

CITY OF NEWCASTLE

Minutes of the Ordinary Council Meeting held in the Council Chambers, 2nd Floor City Hall, 290 King Street, Newcastle on Tuesday 28 November 2017 at 5.35pm.

PRESENT

The Lord Mayor (Councillor N Nelmes), Councillors M Byrne, J Church, D Clausen, C Duncan, J Dunn, K Elliott (*arrived 7.02pm*), B Luke (*retired 6.55pm*), J Mackenzie, A Rufo, E White and P Winney-Baartz.

IN ATTENDANCE

J Bath (Interim Chief Executive Officer), A Baxter (Interim Director Corporate Services), K Liddell (Director Infrastructure), P Chrystal (Director Planning and Regulatory), E Kolatchew (Interim Manager Legal and Governance), P Nelson (Manager Commercial Property), J Gaynor (Manager Strategic Planning), P Moore (Manager Facilities and Recreation), I Challis (Acting Manager Projects and Contracts), P McCarthy (Interim Manager Regulatory Services), K Arnott (Corporate Strategist), M Murray (Policy Officer), D Fischetti (Media Officer), B Johnson (Media Officer), K Sullivan (Council Services/Minutes) and J Redriff (Council Services/Webcasting).

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.

MESSAGE OF ACKNOWLEDGEMENT

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

APOLOGIES

MOTION

Moved by Cr Luke, seconded by Cr White

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

Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor Luke

Councillor Luke declared a non-pecuniary less than significant conflict of interest in Item 117 - Executive Monthly Performance Report as it included the re-investment Surplus Funds Report which mentions multiple financial institutions and many financial institutions that he had dealings with in his business. The declaration is less than significant as he noted he was not involved in determining where funds are invested and was just receiving a report.

Councillor Clausen

Councillor Clausen declared a non-pecuniary less than significant interest in Item 131 - Harriet Street and Christo Road Waratah - Adoption of Amendment to Newcastle Local Environment Plan 2012 stating that he lived approximately 100 metres from the rezoning site but outside of the area. Councillor Clausen stated he did not see a perceived conflict of interest in respect to matter.

Councillor Clausen

Councillor Clausen declared a non-significant pecuniary interest in Notice of Motion Item 34 - Sewerage Services for Hexham stating that the item related to his employer and he would leave the Chamber for discussion on the item.

Councillor Clausen

Councillor Clausen declared a non-significant pecuniary interest in Item 124 - Fort Wallace Stockton - Endorsement of Amendment to Newcastle LEP 2012 and DCP 2012 stating that the item related to his employer and he would leave the Chamber for discussion on the item.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - EXTRAORDINARY PUBLIC VOICE COMMITTEE 18 OCTOBER 2017
MINUTES - ORDINARY COUNCIL MEETING 24 OCTOBER 2017

MOTION

Moved by Cr Clausen, seconded by Cr Duncan

The draft minutes as circulated be taken as read and confirmed subject to the minutes of the Ordinary Council Meeting 24 October 2017 with respect to Item 104 - Appointment of Councillor Representatives to External Committees being amended to read:

The motion be dealt with seriatim as Parts A and B. Part A to deal with all committees ~~including~~ excluding the Hunter Water Corporation Forum and Part B to deal with the appointment to the Hunter Water Corporation Forum to be dealt with separately due to Councillor Clausen's conflict of interest.

Carried

PRESENTATION

The Lord Mayor presented the Virgin Australia Supercars Championship Fans' Choice Award - Best Event: Coates Hire Newcastle 500 to Newcastle City Council which was awarded at the Virgin Australia Supercars Gala Dinner held Monday 27 November 2017.

