government Act 1993 (Act).
- 2 Authorises the Lord Mayor, a Councillor, the Chief Executive Officer and the Responsible Accounting Officer to sign the Statements by Councillors and Management in accordance with Section 413(2) of the Act at the conclusion of the external audit (**Attachments A and B**).
- 3 Endorses publication on CN's website of the intention to present its audited Financial Statements and the date fixed for this Ordinary Council meeting and determines that this meets the public notice requirements of Section 418 and Section 705(3) of the Act.

**Carried**

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

**MOTION**

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

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

**Carried  
unanimously**

**ITEM-63 CCL 23/08/22 - ENDORSEMENT OF MOTIONS FOR SUBMISSION TO THE 2022 LOCAL GOVERNMENT NSW CONFERENCE**

**MOTION**

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

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

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

That LGNSW:

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

**BACKGROUND**

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

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

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

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

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

**MOTION 5 – Housing Affordability**

That LGNSW:

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

**BACKGROUND:**

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

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

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

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

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

That LGNSW:

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

**BACKGROUND:**

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

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

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

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

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

**PROCEDURAL MOTION**

Moved by Cr Pull, seconded by Cr Barrie

That the motions be voted on in seriatim.

**Defeated**

**PROCEDURAL MOTION**

Moved by Cr Barrie seconded by Cr Pull

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

**Carried**

**PART A**

**MOTION**

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

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

**For the Motion:**

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

**Against the Motion:**

Councillors Barrie, Pull and Wark.

**Carried**

**PART B**

**MOTION**

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

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

**Carried  
unanimously**

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

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

**MOTION**

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

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

**For the Motion:**

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

**Against the Motion:**

Nil.

**Carried**

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

**MOTION**

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

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

## CITY OF NEWCASTLE

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

**Against the Motion:** Councillor Pull.

**Carried**

### ITEM-69 CCL 23/08/22 - WRITE-OFF OF SUNDRY DEBT

#### MOTION

Moved by Cr Clausen, seconded by Cr Pull

That Council:

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

**Carried  
unanimously**

### NOTICES OF MOTION

#### ITEM-25 NOM 23/08/22 - DELIVERING REGIONAL LEVEL PLAYGROUNDS

#### MOTION

Moved by Cr Duncan, seconded by Cr Winney-Baartz

That City of Newcastle:

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

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

**Carried  
unanimously**

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

**MOTION**

Moved by Cr Richardson, seconded by Cr Wood

That City of Newcastle:

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

Councillor Mackenzie proposed an additional point 8.

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

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



**AMENDMENT**

Moved by Cr Pull, seconded by Cr Barrie

To include the term cost within the motion.

**Defeated**

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

**Carried  
unanimously**

**ITEM-27**

**NOM 23/08/22 - YOUTH MOCK COUNCIL**

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

**MOTION**

Moved by Cr Richardson, seconded by Cr Pull

**Part A**

That City of Newcastle:

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

**Part B**

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

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

**Carried  
unanimously**

**ITEM-28                      NOM 23/08/22 - REINVESTIGATING THE WALLSEND-MAYFIELD ARTERIAL ROAD PROJECT**

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

**MOTION**

Moved by Cr Pull, seconded by Cr Barrie

That City of Newcastle

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

Councillor Adamczyk foreshadowed a substantive motion.

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

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

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

**Defeated**

**MOTION**

Moved by Cr Adamczyk, seconded by Cr Richardson

That Council:

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

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

These properties may include:

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

- 4 Request a report back to Council on the public and private property that would need to be acquired and the potential costs (economic, environment, social, heritage) of delivering this proposal.

**Carried**

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

**MOTION**

Moved by Cr McCabe, seconded by Cr Mackenzie

That City of Newcastle:

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

**AMENDMENT**

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

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

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

**Carried**

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

**Carried**

## **LATE ITEM OF BUSINESS**

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

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

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

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

#### **PROCEDURAL MOTION**

Moved by Cr Mackenzie, seconded by Cr McCabe

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

**Carried**

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

**MOTION**

Moved by Cr Mackenzie, seconded by Cr McCabe

That the City of Newcastle

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

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

**AMENDMENT**

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

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

The amendment was put to the meeting.

**For the Motion:**

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

**Against the Motion:**

Councillors Mackenzie and McCabe.

**Carried**

Councillor Clausen proposed a further amendment to the motion.

**AMENDMENT**

Moved by Cr Clausen, seconded by Cr Wark

That the City of Newcastle

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

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

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

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

**Carried**

**PROCEDURAL MOTION**

Moved by Cr Mackenzie, seconded by Cr McCabe

The points within the motion be voted on in seriatim.

**Carried**

**PART 1**

**MOTION**

Moved by Cr Clausen, seconded by Cr Wark

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

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

**Against the Motion:** Councillor Mackenzie.

**Carried**

**PART 2**

**MOTION**

Moved by Cr Clausen, seconded by Cr Wark

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

**Carried  
unanimously**

**PART 3**

**MOTION**

Moved by Cr Clausen, seconded by Cr Wark

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

**For the Motion:**

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

**Against the Motion:**

Councillor McCabe.

**Carried**

**PART 4**

**MOTION**

Moved by Cr Clausen, seconded by Cr Wark

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

**For the Motion:**

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

**Against the Motion:**

Councillor Mackenzie.

**Carried**

**The meeting concluded at 9.54pm.**



**REPORTS BY COUNCIL OFFICERS**

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

**REPORT BY:**                **CITY WIDE SERVICES**  
**CONTACT:**                 **DIRECTOR AND INTERIM MANAGER WASTE SERVICES**

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**PURPOSE**

To place the draft Our Sustainable Waste Strategy on public exhibition.

**RECOMMENDATION**

That Council:

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

**KEY ISSUES**

- 3 City of Newcastle (CN) desires to be a considerate user of the planet’s limited resources and is committed to empowering the community to view its waste differently – as resources and materials that can have another life outside of landfill.
- 4 The longer recyclable materials are recirculated in the economy the greater their value and the better it is for the environment. This in turn produces greater prosperity for our planet and our people.
- 5 To achieve this CN has developed Our Sustainable Waste Strategy (the draft Strategy) to provide waste minimisation and recycling solutions to the community while ensuring the long-term sustainability of our waste and resource recovery operations. CN will achieve this by Summerhill Waste Management Centre being an innovative resource recovery hub creating enduring value for customers, community and the environment.
- 6 The draft Strategy is focused on setting long-term objectives to realise the opportunities for the:
  - i) **Planet** – Protecting the environment, reducing emissions and preserving our finite resources
  - ii) **People** – Preserving and creating jobs in our Waste Services Facilities and throughout the region
  - iii) **Prosperity** – Providing the community opportunities that the circular economy will deliver and elevating Newcastle as a national leader

- 7 The draft Strategy is formulated on the core principles of the Waste Hierarchy and Circular Economy. The Waste Hierarchy sets out the priorities for the most efficient and most sustainable use of resources, establishing the framework under which all waste decisions should be made, and all waste managed.
- 8 The Circular Economy focuses on looking beyond the current take-make-waste-extractive model aiming to redefine growth and focusing on positive society wide benefits for a more sustainable future. A Circular Economy also helps to answer the challenge of meeting our own needs without compromising future generation's ability to meet their needs.
- 9 The draft Strategy has adopted the NSW Government's principles of a circular economy which include:
  - i) Sustainable management of resources
  - ii) Valuing resource productivity
  - iii) Design out waste and pollution
  - iv) Maintain the value of products and materials
  - v) Innovate new solutions for resource efficiency
  - vi) Create new circular economy jobs
  - vii) Foster behaviour change through education and engagement
- 10 The draft Strategy sets out the current challenges and opportunities for the future of waste as well as providing a framework to operate the Summerhill Waste Management Centre as a business unit inclusive of outcomes and success measures.

## **FINANCIAL IMPACT**

- 11 The draft Strategy will be delivered over multiple financial years commencing in the 2022/23 financial year. Actions requiring funding will be identified in CN's Delivery Program and Operational Plans, allowing CN to undertake actions as funding and resources are confirmed.