LORD MAYORAL MINUTE

ITEM-18 LMM 28/11/17 - ARMISTICE CENTENARY GRANTS PROGRAM

MOTION

Moved by Lord Mayor, Cr Nelmes

That Newcastle City Council:

- 1 Notes that the Federal Government is currently seeking Expressions of Interest for applications for the Armistice Centenary Grants Program (ACGP);
- 2 Notes that the ACGP is a one-off grants program providing grants of between \$3,000 to \$50,000 for local community-based projects and activities that commemorate the end of the First World War;
- 3 Submits an Expression of Interests for the Armistice Centenary Grants Program to the Federal Member for Newcastle, Sharon Claydon MP, for review by the Newcastle Community Reference Panel by Wednesday, 13 December 2017.

**Carried
unanimously**

ITEM-19 LMM 28/11/17 - INDIGENOUS PROCUREMENT POLICY (IPP)

MOTION

Moved by Lord Mayor, Cr Nelmes

That Newcastle City Council:

- 1 Notes that the Federal Government has introduced an Indigenous Procurement Policy (IPP), which includes a target that 3 per cent of Commonwealth contracts be awarded to Indigenous businesses - reflecting that Indigenous Australians are 3 per cent of the Australian population;
- 2 Notes that Minister for Indigenous Affairs, Senator the Hon. Nigel Scullion, advises Council that the IPP has so far exceeded Federal Government expectations, resulting in 956 Indigenous businesses around the country winning \$594 million in Commonwealth contracts;
- 3 Recognises that local government, as with all levels of government, has an important role to play in ensuring that policies are in place to provide more opportunities and better outcomes for Aboriginal and Torres Strait Islander Australians;
- 4 Notes The City of Newcastle's ongoing commitment to Aboriginal and Torres Strait Islander Peoples, first adopted in April 1998, including a formal commitment of Council to reconciliation;

- 5 Works with the Commonwealth, to explore suitable options for the introduction of an Indigenous Procurement Policy at Newcastle City Council, with the target of reaching at least 3 per cent of council contracts being awarded to Aboriginal and Torres Strait Islander businesses.

**Carried
unanimously**

**ITEM-20 LMM 28/11/17 - NATIONAL PARTNERSHIP AGREEMENT
ON NATIONAL DISASTER RESILIENCE FUNDING FOR
WALLSEND**

MOTION

Moved by Lord Mayor, Cr Nelmes

That Newcastle City Council:

- 1 Notes that the National Partnership Agreement on National Disaster Resilience, a joint partnership of the State and Federal Governments, has announced an additional \$1.7 million in funding for NSW councils to better understand and manage their flood risks
- 2 Notes that while Council has already undertaken substantial work to better understand and manage flooding at Wallsend, flood mitigation infrastructure is required to better protect the Wallsend CBD;
- 3 Applies for funding under the National Partnership Agreement on National Disaster Resilience, aimed at further addressing flooding issues at Wallsend.

**Carried
unanimously**

**ITEM-21 LMM 28/11/17 - DRAFT GREATER NEWCASTLE FUTURE
TRANSPORT PLAN**

MOTION

Moved by Lord Mayor, Cr Nelmes

Council

- 1 Notes that on 21 November 2017, the NSW Government released the *Draft Greater Newcastle Future Transport Plan (Attachment A)*, with the aim of providing a detailed plan for all forms of transport in Greater Newcastle, including public transport and active transport in the Lower Hunter. The Plan is a supplementary document to the Government's Draft Future Transport Strategy 2056 and provides the overarching strategic transport network and vision that will guide transport planning for the Greater Newcastle area;
- 2 Prepares a submission, on the Draft Greater Newcastle Future Transport Plan, for approval by the LM and CEO, in line with Council's adopted vision, policies and strategies. A copy of the submission to be provided to all Councillors;

- 3 Invites the Newcastle Coordinator General to provide Councillors with a briefing in February 2018 on the draft Plan, as well as updates on current major RMS projects including the M1 to Pacific Highway link, and the final stage of the Newcastle Inner City Bypass.

**Carried
unanimously**

**ITEM-22 LMM 28/11/17 - NEWCASTLE CITY COUNCIL DOMESTIC
VIOLENCE DISCUSSION PAPER**

MOTION

Moved by Lord Mayor, Cr Nelmes

That Newcastle City Council:

- 1 Notes that Saturday, 25 November 2017, marked White Ribbon Day, and International Day for the Elimination of Violence Against Women, a day to raise awareness about the prevention of domestic violence and to commit to eradicating violence against women;
- 2 Notes that following significant employee engagement, addressing domestic violence in our community has also been identified by Newcastle City Council staff as an issue of great importance;
- 3 Integrates staff support for raising awareness about the prevention of domestic violence into Council's new Community Impact Program;
- 4 Notes and supports Council's charity partner *Got Your Back Sista*, for Council's Supercars VIP event on White Ribbon Day, aimed at further reinforcing Council's support for the eradication of violence against women and raising the profile of local DV charities;
- 5 Develops a Newcastle City Council Domestic Violence discussion paper, exploring options for Newcastle City Council to continue to take a leadership role in local government and the community, while addressing both community concerns, and measures to support Newcastle City Council staff who are experiencing family and domestic violence;
- 6 Newcastle City Council takes a zero tolerance public stance against family and domestic violence in all its forms, and seeks to become a White Ribbon Accredited City alongside the Cities of Sydney, Melbourne, Blacktown, Cardinia, Dandenong, Surf Coast, Bass Coast and Mildura;
- 7 Notes council's current rates hardship programs and explores options to better extend availability to those suffering as a result of family and domestic violence.

PROCEDURAL MOTION

Moved by Cr Luke, seconded by Cr Rufo

The motion be dealt with seriatim:

- Parts 1 to 3 and 5 to 7; and
- Part 4

Defeated

The motion moved by the Lord Mayor, Cr Nelmes was put to the meeting.

**Carried
unanimously**

REPORTS BY COUNCIL OFFICERS

ITEM-118 CCL 28/11/17 - QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2017

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

Council receives the September Quarterly Budget Review Statement (**Attachment A**) and adopts the revised budget as detailed therein.

Carried

ITEM-120 CCL 28/11/17 - CROWN LAND MANAGEMENT IN THE NEWCASTLE LOCAL GOVERNMENT AREA

MOTION

Moved by Cr Clausen, seconded by Cr White

- 1 Council notes that an Expression of Interest has been submitted to the Department of Industry's Land Negotiation Program.
- 2 Council receive a report advising of the outcome of the application and future processes relevant to the program.

Carried

ITEM-122 CCL 28/11/17 - ADOPTION OF WICKHAM LOCAL AREA TRAFFIC MANAGEMENT PLAN

MOTION

Moved by Cr Mackenzie, seconded by Cr Dunn

Council resolves to adopt the Wickham Local Area Traffic Management Plan Study.

Carried

ITEM-127 CCL 28/11/17 - REVIEW COMMUNITY ASSETS AND OPEN SPACE POLICY

MOTION

Moved by Cr Clausen, seconded by Cr Winney-Baartz

Council adopt the draft Community Assets and Open Space Policy in **Attachment A**.

Carried

ITEM-128 **CCL 28/11/17 - RESCIND OF ACCESS POLICY (2003)**

MOTION

Moved by Cr White, seconded by Cr Winney-Baartz

Council rescinds the *Access Policy (2003)*.

Carried

ITEM-132 **CCL 28/11/17 - TEMPORARY SUSPENSION OF ALCOHOL
FREE ZONE, CAR PARK EASTERN SIDE QUEENS WHARF,
WHARF ROAD**

MOTION

Moved by Cr Dunn, seconded by Cr Duncan

Council approve the temporary suspension of the Alcohol Free Zone for the car park adjacent to the eastern side of Queens Wharf, Wharf Road Newcastle from 6am Sunday 31 December 2017 to 1am Monday 1 January 2018 for the purpose of staging Newcastle City Council's New Year's Eve event. This suspension is subject to Council's Events Management Team meeting all requirements of the Newcastle Local Area Command (LAC) and Council.