## **NEWCASTLE 2040 ALIGNMENT**

- 12 The draft Strategy is consistent with the Newcastle 2040 Community Strategic Plan (CSP) directions:

### **Sustainable**

#### 2.1 Action on Climate Change

##### 2.1.1 Towards net zero emissions

#### 2.3 Circular Economy

##### 2.3.1 Design out waste

## **IMPLEMENTATION PLAN/IMPLICATIONS**

- 13 The draft Strategy will support the Newcastle 2040 CSP and assist in shaping the priorities for CN's four-year Delivery Program and one-year Operational Plan (Delivering Newcastle 2040), with a focus on the Sustainable Newcastle theme and more specifically as well as other related strategies and plans.

**RISK ASSESSMENT AND MITIGATION**

- 14 There is no risk in placing the draft Strategy on public exhibition.

**RELATED PREVIOUS DECISIONS**

- 15 At the Ordinary Council Meeting held on 28 June 2022 Council endorsed the Newcastle 2040 Community Strategic Plan with the vision that Newcastle will be a liveable, sustainable, inclusive global city.
- 16 Within CSP theme of Sustainable Newcastle and Priorities of Action on Climate Change and Circular Economy CN will:

**Objective – Towards net zero emissions**

- i) Achieve net zero emissions by increasing energy and waste efficiency reducing emissions from buildings, transport, infrastructure, and supply chains
- ii) Encourage clean technology and future energy initiatives and industries

**Objective - Design out Waste**

- i) Create sustainable material cycles through the city's economy
- ii) Establish resource recovery industries and circular economy precincts
- iii) Increase recycling and productive use of organics

**CONSULTATION**

- 17 Extensive consultation and engagement has been undertaken with key stakeholders as part of the preparation of the draft Strategy. Briefings have been provided to:
  - i) Councillors
  - ii) City of Newcastle Leadership Team
  - iii) Strategy and Innovation Advisory Committee
  - iv) Infrastructure Advisory Committee
  - v) Liveable Cities Advisory Committee
  - vi) Community and Culture Advisory Committee
  - vii) Newcastle Youth Council
  - viii) Guraki Aboriginal Advisory Committee
- 18 A Communications and Engagement Program has been developed to support the public exhibition period of the draft Strategy which includes the Close the Loop Art competition for school engagement, an Industry and Stakeholder event and multiple Community Events for the community to discuss the draft Strategy and have their say on the topic of waste and circularity.
- 19 The draft Strategy will be placed on public exhibition for 42 days and promoted through CN's website and social media sites allowing for submissions from internal and external stakeholders.

**BACKGROUND**

20 CN has developed the draft Strategy to provide waste minimisation and recycling solutions to the community while ensuring the long-term sustainability of our waste and resource recovery operations. CN will achieve this by Summerhill Waste Management Centre being an innovative resource recovery hub creating enduring value for customers, community and the environment.

**OPTIONS**

**Option 1**

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

**Option 2**

22 The draft Strategy not be placed on public exhibition. This is not the recommended option.

**REFERENCES**

**ATTACHMENTS**

**Item 70 Attachment A:** Draft Our Sustainable Waste Strategy – Strategic Framework

**Item 70 Attachment B:** Draft Our Sustainable Waste Strategy – White Paper

**Item 70 Attachment C:** Draft Our Sustainable Waste Strategy – Delivery Plan

**Item 70 Attachments A - C distributed under separate cover**

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

**REPORT BY: INFRASTRUCTURE AND PROPERTY**  
**CONTACT: INTERIM DIRECTOR INFRASTRUCTURE AND PROPERTY / ACTING MANAGER ASSETS AND PROJECTS**

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**PURPOSE**

To place the draft Harbour Foreshore Masterplan (Plan) on public exhibition.

**RECOMMENDATION**

That Council:

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

**KEY ISSUES**

- 3 The Plan has been prepared for the Harbour Foreshore precinct inclusive of Wharf Road, Foreshore Reserve and Foreshore Park. The Plan will guide future development and management of the area as the city's key iconic destination and premier major events park. Development of the Plan has involved extensive community engagement, providing the community a chance to have a say on their vision for the future of the precinct.
- 4 The Plan creates a vision for the Foreshore that will increase community and visitor usage, enhancing 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 waterpark. Variety the Children's Charity have worked closely with City of Newcastle (CN) on the design of the playspace.
- 6 A framework for revegetation of Foreshore Park will meet CN's target to increase the amount of shaded canopy by 250% from 2,800sqm to 9,800 sqm at the completion of the Plan's implementation and establishment of trees.

**FINANCIAL IMPACT**

- 7 The Plan is designed to be delivered over a ten year period. Actions and projects identified in the Plan will be included in future CN budgets and the Long-Term Financial Plan.

- 8 \$1.5 million is included in the adopted 2022/23 budget for completion of the Plan, detailed design of the playspace, and early site works including service upgrades and demolition of redundant facilities.
- 9 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.
- 10 Successful grant funding applications to supplement the installation of the inclusive playspace and incorporated waterplay space include:
  - i) two grants totaling \$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, Industry and Environment; and
  - iii) \$45,000 from Variety the Children's Charity for design of the inclusive playspace.
- 11 CN will continue to seek funding opportunities to aid in the delivery of this project.

**NEWCASTLE 2040 ALIGNMENT**

- 12 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**

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

- 14 The Plan fulfils the strategies defined within The Foreshore Plan of Management (2015) and several other key CN strategic polices including:
- i) Disability Access and Inclusion Plan 2016,
  - 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, and
  - vii) Newcastle After Dark 2018-2022.

### **RISK ASSESSMENT AND MITIGATION**

- 15 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**

Nil.

### **CONSULTATION**

- 16 Two phases of community consultation have occurred in the development of the Plan. Phase one established the values and expectations the community held for project space. This included school workshops with Variety the Children's Charity. The engagement report is shown at **Attachment B**.
- 17 Phase two engagement involved draft concepts for Foreshore Park. Several changes to the Plan have since occurred as a result of this engagement, including the relocation of the playspace and an increased focus on the Cultural Walk along the original foreshore edge. This engagement report is shown at **Attachment C**.
- 18 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.
- 19 An Accessible Design Reference Group provided advice on accessibility for the playspace and waterpark. The Plan was presented to the Access Advisory Committee on Thursday 15 September 2022.

- 20 CN's project team have presented to the Guraki Committee throughout the development of the Plan which provides 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 and the sandhills junior play area.
- 21 A Wharf Road detailed design workshop was held with key stakeholders for the development of concepts along Wharf Road and Foreshore Reserve. This included local businesses, the Guide Dog Association, and representatives from the Port of Newcastle.
- 23 A Councillor workshop was held on 13 September 2022 to provide a detailed overview of the Plan.

## **BACKGROUND**

- 24 The Harbour Foreshore is an area important to the Awabakal and Worimi Peoples with several significant sites neighbouring its location. Part of the site (northeast section) is within the historic Coal River Precinct, and Newcastle's historic East End.
- 25 A comprehensive review of the history of the site can be found in the analysis at **Attachment D**.
- 26 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,
  - 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, and
  - viii) Provide a structure for the successful implementation of the Plan.