Carried

ITEM-117 **CCL 28/11/17 - EXECUTIVE MONTHLY PERFORMANCE
REPORT - OCTOBER 2017**

MOTION

Moved by Cr Clausen, seconded by Cr Dunn

The report be received.

Carried

ITEM-119 **CCL 28/11/17 - ENDORSEMENT OF 2016/17 ANNUAL REPORT**

The Interim Director Corporate Services circulated an all Councillor memo in respect of Item 119 - Endorsement of 2016/17 Annual Report. An omission had been identified in that additional wording was required at page 72 on the Attachment to the Council report, reference *Council Officer Overseas Visits*. The additional wording was to state '*during the 2017/17 financial year one Council Officer undertook an overseas visit as part of their Council duties*'.

MOTION

Moved by Cr Clausen, seconded by Cr Dunn

That Council endorses Newcastle City Council's 2016/17 Annual Report in respect of the year ended 30 June 2017 and notes that it will be submitted to the NSW Minister for Local Government by 30 November 2017, as amended below:

- the inclusion of additional wording outlined in the all Councillor memo circulated 28 November 2017 to state that '*during the 2017/17 financial year one Council Officer undertook an overseas visit as part of their Council duties*', page 72 of the Attachment, reference *Council Officer Overseas Visits*.
- the inclusion of a major contract omitted from the Contracts table outlined in the email circulated.

Councillor Luke stated that with the exception of the information provided in the all Councillor memo he was unaware of the major contract being referred to by Councillor Clausen.

The Interim Chief Executive Officer advised that a copy of the information contained in the email sent to Councillor Clausen would be circulated to Councillors at the meeting.

PROCEDURAL MOTION

Moved by Cr Luke, seconded by Cr Rufo

Item 119 - Endorsement of 2016/17 Annual Report be moved to the end of the agenda report items to enable the distribution of the required information.

Carried

ITEM-121 CCL 28/11/17 - LAMBTON POOL REFURBISHMENT AND UPGRADE

MOTION

Moved by Cr Rufo, seconded by Cr Church

- 1 Council continue developing planning for a staged approach to the redevelopment and upgrade of Lambton Pool and allocate funding in the 2019 financial year to undertake the first stage.
- 2 Council continue discussions with Venues NSW regarding aquatic opportunities in the planning for the Hunter Sports and Entertainment Precinct.

Councillor Clausen gave notice of a foreshadowed motion that being the recommendation in the Officer's report as outlined in the Business Papers.

Councillor Rufo moved a point of order.

The Lord Mayor did not uphold the point of order.

The motion moved by Councillor Rufo and seconded by Councillor Church was put to the meeting.

Defeated

MOTION

Moved by Cr Clausen, seconded by Cr Dunn

- 1 Council continue developing planning for a staged approach to the redevelopment and upgrade of Lambton Pool.
- 2 Council continue discussions with Venues NSW regarding aquatic opportunities in the planning for the Hunter Sports and Entertainment Precinct.

Councillor Clausen spoke in support of the motion.

Councillor Luke raised a point of order.

The Lord Mayor did not uphold the point of order.

PROCEDURAL MOTION

Moved by Cr Luke, seconded by Cr Rufo

Move dissent against the Lord Mayor's ruling.

Defeated

Councillor Dunn then moved a point of order.

The Lord Mayor upheld the point of order.

Councillor Luke sought clarification on Councillor Dunn's point of order. The Lord Mayor requested Councillor Luke to take his seat. The Lord Mayor restated that she was upholding Councillor Dunn's point of order. Councillor Luke pursued clarification of the point of order. The Lord Mayor ruled that Councillor Luke had committed an act of disorder and directed Councillor Luke to leave the meeting.

PROCEDURAL MOTION

Moved by Cr Luke, seconded by Cr Rufo

Move dissent against the Lord Mayor's ruling.

For the Procedural Motion:

Councillors Church, Luke and Rufo.