27 Key features of the Plan are shown in the table below:

Feature	Description
Argyle Street City Link	A shared environment providing a pedestrian friendly streetscape link to the city centre and the newly created Darby Plaza.
Wharf Road	Tree lined separated cycleway from Argyle Street to Nobbys Beach. Improved cycle crossings at key nodes to link to the wider city centre cycleway network. Parking adjacent to Market Street Lawn retains current configurations to maintain event functionality for major events such as New Year's Eve. Consistent lane widths and increased parking capacities, offsetting the placement created by trees within the streetscape resulting in a reduction of four parking spaces noting an additional 33 car spaces and 11 motorbike spaces were constructed in 2021.
Foreshore Reserve	Universal pedestrian access, retention and enhancement of greenspace and interactions with the harbour are key design elements of this section. Key nodes at Lynches Hub and Scratchleys have been enhanced to encourage alfresco dining and night-time activation. Seating opportunities face the harbour under shade trees allowing people to relax and enjoy the view year-round.
Tug Berth Lane	A continuation of the Wharf Road cycleway along the existing roadway allowing Tug Berth Lane to be transformed to a new park area with lawn adjacent to the harbour, ideal for picnics. Links are provided to Foreshore Park and open spaces are provided for harbour facing events. The area has been identified for the placement of an iconic destination sign as per Council resolution in 2018, as it contains views to all iconic aspects of the city's harbour lifestyle.
Foreshore Park General	The design acknowledges the growth of the city both within the broader park design and the elements within the new regional inclusive playspace and waterplay space. Other key elements include Customs House forecourt which celebrates the city's original trading history, defining the jetty to Customs House, and improved access to the lawn is provided by raising the level of the forecourt. Artistic sails reinforce the jetty feel.
Cultural Walk	Identifies the original shoreline, topography and botanical elements through interpretive landscapes and intimate open lawn areas. Water sensitive urban design ponds are proposed, including a reinterpretation of the Frog Pond close to its original location. The walk provides

	opportunities of Awabakal and Worimi interpretation, cultural teaching, and artistic expression.
Commons Lawn	A new open lawn suitable for community recreation and major events. The treelined paths bound the space with open views to the harbour. These trees symbolise the community driven Green Ban movement in 1973 that saved the East End from development and made it possible to become community parkland. Interpretive signage of the Green Ban movement and industrial heritage proposed within the neighbouring rail shed. The lawn is anchored by two groves of trees to the east and west to help shade and define the space from neighbouring areas.
Shortland Lawn	This area retains its use and character. The lawn is further defined by additional planting to neighbouring areas with a break provided in the western end allowing links to the Commons Lawn for onlookers and an elevated view of the harbour.
Sandhills Amphitheatre	Additional trees and sandstone terracing reflects the historic topography of the area. A concrete base increases the versatility of the space and provides a sheltered roller skating / scootering opportunity for users of the park with ample seating.
Foreshore Regional Inclusive Playspace	In partnership with Variety Children's Charity, the city's first regional inclusive playspace and waterplay space will provide a unique playing experience for the community and visitors to the city. Extensive community and Guraki Committee input allows the playspace to express culturally significant themes within design while adhering to the highest level of inclusive play. It will be the city's premier playspace.
Foreshore Amenities	New amenities will accompany the playspace. The amenities will provide changing places to service the playspace with additional toilets to front both the park and the playspace. An alfresco café services both spaces allowing users to access from either the park or the playspace.

**OPTIONS**

**Option 1**

28 The recommendation as at Paragraphs 1 and 2. This is the recommended option.

**Option 2**

29 Not place the draft Plan on exhibition. This is not the recommended option.

**REFERENCES**

**ATTACHMENTS**

**Item 71 Attachment A:** CCL 27/09/22 - Draft Harbour Foreshore Masterplan  
**Item 71 Attachment B:** CCL 27/09/22 - Phase 1 Engagement Report  
**Item 71 Attachment C:** CCL 27/09/22 - Phase 2 Engagement Report Summary  
**Item 71 Attachment D:** CCL 27/09/22 - Foreshore Park Playspace  
Archaeological Constraints Analysis

**Item 71 Attachments A - D distributed under separate cover**

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

**REPORT BY:                GOVERNANCE  
CONTACT:                 DIRECTOR GOVERNANCE AND CHIEF FINANCIAL  
OFFICER / MANAGER REGULATORY, PLANNING AND  
ASSESSMENT**

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**PURPOSE**

To inform Council of the Accelerated Development Application system (ADA System).

**RECOMMENDATION**

That Council:

- 1     Endorses the Accelerated Development Application System.

**KEY ISSUES**

- 2     City of Newcastle (CN), via the Regulatory, Planning and Assessment (RPA) team, has created and introduced the ADA System to streamline the determination of low-risk decision ready Development Applications (DAs).
- 3     Only simple, decision ready and low risk DAs are eligible to be assessed under the ADA System. All other DAs are assessed and determined via CN's existing processes.
- 4     With DA numbers increasing and expected to continue to increase in the Newcastle Local Government Area (LGA), the objectives of the ADA System are to; establish a streamlined assessment and determination service within existing resources that will provide for the timely assessment and determination of simple, decision ready DAs, identify methods to improve overall DA assessment timeframes for all DAs lodged with CN, and improve customer experience in line with CN's Customer Improvement Principles.
- 5     The ADA System provides three new lodgement pathways for simple, decision ready and low-risk DAs to be identified and determined, as outlined below and as illustrated in **Attachment A**.
  - i)     Authorised Consultant Pathway – 5-day determination timeframe.
  - ii)    Lodgement Ready Pathway – 10-day determination timeframe.
  - iii)   Well-made Pathway – 15-day determination timeframe.

- 6 A successful trial of the ADA System occurred between 12 May to 31 August 2022 with 89 low-risk DAs determined with an average processing time of 5.8 days. The ADA System will formally launch on 1 October 2022.

### **Authorised Consultant Pathway**

- 7 The Authorised Consultant pathway enables suitably qualified consultants to prepare DAs for developments which meet the ADA criteria (eligible DAs) using 'Template Packs' prepared by CN.
- 8 The Template Packs reduce duplication of effort and double handling, with both the consultant and CN assessment staff utilising the same document, whilst ensuring CN retains decision making powers.
- 9 Assessment and determination for Authorised Consultant ADAs are undertaken by the Duty Development Officer as a single point of assessment with all other additional internal process steps being removed from the process.
- 10 Consultants wanting to register as an 'Authorised Consultant' with CN need to demonstrate that they have experience in the lodgement of a variety of DAs in the Newcastle LGA and a relevant degree and/or qualifications in Town Planning or equivalent.

### **Lodgement Ready Pathway**

- 11 The Lodgement Ready Pathway introduces a mandatory free of charge pre-assessment for DAs that meet the ADA eligibility criteria. This service provides a separate pathway for customers that do not lodge a DA through an Authorised Consultant.
- 12 To lodge a Lodgement Ready ADA, applicants need to have completed the pre-assessment and obtain 'lodgement ready' correspondence from CN which must then be submitted with their DA when lodged through the Portal.
- 13 Lodgement Ready is a key element of the ADA System as it ensures that all applicants have access to the ADA System. The Lodgement Ready pathway provides an online, easy to use system, that is accessible to everyone. The Lodgement Ready pathway is aimed towards owner-builders, small scale consultants, including pool and shed companies as well as property/homeowners.

### **Well-made Pathway**

- 14 The Well-made Pathway captures DAs that have not been lodged through the Authorised Consultant or the Lodgement Ready Pathways. However, on merit the DA is not considered to result in any unreasonable amenity impact to adjoining and/or adjacent sites and therefore warrants an accelerated assessment.

**Online Tool - Development Wizard**

- 15 External consultants have been engaged to develop an online tool, known as the 'Development Wizard', to inform customers if their development proposal is eligible to be assessed under the ADA System.
- 16 The Development Wizard tool guides customers through a series of questions associated with the ADA eligibility criteria. The Development Wizard tool is also integrated with CN's geographic information system which enables customers to search a property address to determine if the property site attributes exclude the development proposal being lodged through the ADA System.

**ADA System Trial**

- 17 A trial of the ADA System occurred between 12 May 2022 and 31 August 2022 including three local Planning Consultants who trialled the Authorised Consultant Pathway during this time.
- 18 A total of 89 applications were determined through the ADA System during the trial, having an average processing time of 5.8 days.
- 19 During the trial period, the overall average DA determination timeframe for all DAs determined by CN was reduced from 50 days in May to 37 days in August (25% reduction), with the reduction largely attributable to the success of the ADA System. These results indicate that the ADA System will result in significant improvements to CN's DA processing times without any increase in employee costs.

**FINANCIAL IMPACT**

- 20 The ADA System has been designed to sit within the existing development assessment processes and system, and has been funded under operational budgets.

**COMMUNITY STRATEGIC PLAN ALIGNMENT**

- 21 The ADA System is consistent with Newcastle 2040 Community Strategic Plan and will contribute to the implementation of the following objectives:
  - 1. **Liveable Newcastle**
    - 1.1 **Enriched neighbourhoods and places**
      - 1.1.1. Great spaces
      - 1.1.2. Well-designed places
  - 4. **Achieving Together**
    - 4.3. **Collaboration and innovative approach**
      - 4.3.2. Innovation and continuous improvement

**IMPLEMENTATION PLAN/IMPLICATIONS**

- 22 The ADA System will be implemented in accordance with the *Environmental, Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2021* (EP&A Regs). The EP&A Act and Regs identify the process and responsibilities for the assessment of development applications.
- 23 Assessment of DAs through the ADA System will occur in accordance with the legislative requirements of the EP&A Act, EP&A Regs, Environmental Planning Instruments (EPIs) and relevant policies, such as the CN Development Control Plan 2012, Community Participation Plan, and the Assessment of CN Related Development Applications Policy.
- 24 The criteria for the ADA System do not mandate strict compliance with Newcastle Development Control Plan (NDCP) 2012, instead it allows for a detailed merit-based assessment to be undertaken by CN assessment staff. The ADA System is unlike complying development.

**RISK ASSESSMENT AND MITIGATION**

- 25 Probity and integrity of the Authorised Consultant Pathway is ensured through the formal application process and requirement for accepted Authorised Consultants to enter into a Deed of Agreement with CN.
- 26 A Governance Policy, including an internal auditing and review procedure, has been developed to manage this pathway. The Governance Policy has been reviewed by an external probity expert and internally by relevant legal officers.
- 27 The assessment of ADAs under the Authorised Consultant Pathway occurs in accordance with legislative requirements and in line with community objectives and expectations.
- 28 The assessment of and response to risks related to the assessment of development applications, which includes ADAs, is governed by CNs Corporate Risk Assessment Guidelines.
- 29 The assessment of and response to conflict of interests related to the model is governed by CNs Code of Conduct, the Authorised Consultant Governance Policy and the Assessment of CN Related Development Applications Policy.
- 30 Only simple, decision ready and low risk DAs are eligible to be assessed under the ADA System. All other DAs are assessed and determined via CN's existing processes.

**RELATED PREVIOUS DECISIONS**

- 31 There are no related previous decisions in relation to this matter.

**CONSULTATION**

- 32 Consultation has occurred with the Department of Planning and Environment Planning Delivery Unit, AUSGRID, other Councils, developers and other key stakeholders throughout the project and creation of the ADA System.
- 33 The Liveable Cities Advisory Committee was briefed on 6 September 2022 and the project was reported to the Audit and Risk Committee on 8 September 2022.
- 34 A Councillor Workshop was held on 20 September 2022.
- 35 DAs will continue to be publicly notified and exhibited in accordance with CN's Community Participation Plan.

**BACKGROUND**

- 36 The last two years has seen an influx of small-scale residential developments, in particular alterations and additions to dwellings. A total of \$1.85 billion in new development was assessed by (CN during the last 12 months, with more than 1,650 DAs determined, in addition to state significant developments, which is up 25% from just two years ago.
- 37 With DA numbers anticipated to continue to increase, and a need to maintain and improve timely determinations, CN identified that a change in system and approach would be required to effectively manage the increase in application numbers.
- 38 Widespread benchmarking of other Council's within NSW, Australia and New Zealand was undertaken. The review identified scope to improve efficiency and remove challenges when assessing DAs.

**OPTIONS**

**Option 1**

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

**Option 2**

- 40 Council does not receive and note the report. This is not the recommended option.

**ATTACHMENTS**

**Item 72 Attachment A:** Accelerated Development Application System Process Map

**Item 72 Attachment A distributed under separate cover**



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

**REPORT BY: GOVERNANCE**  
**CONTACT: DIRECTOR GOVERNANCE AND CHIEF FINANCIAL OFFICER / MANAGER REGULATORY, PLANNING AND ASSESSMENT**

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**PURPOSE**

To adopt amendments to four sections of the Newcastle Development Control Plan 2012 (NDCP 2012).

**RECOMMENDATION**

That Council:

- 1 Adopts Section 4.02 Bush Fire Protection (**Attachment A**), Section 4.03 Mine Subsidence (**Attachment B**), Section 4.04 Safety and Security (**Attachment C**) and Section 7.03 Traffic, Parking and Access (**Attachment D**) of Newcastle Development Control Plan 2012.
- 2 Notes that once adopted, the amendments will become operational from 1 November 2022.

**KEY ISSUES**

- 3 The process to review and update NDCP 2012 is in accordance with the *Environmental Planning and Assessment Act, 1979* (EP&A Act) and associated regulations. The review aims to satisfy the Council resolution of 27 October 2020 to ensure NDCP 2012 is consistent with City of Newcastle (CN) adopted strategies and plans. The proposed changes support improved sustainability, flexibility for development, improved housing affordability, will reduce peak vehicle trip congestion and encourage active and public transport.
- 4 CN exhibited the draft NDCP 2012 from 16 May 2022 to 12 June 2022 and received eight submissions which are summarized in **Attachment F** and discussed in the following paragraphs.
- 5 Several amendments have been made to draft Section 7.03 Traffic, Parking and Access as a result of submissions received during the public exhibition period and consultation with key stakeholders. A marked up version of this section is at Attachment E, with the main changes including:
  - i) 7.03.02F - Electric vehicle (EV) parking additional controls, objective clarification and definitions around electric vehicles (discussed further below).

- ii) Improving the objectives of 7.03.02A – Parking rates for *denser urban areas* (Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone) subject to the performance assessment of parking and incorporating options for active and public transport modes.
  - iii) Controls of 7.03.02A – Parking rates for *denser urban areas* furthering the intent for a performance assessment of parking for areas that are more accessible. This includes incorporation of the CN Parking Plan 2021 - Newcastle Parking Management Framework as a performance consideration to provide additional consideration to on street parking impacts.
  - iv) Removal of the control for a Planning Agreement to offer a monetary contribution in lieu of on-site car parking. Such planning agreements are guided and considered in accordance with CN's Planning Agreement Policy and procedure.
  - v) Consistent with the update to performance assessment of parking in *denser urban areas*, Objectives of 7.03.03B - Green Travel Plans are to reflect and outline the transport options available in Newcastle and transport modal splits.
  - vi) Various minor updates and amendments to other objectives, controls and in document references.
- 6 One submission (from the local development industry) expressed concerns about the proposed electric vehicle (EV) controls and the potentially unreasonable electrical demand (with substations) and development costs. The concern relates to medium to high density residential development. A control for a load management system was therefore advised as a strategy to offset or mitigate an increased demand for electricity and limit charging in peak periods.
- 7 CN Officers met with key stakeholders (including local industry groups, Ausgrid and electrical engineers) to discuss concerns and possible solutions. Further consultation, investigation, and benchmarking of relevant development controls, led to refinements and additional controls for higher density residential development. This includes a requirement for an EV Distribution Board and EV Load Management System with the intent that EV charging can supply not less than 50% of EV connections at full power at any one time during off-peak periods, lessening power demand.
- 8 The development controls relating to EV technology are likely to continue to advance. The relevance and currency of this control will be reviewed with key stakeholders in two years to monitor the controls against CN objectives in the CN Parking Plan 2021.
- 9 A delayed starting date of 1 November 2022 is proposed for the amendments to the NDCP 2012. This can be specified in the public notice providing advance notice for applicants and assessing officers for development applications.

**FINANCIAL IMPACT**

- 10 The costs to CN associated with preparing and implementing the amendments to the draft NDCP 2012 are met under Council's operational budget.