Against the Procedural Motion:

Lord Mayor, Cr Nelmes, Councillors Byrne, Clausen, Duncan, Dunn, Mackenzie, White and Winney-Baartz.

Defeated

Councillor Luke left the meeting at 6.57pm.

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

Carried

ITEM-123 CCL 28/11/17 - ADOPTION OF DRAFT WICKHAM MASTER PLAN

MOTION

Moved by Cr Mackenzie, seconded by Cr White

Council resolves to adopt the Wickham Master Plan as per **Attachment A.**

**Carried
unanimously**

**ITEM-124 CCL 28/11/17 - FORT WALLACE STOCKTON -
ENDORSEMENT OF AMENDMENT TO NEWCASTLE LEP 2012
AND DCP 2012**

Councillor Clausen left the Chamber for discussion on the item.

MOTION

Moved by Cr Dunn, seconded by Cr Winney-Baartz

Council resolves to:

- i) Endorse the Fort Wallace Planning Proposal, prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), to amend Newcastle LEP 2012 to enable the site to be used for residential and recreational purposes and protection or enhancement of the natural environment and heritage at the Fort Wallace site, 338 Fullerton Street, Stockton.
- ii) Forward the planning proposal to the Minister for Planning for Gateway determination pursuant to Section 56 of the EP&A Act.
- iii) Advise the Secretary of the Department of Planning and Environment that Council does not seek to exercise delegations for undertaking Section 59(1) of the EP&A Act.
- iv) Consult with the community and relevant government agencies as instructed by the Gateway determination.
- v) Place draft Section 6.14 Fort Wallace, Stockton of the DCP on public exhibition for a minimum period of 28 days, concurrently with the planning proposal.
- vi) Receive a report back on the planning proposal and draft DCP guidelines as per the requirements of Section 57 of the EP&A Act.

For the Motion: Lord Mayor, Cr Nelmes, Councillors Byrne, Church, Duncan, Dunn, Elliott, Mackenzie, Rufo, White and Winney-Baartz.

Against the Motion: Nil.

Carried

Councillor Clausen returned to the Chamber at the conclusion of the item.

ITEM-125 CCL 28/11/17 - ADOPTION OF AMENDMENT TO SECTION 4.04 - SAFETY AND SECURITY OF NEWCASTLE DEVELOPMENT CONTROL PLAN 2012

MOTION

Moved by Cr Mackenzie, seconded by Cr White

Council adopts the amended Section 4.04 Safety and Security of the Newcastle Development Control Plan 2012.

For the Motion: Lord Mayor, Cr Nelmes, Councillors Byrne, Church, Clausen, Duncan, Dunn, Elliott, Mackenzie, Rufo, White and Winney-Baartz.

Against the Motion: Nil.

Carried

ITEM-126 CCL 28/11/17 - REVIEW OF YOUTH WEEK GRANT POLICY

MOTION

Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

Council adopts the revised Youth Week Grant Policy (2017) as provided in **Attachment A**.

Carried

ITEM-129 CCL 28/11/17 - PUBLIC EXHIBITION OF DRAFT WEST END STAGE ONE - PUBLIC DOMAIN PLAN

MOTION

Moved by Cr White, seconded by Cr Church

Council approves release of the Draft West End Stage One - Public Domain Plan as outlined in **Attachment A** for community consultation for 8 weeks.

For the Motion:

Lord Mayor, Cr Nelmes, Councillors Byrne, Church, Clausen, Duncan, Dunn, Elliott, Mackenzie, Rufo, White and Winney-Baartz.

Against the Motion:

Nil.

Carried

ITEM-130

CCL 28/11/17 - SUBMISSION ON VENUES NSW HUNTER SPORTS AND ENTERTAINMENT PRECINCT CONCEPT PLAN

MOTION

Moved by Cr Clausen, seconded by Cr Dunn

Council endorses the draft Submission on Venues NSW Hunter Sports and Entertainment Precinct Concept Plan for lodgment with Venues NSW with the following modification.

Paragraph 7, Regional Aquatic Venue, to be replaced with:

“The Plan indicates potential provision of a Regional Aquatic Venue. Council presently owns Lambton Pool, located approximately 1.2 kilometers west of the Hunter Stadium Precinct. At 50 years of age, Lambton Pool is in need of significance maintenance and upgrades, and Council is presently preparing detailed design for staged upgrades valued at approximately \$30 million. With approximately 200,000 visitors annually, Lambton Pool is the Greater Newcastle region’s most well used aquatic facility.

Council embraces the opportunity to work with Venues NSW to consolidate a new aquatic facility within the Hunter Sports and Entertainment Precinct, noting that Newcastle ratepayers supported ‘improving our swimming pools’ as a high priority for Council’s 2012 Special Rates Variation. Council’s support for this proposal extends to financial partnership, noting however that Council will incur costs in modifying the use of Lambton Pool should a new regional venue be delivered at Broadmeadow.”

Paragraph 9, Connectivity, to be replaced with:

“The Plan presents an opportunity to improve pedestrian and cycle connectivity throughout the site, particularly through provision of crossing points over the EW drainage channel and linkages connecting the various plan precincts. Ausplay data from 2016 indicate cycling and walking are in the top five activities for adults.

Council reiterates its Connecting Newcastle vision, including its support for the provision of a light rail connection connecting Newcastle to Broadmeadow. This vision has been endorsed by Transport for NSW’s Draft Greater Newcastle Future Transport Plan (released Tuesday 21 November) which highlights the Newcastle Interchange/City Centre to Broadmeadow transport link as being a priority corridor for investigation.

In November 2017, Council commenced a park-and-ride service from McDonald Jones Stadium to the City Centre in partnership with the Hunter Development Corporation and transport provider Keolis Downer. While the scheme has only recently commenced, take up has been high, and return visitation strong, highlighting the significant demand for transport between this precinct and employment in the city centre. Council encourages Venues NSW to proactively seek transport connectivity as a key component of delivery of its Concept Plan.”

Carried

**ITEM-131 CCL 28/11/17 - HARRIET STREET AND CHRISTO ROAD
WARATAH - ADOPTION OF AMENDMENT TO NEWCASTLE
LOCAL ENVIRONMENTAL PLAN 2012**

MOTION

Moved by Cr Dunn, seconded by Cr Mackenzie

Council resolves to:

- i) Endorse the Planning Proposal - Harriet Street and Christo Road Waratah, prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), to amend Newcastle Local Environmental Plan 2012 (LEP) for land at 58-60 Harriet Street and 115 Christo Road, Waratah as follows:
 - a) Amend the Land Zoning Map to rezone the land from R2 Low Density Residential to R3 Medium Density Residential.
 - b) Amend the Floor Space Ratio (FSR) map to amend floor space ratio for the subject sites from 0.75:1 to 0.9:1.
 - c) Amending the Height of Buildings map by amending the maximum permitted height for the subject sites from 8.5m to 11m.
- ii) Forward the Planning Proposal to the Minister for Planning to be prepared and make pursuant to Section 56 of the EP&A Act.
- iii) Advise the Secretary of the Department of Planning and Environment that Council does not seek to exercise delegations for undertaking Section 59(1) of the EP&A Act.

For the Motion:

Lord Mayor, Cr Nelmes, Councillors Byrne, Church, Clausen, Duncan, Dunn, Elliott, Mackenzie, Rufo, White and Winney-Baartz.

Against the Motion:

Nil.

Carried

ITEM-119**CCL 28/11/17 - ENDORSEMENT OF 2016/17 ANNUAL REPORT**

Council returned to the item at approximately 7.30pm.

Councillor Clausen restated the motion.