**COMMUNITY STRATEGIC PLAN ALIGNMENT**

- 11 The amendments to the NDCP 2012 are consistent with Newcastle 2040 Community Strategic Plan and will contribute to the implementation of the following objectives:

- 1. Liveable Newcastle**

- 1.1 Enriched neighbourhoods and places**

- 1.1.2 Well-designed places

- 1.2 Connected and fair 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

- 2. Sustainable Newcastle**

- 2.1 Action on climate change**

- 2.1.1 Towards net zero emissions

- 2.1.3 Resilient urban and natural areas

- 3. Creative Newcastle**

- 3.4 City-shaping partnerships**

- 3.4.1 Optimise city opportunities

- 4. 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 experience

**4.3 Collaboration and innovative approach**

4.3.2 Innovation and continuous improvement

**IMPLEMENTATION PLAN/IMPLICATIONS**

- 12 The process and requirements to prepare and amend a DCP are specified in the EP&A Act and Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).
- 13 Council may approve the draft NDCP 2012 (with or without amendments) or decide not to proceed.

**RISK ASSESSMENT AND MITIGATION**

- 14 The legislative process has been met. This included the recommended public exhibition period of 28 days.

**RELATED PREVIOUS DECISIONS**

- 15 Council adopted the NDCP 2012 on 15 November 2011 and it came into effect on 15 June 2012 when the new Local Environmental Plan 2012 was gazetted.
- 16 Council resolved on 27 October 2020 to review the NDCP 2012 to ensure consistency with CN adopted strategies and plans, such as the Local Strategic Planning Statement, Parking Plan, and the Local Housing Strategy.
- 17 Council resolved to exhibit the proposed changes to the draft NDCP 2012 on 26 April 2022.

**CONSULTATION**

- 18 CN exhibited the draft NDCP 2012 from 16 May 2022 to 12 June 2022. Prior to exhibition, CN held early engagement information sessions with key stakeholders, including the Urban Development Institute of Australia (UDIA), Property Council, Hunter and Central Coast Development Corporation, Building Designers Association of Australia (Newcastle Chapter committee) and the University of Newcastle.
- 19 CN's Have Your Say webpage and Development E-Newsletter invited the community to comment on the draft NDCP 2012.

- 20 The Liveable Cities Advisory Committee (LCAC) and the LCAC DCP Working Party have been updated post exhibition in September 2022. LCAC endorsed presenting the package to Council.
- 21 Six formal submissions were received during the exhibition period plus two late submissions from local property/development groups. These represented the views of community members, a community group, a business owner and industry groups. A summary of the submissions is included in **Attachment F**. The summary outlines the matters raised, a planning response and resulting actions.

## **BACKGROUND**

- 22 It is usual practice to regularly review a DCP to ensure it guides and facilitates development permissible under any environmental planning instrument. The NDCP 2012 is kept under regular review with numerous amendments since its adoption in 2012. This review aims to satisfy the Council's resolution at its October 2020 Ordinary Council Meeting. That resolution was for a broad review to ensure its NDCP 2012's consistency with CN adopted strategies, such as the Local Strategic Planning Statement, Parking Plan, and the Local Housing Strategy.

## **OPTIONS**

### **Option 1**

- 23 The recommendations as at Paragraph 1. This is the recommended option.

### **Option 2**

- 24 That Council does not adopt NDCP 2012. This is not the recommended option.

## **REFERENCES**

## **ATTACHMENTS**

<b>Item 73 Attachment A:</b>	Section 4.02 Bush Fire Protection – Newcastle Development Control Plan 2012
<b>Item 73 Attachment B:</b>	Section 4.03 Mine Subsidence – Newcastle Development Control Plan 2012
<b>Item 73 Attachment C:</b>	Section 4.04 Safety and Security – Newcastle Development Control Plan 2012
<b>Item 73 Attachment D:</b>	Section 7.03 Traffic, Parking and Access – Newcastle Development Control Plan 2012
<b>Item 73 Attachment E:</b>	Markup Section 7.03 Traffic, Parking and Access – Newcastle Development Control Plan 2012
<b>Item 73 Attachment F:</b>	Submissions table

**Items 73 Attachments A - F distributed under separate cover**

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

**REPORT BY: GOVERNANCE**  
**CONTACT: DIRECTOR GOVERNANCE & CHIEF FINANCIAL OFFICER /**  
**MANAGER REGULATORY, PLANNING AND ASSESSMENT**

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**PURPOSE**

To place the draft Planning Agreement and Explanatory Note for 10 Dangar Street, Wickham on public exhibition.

**RECOMMENDATION**

That Council:

- 1 Places the draft Planning Agreement (**Attachment A**) and Explanatory Note (**Attachment B**) for 10 Dangar Street, Wickham on public exhibition for 28 days.
- 2 Considers a report on the draft Planning Agreement and Explanatory Note following public exhibition.

**KEY ISSUES**

- 3 DA2022/00448 was lodged with Council on 20 May 2022 seeking alterations and additions to an approved development (DA2018/01197.02) at 10 Dangar Street, Wickham. The original DA was approved by the Hunter and Central Coast Regional Planning Panel. The current application includes an offer to enter into a Planning Agreement with Council.
- 4 DA2022/00448 proposes to increase the Floor Space Ratio (FSR) from the approved 5.87:1 to 6.9:1 and increase the Height of Buildings (HOB) from the approved 47.65m to 58.75m through a variation to the existing controls in Newcastle Local Environmental Plan 2012 (NLEP 2012).
- 5 These changes add approximately 3,065m<sup>2</sup> of gross floor area (GFA) above that approved on the site. This would create three additional residential storeys above the approved fourteen storey development.
- 6 The variation is consistent with the adopted Wickham Masterplan (WMP) 2021 and the Community Infrastructure Incentives Planning Proposal. In these documents the site has a maximum incentive HOB of 60m and a maximum incentive FSR of 7:1.
- 7 The draft Planning Agreement proposes a monetary contribution of \$1,587,976.50 (inclusive of GST) paid to CN in connection with the proposed development at the site. The contribution will be used towards the provision of local public amenities or infrastructure that supports the implementation of the WMP 2021 and the Wickham Public Domain Plan (in progress).

- 8 The proposed monetary contribution is based on the floorspace above that approved at the site under DA2018/01197.02. It is consistent with the Draft GFA Rate in the Community Infrastructure Incentives Planning Proposal (\$518.10 per sqm of additional floorspace).
- 9 The Explanatory Note supports the draft Planning Agreement with a plain English summary as required by clause 205 of the Environmental Planning and Assessment Act Regulation 2021 (EP&A Regulation). The Explanatory Note contains an assessment of the merits of the draft Planning Agreement and how it promotes the public interest.
- 10 CN will continue to assess the development application on its merits. It is expected to be reported to the Development Application Committee (DAC) later in 2022.

### **FINANCIAL IMPACT**

- 11 The applicant has funded the preparation of the draft Planning Agreement and will fund CN's legal review of the draft Planning Agreement and public exhibition.
- 12 The draft Planning Agreement will assist CN in providing community infrastructure in Wickham not otherwise able to be funded through section 7.12 infrastructure contributions.

### **NEWCASTLE 2040 ALIGNMENT**

- 13 The draft Planning Agreement and Explanatory Note is consistent with Newcastle 2040 Community Strategic Plan and will contribute to the implementation of the following objectives:

#### **1. Liveable Newcastle**

##### **1.1 Enriched neighbourhoods and places**

1.1.1 Great spaces

1.1.2 Well-designed places

##### **1.3 Safe, active and linked movement across the city**

1.3.1 Connected cycleways and pedestrian networks

#### **3. Creative Newcastle**

##### **3.4 City-shaping partnerships**

3.4.1 Optimise city opportunities

#### **4. Achieving Together**

## 4.2 Trust and transparency

### 4.2.1 Genuine engagement

## IMPLEMENTATION PLAN/IMPLICATIONS

14 The draft Planning Agreement seeks to implement outcomes from the following adopted strategies, plans and policies of Council:

- i) Newcastle 2040 Community Strategic Plan, as identified above.
- ii) Newcastle Local Strategic Planning Statement, including the following planning priorities:
  - a) **Planning Priority 8:** Plan for growth and change in Catalyst Areas, Strategic Centres, Urban Renewal Corridors and Housing Release Areas.
  - b) **Planning Priority 9:** Sustainable, healthy and inclusive streets, neighbourhoods and local centres.
  - c) **Planning Priority 10:** Development responds to the desired local character of our communities.
  - d) **Planning Priority 14:** Enable the transition to new economy jobs and grow creative industries.
- iii) Wickham Masterplan 2021, including the following key priorities:
  - a) Improve accessibility and connectivity within Wickham and to adjoining areas.
  - b) Create safe, attractive and inclusive public spaces.
  - c) Ensure built environment is functional, responsive and resilient.
  - iv) Community Infrastructure Incentives Policy.

## RISK ASSESSMENT AND MITIGATION

- 15 An independent legal review of the draft Planning Agreement and Explanatory Note was undertaken prior to reporting and public exhibition.
- 16 The negotiation and preparation of the draft Planning Agreement is consistent with CN's Planning Agreements Policy and Planning Agreements Procedure. These documents outline how CN will consider, accept and implement offers made by developers to enter into Planning Agreements.
- 17 Adherence with the legislative framework outlined in the Environmental Planning and Assessment Act 1979 (EP&A Act) and the EP&A Regulation reduces the risk to both CN and the applicant.



- 18 The draft Planning Agreement includes a requirement that the monetary contribution must be paid to CN in full prior to the issuing of the Occupation Certificate for the development.

**RELATED PREVIOUS DECISIONS**

- 19 Nil.

**CONSULTATION**

- 20 Formal public consultation on the draft Planning Agreement and Explanatory Note will occur during the exhibition period. Exhibition material will be placed on the CN website in accordance with the EP&A Regulation and consistent with CN's adopted Community Participation Plan.
- 21 DA2022/00448 was publicly notified between 26 May 2022 and 9 June 2022. It has not yet been determined. CN received one submission during the notification period. DA2022/00448 will be renotified concurrently with the draft Planning Agreement and Explanatory Note.

**BACKGROUND**

- 22 DA2018/01197 was approved by the Hunter and Central Coast Regional Planning Panel on 30 April 2019. The application sought the demolition of all structures and the construction of a 14-storey mixed-use development at 10 Dangar Street, Wickham (known as the Bowline Development).
- 23 DA2018/01197.02 sought amendments to the approved DA2018/01197 in the form of an additional basement level, additional office space and other amendments. This application was approved by the Hunter and Central Coast Regional Planning Panel on 6 May 2021.

**Wickham Masterplan 2021 (July 2022)**

- 24 The subject site is within Area E in Map 9 of WMP 2021. Area E is afforded a maximum incentive FSR of 7:1 and a maximum incentive HOB of 60m should development provide identified community infrastructure.
- 25 The FSR control for Area E was amended from 6:1 to 7:1 as part of the WMP 2021 (2022 Amendment).
- 26 WMP 2021 (2022 Amendment) was endorsed by Council at the July 2022 Council meeting. It replaced the previous version of WMP 2021 and is known as the WMP 2021 (July 2022).

**Community Infrastructure Incentives in Wickham Planning Proposal**

- 27 The Community Infrastructure Incentives in Wickham Planning Proposal seeks to amend NLEP 2012 to implement the Community Infrastructure Incentives Policy in Wickham, consistent with the WMP 2021 (July 2022).

28 The Planning Proposal is currently with the Department of Planning and Environment for Gateway Determination. CN is seeking further advice to assist the Department with its assessment.

**OPTIONS**

**Option 1**

29 The recommendation as at Paragraphs 1 – 2. This is the recommended option.

**Option 2**

30 That Council does not endorse the draft Planning Agreement and Explanatory Note for public exhibition. This is not the recommended option.

**REFERENCES**

**ATTACHMENTS**

**Item 74 Attachment A:** Draft Planning Agreement – 10 Dangar Street, Wickham

**Item 74 Attachment B:** Explanatory Note – 10 Dangar Street, Wickham

**Item 74 Attachments A - B distributed under separate cover**

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

**REPORT BY:                GOVERNANCE**  
**CONTACT:                 DIRECTOR OF GOVERNANCE AND CHIEF FINANCIAL OFFICER / TRAFFIC & TRANSPORT MANAGER**

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**PURPOSE**

To approve the installation of a raised pedestrian crossing with kerb extensions on Wilkinson Avenue Birmingham Gardens, including associated lighting upgrades, landscaping, and southern footpath connection to Blue Gum Road.

**RECOMMENDATION**

That Council:

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

**KEY ISSUES**

- 2 A concept plan has been developed to improve safety and accessibility for people crossing Wilkinson Avenue Birmingham Gardens, west of Blue Gum Road. This concept has been developed to address factors contributing to crashes near the location, with two serious injury incidents involving pedestrians within the previous 5-year reporting period.
- 3 A proposal to install a raised pedestrian crossing was exhibited for 28 days (see **Attachment B**) with submissions closing 8<sup>th</sup> April 2022. The exhibited scope of works included:
  - a) Construction of a raised pedestrian crossing in Wilkinson Avenue with kerb extensions
  - b) Upgrade of street lighting
  - c) Relocation of eastbound bus stop
  - d) Signage and line marking works
  - e) Footpath connection on southern side of Wilkinson Avenue to Blue Gum Road.
- 4 Eight submissions were received and are collated in **Attachment C**. Seven of the submissions supported the crossing (two with changes). One submission did not support the crossing and suggested an alternate location for the crossing within Birmingham Gardens. Key issues relating to the proposal are as follows:

- a) Issues with cars turning left from Blue Gum Road at speed  
*CN response – The proposed raised threshold will contribute to lowering vehicle speeds in this area, with the crossing placed at a sufficient distance to enable motorists to have appropriate visibility of any pedestrians after completing the turning movement.*
  - b) Need for traffic calming on King Street due to 'rat running' traffic and potential for pedestrian crossing to increase traffic on King Street.  
*CN response – The issue of vehicles using King Street to bypass/circle the Wilkinson Avenue & Blue Gum Road intersection is known. This matter will continue to be monitored, with additional infrastructure reviewed under a Local Area Traffic Management study.*
  - c) Raised nature of crossing causing discomfort for people in vehicles  
*CN response – The threshold will be built to comply with appropriate Australia Standards and guidelines, with disturbance minimised for vehicles travelling at the recommended speed.*
- 5 An arborist report identified six trees that would be compromised and would need to be removed with the design, requiring tree sensitive design options to be considered. Instead, following extensive discussions between the project team and asset managers led to the decision to use a tree sensitive design with "Filtapave" instead of concrete for the footpath. This will require more frequent maintenance and cost and leads to a slope down to the properties, but all trees can be retained.

## FINANCIAL IMPACT

- 6 Design funding for the crossing upgrade was included in the 2022/23 Pedestrian Access and Mobility Plan Program (Transport Portfolio) under the Civil Works Program. Since adoption of the budget CN has achieved funding from the Transport for NSW (TfNSW) Safer Roads program to the value of \$250,000 towards this project for construction in 2022/23. Full construction funding will be proposed under the December quarterly review to meet the requirements of the grant.

## NEWCASTLE 2040 ALIGNMENT

- 7 The proposed raised pedestrian crossing on Wilkinson Avenue is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

### Liveable

- 1.1 Enriched neighborhoods and places
  - 1.1.1 Well-designed places
- 1.2 Connection and fair communities
  - 1.2.2 Inclusive communities
  - 1.2.3 Equitable communities
  - 1.2.4 Healthy communities
- 1.3 Safe, active and linked movement across the city
  - 1.3.1 Connected cycleways and pedestrian networks
  - 1.3.4 Effective public transport

**Sustainable**

2.1 Action on climate change

2.1.3 Resilient urban and natural areas

**IMPLEMENTATION PLAN/IMPLICATIONS**

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

**RISK ASSESSMENT AND MITIGATION**

- 10 The proposal has been developed to mitigate reported crashes at this location and improve pedestrian safety through reduction in vehicle speed, prioritisation of the pedestrian movement, and providing for those needing accessible infrastructure.
- 11 Detailed design will address relevant Austroads and Transport for NSW guidelines and standards. Safety in design assessments and road safety audits will be undertaken.
- 12 Tree retention will reduce the urban heat island effects, limiting exposure of pedestrians and residents to extreme temperature.