MOTION

Moved by Cr Clausen, seconded by Cr Dunn

That Council endorses Newcastle City Council's 2016/17 Annual Report in respect of the year ended 30 June 2017 and notes that it will be submitted to the NSW Minister for Local Government by 30 November 2017 as amended below:

- the inclusion of additional wording outlined in the all Councillor memo circulated 28 November 2017 to state that '*during the 2017/17 financial year one Council Officer undertook an overseas visit as part of their Council duties*', page 72 of the Attachment, reference *Council Officer Overseas Visits*.
- Venue Management Services who provide the City Hall catering be included in the table of contractors, page 73 of the Attachment.

In regard to the City Hall catering contract, the Lord Mayor noted the contract value at \$1.2 million and enquired as to the reason the contract did not come before the elected Council.

The Interim Chief Executive Officer stated that he would take the question on notice.

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

Carried

NOTICES OF MOTION**ITEM-32****NOM 28/11/17 - THIS WAY HOME PROJECT****MOTION**

Moved by Cr Mackenzie, seconded by Cr White

That Council

- Affirms our role in addressing homelessness in Newcastle as predominantly regulatory, through the provision of strategic advocacy and participation in multi-agency partnerships, as outlined in The City of Newcastle: Social Strategy 2016 – 2019; and
- Notes the ongoing innovation and continuing success of the This Way Home Project as an exemplary multi-partnership model for breaking the cycle of chronic homelessness, and especially the contribution of Council and the partner organisations to that continuing success.
- Continue to seek similar opportunities to address homelessness in Newcastle through our Social Strategy and our commitment to affordable living.

**Carried
unanimously**

ITEM-33**NOM 28/11/17 - ISLINGTON PARK WASHROOM AMENITIES****MOTION**

Moved by Cr White, seconded by Cr Byrne

That

- 1 Council conduct a stocktake of the current washroom amenities signage and information panels currently installed in Islington Park with a view to determining whether the current signage/information panels contain the appropriate/relevant level of detail regarding the amenities available within the park.
- 2 Council based upon the outcome stocktake update any existing panels and signage to include details of the washroom amenities available within the park area (including opening times).
- 3 Council dependent on the stocktake outcome, install additional information panels and signage at and close to the children's playground informing park users of the available washroom amenities (including opening times) within the parks areas.
- 4 Council investigate the ability to bring forward works already identified as priority for the park to ensure the current amenities building are accessible for all users.

**Carried
unanimously**

ITEM-34**NOM 28/11/17 - SEWERAGE SERVICES FOR HEXHAM**

Councillor Clausen left the Chamber for discussion on the item.

MOTION

Moved by Cr Dunn, seconded by Cr Byrne

That Council:

- 1 Reiterates its support for the delivery of backlog sewerage services to the township of Hexham based on its proximity to the Hunter River and RAMSAR listed SEPP14 Wetlands, and the significant risk posed from sewage contamination to these water bodies.
- 2 Delegates authority to the Interim CEO to make a submission to the Independent Pricing and Regulatory Tribunal (IPART)'s Review of developer charges and backlog sewerage charges for metropolitan water agencies and that Councillors be given an opportunity to make comment on the draft submission.
- 3 Works in partnership with the community and relevant state agencies including the NSW Health, EPA, IPART and Hunter Water to advance the delivery of backlog sewer services to Hexham.

**Carried
unanimously**

Councillor Clausen returned to the Chamber at the conclusion of the item.

**ITEM-35 NOM 28/11/17 - RETENTION OF THE STORE FACADE IN
NEWCASTLE BUS INTERCHANGE**

MOTION

Moved by Cr Mackenzie, seconded by Cr Elliott

In relation to the Newcastle Bus Interchange Review of Environmental Factors (REF) and the Review of Submissions, completed by Transport for NSW, that Council:

- Acknowledges that the construction and operation of a new bus interchange adjacent to Newcastle Interchange at Wickham (the proposal) will have an impact that is not minor or inconsequential on a listed local heritage item under the Newcastle Local Environment Plan – namely the Former Newcastle Cooperative Store ('the Store');
- Advises Transport for NSW that the current proposal does not meet best practice heritage conservation and protection for listed local heritage items;
- Requests that the façade of the Store be retained and incorporated into future design options for the site;
- Requests that HDC undertake and provide to Council an independent peer review of the heritage assessment for the Store building; and
- Commits to pursue appropriate protection of that heritage item through formal consultation with Transport for NSW as per State Environmental Planning Policy (Infrastructure) 2007.