**RELATED PREVIOUS DECISIONS**

- 13 Nil.

**CONSULTATION**

- 14 The proposal was exhibited for 28 days, with submissions closing 8 April 2022. Details were published on CN's website and copies of the flyer at **Attachment B** distributed to residents and mailed to non-resident owners.
- 15 Newcastle City Traffic Committee considered a report on the outcomes of the exhibition at its meeting of 26 April 2022 and endorsed the proposal for referral to Council.

**BACKGROUND**

- 16 Wilkinson Avenue is a 50km/h collector road forming part of a connection between sub-arterial Sandgate Road and arterial Newcastle Inner City Bypass (A37). Parking is generally permitted within road shoulders on both sides, apart from bus stops. Between King Street and Blue Gum Road School only bus routes operate with one stop on each side. Wilkinson Avenue forms a major barrier for pedestrians between Birmingham Gardens and Jesmond local centre, public transport stops, and shared paths.

- 17 Safety issues have been identified on Wilkinson Avenue, near Blue Gum Road, with TfNSW data indicating seven traffic incidents near the location, five of which included injuries, two of which were serious injury incidents involving pedestrians. Requests for improved intersection function and pedestrian crossing facilities have been made, and various options have been reviewed over previous years. Intersection changes such as a roundabout and signals have been considered, however were found to not be feasible due to impacts on the adjacent state road network.
- 18 Radar traffic survey conducted on Wilkinson Avenue west of Morris Street for the period 21/06/2018 to 29/06/2018 indicated average daily traffic volume was 10,039 vehicles per day, average vehicle speed was 52.8km/h and 85th percentile vehicle speed was 60.0 km/h.

**OPTIONS**

**Option 1**

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

**Option 2**

- 20 Council does not support the proposed pedestrian crossing upgrade in Wilkinson Avenue Birmingham Gardens. This is not the recommended option.

**REFERENCES**

**ATTACHMENTS**

- Item 77 Attachment A:** Wilkinson Avenue, Birmingham Gardens – Proposed raised pedestrian crossing at King Street
- Item 77 Attachment B:** Wilkinson Avenue, Birmingham Gardens – Consultation Flyer
- Item 77 Attachment C:** Wilkinson Avenue, Birmingham Gardens – Summary of submission

**Item 77 Attachments A - C distributed under separate cover**

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

**REPORT BY:                INFRASTRUCTURE AND PROPERTY**

**CONTACT:                 INTERIM DIRECTOR INFRASTRUCTURE AND PROPERTY /  
ACTING MANAGER ASSETS AND PROJECTS**

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**PURPOSE**

To approve the transfer of four parcels of land in Hunter, Scott and Merewether Streets, from Transport Asset Holding Entity (TAHE), allowing for the land to be dedicated as public road.

**RECOMMENDATION**

That Council:

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

**KEY ISSUES**

- 5     In September 2020, as part of the closeout process for the NLR, Transport for NSW (TfNSW) and City of Newcastle (CN) entered into an agreement to facilitate the asset handover of land portions in a three-stage process:
  - i)     Stage 1 – Wider Road Network – accepted June 2021;

- ii) Stage 2 – NLR Corridor between Newcastle Interchange via Worth Place to Telford Street – accepted August 2021; and
  - iii) Stage 3 – NLR Corridor Land Transfer – accepted January 2022 – currently awaiting transfer process.
- 6 Transferring the land from TAHE to CN allows for it to be subsequently dedicated as public road.

**FINANCIAL IMPACT**

- 7 The nominal costs associated with processing the land transfer will be borne by each party.
- 8 Future maintenance costs will be incorporated into relevant CN operational budgets.

**COMMUNITY STRATEGIC PLAN ALIGNMENT**

- 9 The decision to transfer the land with subsequent dedication to road aligns with the following Newcastle 2040 Community Strategic Plan priorities:

**Liveable**

- 1.3 Safe, active and linked movement across the city
- 1.3.2 Road networks

**Creative**

- 3.4 City-shaping partnerships
- 3.4.2 Advocacy and partnerships

**IMPLEMENTATION PLAN/IMPLICATIONS**

- 10 CN will publicly notify the proposal for the land to be classified as Operational Land in accordance with the Act. Should no objections be received, the Land will be classified as Operational Land in CN's land register. This will be followed by the public road dedication process by way of Gazette.

**RISK ASSESSMENT AND MITIGATION**

- 11 TfNSW in preparing the transfer documentation between TAHE and CN, noted a caveat granted in favour of Ausgrid over two of the parcels being:
- i) Lot 1 in Deposited Plan 1226551, and
  - ii) Lot 3 in Deposited Plan 1226551.
- 12 The caveat is the outcome of a deed between TfNSW and Ausgrid to create an easement for cabling. Ausgrid have consented to the transfers with caveats in place, to remain up until such time as the dedication of the land for public road process has been finalised.



- 13 No formal dedication of the land parcels as public road can occur, nor can any utility easements be formalised until the land transfer process is completed.

**RELATED PREVIOUS DECISIONS**

Nil.

**CONSULTATION**

- 14 CN has worked with TfNSW, Hunter Water, Ausgrid, Jemena and utility providers to ensure that all assets handed over to CN meet relevant technical and environmental specifications.

**BACKGROUND**

- 15 CN is the landowner for all Local, Regional and State Roads. CN is not the land owner for Freeways and Motorways which are held by TfNSW as the Road Authority. TfNSW dedicates land as public road under Section 10 of the *Roads Act 1993*. Through this process no formal property transfer is required. This land is transferred to CN as the Roads Authority for classified Local Roads in the Newcastle Local Government Area (LGA) and is consistent with other land ownership for roads across the LGA.
- 16 The land is being transferred from TAHE (not TfNSW) to CN. TAHE has no authority under the *Roads Act 1993* to dedicate land as public road. Therefore, in accordance with the provisions as stipulated under Section 377(1)(h) of the Act, the Land must first be transferred to CN and then subsequently dedicated as public road.

**OPTIONS**

**Option 1**

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

**Option 2**

- 18 Council resolves not to accept the transfer of the Land. The Land will then not be able to be dedicated as public road. This is not the recommended option.

**REFERENCES**

**ATTACHMENTS**

**Item 78 Attachment A:** Aerial Site Diagram

Item 78 Attachment A – Aerial Site Diagram



Lot 1  
DP1192409

Lot 1  
DP1226551

Lot 3  
DP1226551

Lot 5  
DP1226551

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

**REPORT BY: GOVERNANCE**  
**CONTACT: DIRECTOR GOVERNANCE AND CHIEF FINANCIAL OFFICER / MANAGER FINANCE**

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**PURPOSE**

To report on City of Newcastle's (CN) monthly performance. This includes:

- a) Monthly financial position and year to date (YTD) performance against the 2022/23 Operational Plan as at the end of August 2022.
- b) Investment of temporary surplus funds under section 625 of the *Local Government Act 1993* (Act), submission of report in accordance with the Act and clause 212 of the Local Government (General) Regulation 2005 (Regulation).

**RECOMMENDATION**

That Council:

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

**KEY ISSUES**

- 2 At the end of August 2022 the consolidated YTD actual operating position is a surplus of \$9.8m which represents a positive variance of \$7.3m against the budgeted YTD surplus of \$2.5m. This budget variance is due to a combination of income and expenditure variances which are detailed in **Attachment A**. The full budget for 2022/23 is a surplus of \$1.3m.
- 3 The net funds generated as at the end of August 2022 is a surplus of \$19.2m (after capital revenues, expenditure and loan principal repayments). This is a positive variance of \$10.3m to the YTD budgeted position of \$8.9m. This is primarily due to a timing variance in the delivery of CN's works program with a delay in the spend of project expenditure (both capital and operational expenditures).
- 4 CN's temporary surplus funds are invested consistent with CN's Investment Policy, Investment Strategy, the Act and Regulations. Details of all CN funds invested under section 625 of the Act are provided in the Investment Policy and Strategy Compliance Report (section 4 of **Attachment A**).

**FINANCIAL IMPACT**

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

**COMMUNITY STRATEGIC PLAN ALIGNMENT**

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

**Achieving Together**

- 4.1.1 Financial sustainability

**IMPLEMENTATION PLAN/IMPLICATIONS**

- 7 The distribution of the report and the information contained therein is consistent with:
- i) CN's adopted annual financial reporting framework,
  - ii) CN's Investment Policy and Strategy, and
  - iii) Clause 212 of the Regulation and section 625 of the Act.

**RISK ASSESSMENT AND MITIGATION**

- 8 No additional risk mitigation has been identified this month.

**RELATED PREVIOUS DECISIONS**

- 9 At the Ordinary Council Meeting held on 25 September 2018 Council adopted to receive an Executive Monthly Performance Report for July to May no later than one month after the month being reported as part of the annual financial reporting framework.
- 10 The Investment Policy Compliance Report included in the Executive Monthly Performance Report includes a specific confirmation in regard to compliance with Part E of the Investment Policy.

**CONSULTATION**

- 11 A monthly workshop is conducted with the Councillors to provide detailed information and a forum to ask questions.

**BACKGROUND**

- 12 The presentation of a monthly Executive Performance Report to Council and a workshop addresses the Council resolution for monthly reporting and exceeds the requirements of the Act.

**OPTIONS**

**Option 1**

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

**Option 2**

- 14 Council resolves to vary the recommendations in the adoption of the report.  
This is not the recommended option.

**REFERENCES**

**ATTACHMENTS**

**Item 79 Attachment A:** Executive Monthly Performance Report –  
August 2022

**Item 79 Attachment A distributed under separate cover**

**NOTICES OF MOTION**

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

**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 Friday 2 September 2022 from the abovenamed Councillors.*

**MOTION**

That City of Newcastle

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

**BACKGROUND**

CN has shown significant leadership in Australia regarding the adoption of smart city technologies and clean energy development.

As incentives increase for residents to replace petrol and diesel vehicles with electric vehicles, we must ensure that our residents with no off-street parking have easy access to streetside charging infrastructure close to their place of residence.

**ATTACHMENTS**

**NOM Item 30 Attachment A:** [UK.GOV On-street Residential Charge Point Guidance](#)

**NOM Item 30 Attachment B:** [Port Phillip Council Strategy](#)

**NOM Item 30 Attachment C:** [ARENA announcement re power pole trial](#)

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

**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 Friday 2 September 2022 from the abovenamed Councillors.*

**MOTION**

That City of Newcastle

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

**BACKGROUND**

CN has shown significant leadership in Australia regarding the adoption of smart city technologies and clean energy development.

CN's Adamstown Renewal Corridor strategy is now seeing a considerable increase in residential apartments in the precinct which will also contribute to demand for EV charging infrastructure.

As incentives increase for residents to replace petrol and diesel vehicles with electric vehicles, it's important that we ensure that our residents have easy access to EV charge points when we undertake our public domain works.

**ATTACHMENTS**

- NOM Item 31 Attachment A:**                    [NSW Government Electric Vehicle Strategy](#)  
**NOM Item 31 Attachment B:**                    [CarsGuide report - National Electric Vehicle Strategy](#)  
**NOM Item 31 Attachment C:**                    [NYTimes report - manufacturers ceasing production of ICE vehicles](#)  
**NOM Item 31 Attachment D:**                    [Bank Australia](#) announcement August 2022



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

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

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**PURPOSE**

*The following Notice of Motion was received on Thursday 15 September 2022 from the abovenamed Councillors.*

**MOTION**

That City of Newcastle:

- 1        Acknowledges the important role that carers play in our local community;
- 2        Supports the greater recognition and community inclusion of carers;
- 3        Supports National Carers Week (16 to 22 October 2022) by:
  - a.        promoting events on the City website, social media channels and the Community e-newsletter,
  - b.        providing venues,
  - c.        supporting the Memory Room Project at City Libraries,
  - d.        holding a morning tea for carers and service providers on 14 October,
  - e.        using internal media to raise awareness of the role of carers and the Carer's Charter with employees.
- 4        Seeks to be inclusive and supportive of employees who are carers and lead cultural and workplace change;
- 5        Complies with the NSW Carer Recognition Act and support the Carer's Charter;
- 6        Supports the development and funding of policy initiatives by State and Federal governments to support carers in their caring role;
- 7        Supports the priorities in the NSW Carer's Strategy 2020-2030, including the recognition and empowerment of carers and improved financial wellbeing and economic opportunity for carers;
- 8        Writes to the NSW Minister for Families and Communities, and Minister for Disability Services, the Hon. Natasha Maclaren-Jones MLC, and the Shadow Minister for Disability Inclusion, Kate Washington MP, calling upon the NSW Government to include local government in the next Action Plan (2023-2025) by consulting with Local Government NSW and local councils and developing Actions and measurable outcomes aligned to the priorities of the NSW Carers Strategy;

- 9 Writes to the Federal Minister for Social Services, the Hon. Amanda Rishworth MP, and the Federal Member for Newcastle, Sharon Claydon MP, advising of our City's support for action by the Federal Government to:
- a. develop with carers, carer organisations and state, territory and local government a new National Carer Strategy which identifies priorities and actions, and mandates measurable outcomes;
  - b. review the Carer Recognition Act 2010 (Commonwealth);
  - c. create a Carer Advisory Council to provide strategic advice to government about policy and carer engagement;

## **BACKGROUND**

The NSW Carer Recognition Act defines a carer as an individual who provides ongoing personal care, support and assistance to any other individual who needs it because that person has a disability, a medical condition, a mental illness or is frail and aged.

In NSW there are approximately 854,000 carers currently caring for a family member or a friend. Women represent 57.9% of all carers and 74% of primary carers in NSW. To replace the care provided by carers, the NSW government would have to spend more than \$25 billion each year. [see Carers NSW submission to the Women's Economic Opportunities Review March 2022]

Caring responsibilities create significant barriers to economic participation. Carers experience poorer employment outcomes with 52% employment to population ratio compared with 75.9% for people without caring responsibilities. On average around 28% of primary carers spend more than 60 hours per week caring for the main recipient of care. (Carers Australia) Caring responsibilities also create barriers to community participation for carers with options for replacement care limited by workforce shortages and funding shortfalls.

All levels of government have a role to play in recognising the work of carers, providing leadership for cultural change, and developing and acting on strategic priorities to achieve measurable improvements in financial and social wellbeing.

## **ATTACHMENTS**

**NOM Item 32 Attachment A:**

**NSW Carers Charter**

**NOM Item 32 Attachment A**

**NSW Carers Charter**

**1 Carers make a valuable contribution to the community**

- (a) NSW recognises the valuable social and economic contribution that carers make to the community.
- (b) Carers should have the same rights, choices and opportunities as other Australians.
- (c) Carers' unique knowledge and experience should be acknowledged and recognised.
- (d) The relationship between carers and the people they care for should be respected.

**2 Carers' health and well-being is important**

- (a) Carers should be supported to enjoy optimum health and well-being and to participate in family, social and community life, employment and education.
- (b) Carers should be supported to balance their caring role with other roles, such as work and education.

**3 Carers are diverse and have individual needs within and beyond their caring role**

- (a) The diverse needs of carers should be acknowledged and recognised in policy, programs and service delivery, taking into consideration culture and language, age, disability, religion, socio-economic status, place of residence, gender identity and sexual orientation.
- (b) Aboriginal and Torres Strait Islander values, heritage and concepts of caring should be respected and valued.
- (c) The additional challenges faced by carers who live in rural and remote areas should be acknowledged and recognised.
- (d) Children and young people who are carers should be supported to reach their full potential.

**4 Carers are partners in care**

- (a) The choices, views and needs of carers and of the people they care for should be taken into account in the assessment, planning, delivery and review of services provided to the people they care for.
- (b) Carers should be referred to, and assisted to access, appropriate supports and services.
- (c) Support for carers should be timely, responsive, appropriate and accessible.