Councillor Clausen gave notice of a foreshadowed motion that being the Officers recommendation as outlined in the Director's comment.

The motion moved by Councillor Mackenzie and seconded by Councillor Elliott was put to the meeting:

For the Motion: Councillors Elliott and Mackenzie.

Against the Motion: Lord Mayor, Cr Nelmes, Councillors Byrne, Church, Duncan, Dunn, Clausen, Rufo, White and Winney-Bartz.

Defeated

MOTION

Moved by Cr Clausen, seconded by Cr White

- 1 Council request TfNSW to provide a workshop to Councillors on The Store's SoHI and proposed mitigation measures and;
- 2 Council commits to pursue appropriate recognition of The Store building through formal consultation with TfNSW as per State Environmental Planning Policy (Infrastructure) 2007.

Carried

CONFIDENTIAL REPORTS

PROCEDURAL MOTION

Moved by Cr Dunn, seconded by Cr Duncan

Council resolve into confidential session for the reasons outlined in the business papers.

Carried

Council resolved into confidential session at 8.39pm and reconvened at 9.00pm. The Interim Chief Executive Officer then reported the resolutions of confidential session.

ITEM-13 CON 28/11/17 - QUEENS WHARF TOWER

MOTION

Moved by Cr Dunn, seconded by Cr Duncan

- A Council approve the demolition of the Queens Wharf Tower and link-bridge.
- B Confidentiality be lifted on the report.

Carried

ITEM-14 CON 28/11/17 - CONFIDENTIAL PROPERTY MATTER - LOT 374 DP 755247

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

- i) Subject to land reclassification and amendment of the Newcastle Local Environmental Plan 2012 zoning to SP2 Infrastructure - Health Services Facility, Council endorses a direct sale of Lot 374 DP 755247 to LCM Calvary Health Care Holdings Limited for the agreed valuation amount. If the property is sold by expression of interest, only offers within 10% of the agreed Valuation will be considered.
- ii) Authority is granted to the Interim Chief Executive Officer or delegated officer to execute all relevant documentation to effect the transaction.
- iii) Net proceeds of the sale are to be credited to the Land and Property Reserve and allocated in accordance with the related Council resolution of 22 November 2016.
- iv) Confidentiality is to remain on this item until after the sale contract has been settled.

**Carried
unanimously**

ITEM-15

**CON 28/11/17 - CONFIDENTIAL PROPERTY REPORT - 685-687
HUNTER STREET NEWCASTLE**

MOTION

Moved by Cr Dunn, seconded by Cr Mackenzie

- 1 Council resolves to acquire part of Lot 1 DP 593753 as identified in the draft subdivision concept plan for an amount that is within 10% of the Valuation referred to in this report on the terms outlined in this confidential report.
- 2 Delegates to the Interim Chief Executive Officer authority to execute all relevant documentation to effect the transaction.
- 3 To publicly notify the proposal to classify the acquired land as Operational Land in accordance with section 34 of the *Local Government Act 1993*.
- 4 If no public submissions are received objecting to the classification proposal the property is classified as Operational.
- 5 This confidential report relating to the matters specified in s10A(2)(d) of the *Local Government Act 1993* be treated as confidential and remain confidential until finalisation of the transaction.

**Carried
unanimously**

Councillor Dunn declared a non-pecuniary interest in Notice of Motion Item 34 - Sewerage Services for Hexham stating that he was a Director of the Hexham Bowling Club and did not receive any remuneration for the position.

The meeting concluded at 9.04pm.