

## CITY OF NEWCASTLE

**Minutes of the Ordinary Council Meeting held in the Council Chambers, 2nd Floor City Hall, 290 King Street Newcastle on Tuesday 27 June 2017 at 5.40pm.**

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### **PRESENT**

The Lord Mayor (Councillor N Nelmes), Councillors D Clausen, D Compton, T Doyle, J Dunn, B Luke, S Posniak, A Robinson and S Waterhouse.

### **IN ATTENDANCE**

J Bath (Interim Chief Executive Officer), A Glauser (Acting Director Corporate Services), K Liddell (Acting Director Infrastructure), P Chrystal (Director Planning and Regulatory), J Gaynor (Manager Strategic Planning), P Collins (HR Projects Manager - Confidential Report), K Hyland (Manager Communications and Engagement), B Johnson (Media Officer), K Sullivan (Council Services/Minutes) and A Knowles (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 Doyle

The apologies submitted on behalf of Councillors Osborne and Rufo 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 60 - Executive Monthly Performance Report as it includes the Re-investment Surplus Funds Report in which many of the institutions mentioned he has day to day dealings with. The declaration is less than significant as he noted he is not involved in determining where funds are invested with and is just receiving a report.

#### **Councillor Clausen**

Councillor Clausen declared a pecuniary interest in Notice of Motion Item 15, Throsby Creek Action Plan. Councillor Clausen stated that he was a member of the Throsby Creek Government Agency referenced in the report representing his employer and would leave the Chamber for determination of the item.

## **CONFIRMATION OF PREVIOUS MINUTES**

**MINUTES - PUBLIC VOICE COMMITTEE 16 MAY 2017**  
**MINUTES - BRIEFING COMMITTEE 16 MAY 2017**  
**MINUTES - ORDINARY COUNCIL MEETING 23 MAY 2017**

### **MOTION**

Moved by Cr Clausen, seconded by Cr Waterhouse

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

**Carried**

## **LORD MAYORAL MINUTE**

**ITEM-9**                      **LMM 27/06/17 - INQUIRY INTO THE AUSTRALIAN GOVERNMENT'S ROLE IN THE DEVELOPMENT OF CITIES**

### **MOTION**

Moved by Lord Mayor, Cr Nelmes

1. Council makes a submission to the Commonwealth's House of Representatives Standing Committee on Infrastructure, Transport and Cities Inquiry into the Australian Government's role in the development of Cities.
2. Council works with its partners (including Hunter Councils, Future Cities Collaborative, Urban Growth NSW, The University of Newcastle and Hunter Business Chamber) to ensure that a range of voices with interest in Greater Newcastle are heard by the Inquiry.
- 3 The submission be reported to the July Council meeting.

**Carried  
unanimously**

**ITEM-10**                      **LMM 27/06/17 - NEWCASTLE AMBASSADOR PROGRAM**

### **MOTION**

Moved by Lord Mayor, Cr Nelmes

That:

Council develops a Newcastle Ambassador Program with key business and community stakeholders to help promote Newcastle as a Smart, Liveable and Sustainable City. To enhance and support the delivery of our visitor economy and awareness of Newcastle's unique assets as a place to live and work.

**Carried  
unanimously**

## REPORTS BY COUNCIL OFFICERS

### ITEM-60                    CCL 27/06/17 - EXECUTIVE MONTHLY PERFORMANCE REPORT - MAY 2017

#### MOTION

Moved by Cr Doyle, seconded by Cr Posniak

The report be received.

**Carried**

### ITEM-64                    CCL 27/06/17 - WRITE-OFF OF SUNDRY DEBT

#### MOTION

Moved by Cr Compton, seconded by Cr Posniak

Council resolve to write-off of an outstanding account totalling \$42,960.85 relating to unpaid rectification works costs, as set out in **Attachment A**.

**Carried**

### ITEM-65                    CCL 27/06/17 - INTEREST ON OVERDUE RATES AND CHARGES 2017/18

#### MOTION

Moved by Cr Posniak, seconded by Cr Waterhouse

- 1 Council adopts the rate of 7.5% per annum on interest on overdue rates and charges for the 2017/18 rating year. This is the maximum allowable by the Minister for Local Government.
- 2 The rate of interest on overdue rates and charges that are deferred against an eligible ratepayer's estate for the 2017/18 rating year be fixed at 3.1% per annum.

**Carried**

### ITEM-67                    CCL 27/06/17 - RENAMING OF THE NATIONAL PARK ATHLETICS TRACK

#### MOTION

Moved by Cr Compton, seconded by Cr Luke

Council approve the naming of the athletics track only as the Fearnley Dawes Athletics Track.

**Carried  
Unanimously**



**For the Motion:**

Lord Mayor, Cr Nelmes, Councillors Clausen, Compton, Doyle, Dunn, Luke, Posniak, Robinson and Waterhouse.

**Against the Motion:**

Nil.

**Carried**

**ITEM-73**

**CCL 27/06/17 - ADOPTION OF SECTION 3.03 RESIDENTIAL DEVELOPMENT OF NEWCASTLE DEVELOPMENT CONTROL PLAN 2012**

**MOTION**

Moved by Cr Posniak, seconded by Cr Dunn

Council adopt the amendments to Newcastle Development Control Plan 2012 (DCP) to rescind the following sections:

- i) 3.03 Dual Occupancy and Semi-Detached Dwellings
- ii) 3.04 Attached Dwellings and Multi Dwelling Housing
- iii) 3.05 Residential Flat Buildings
- iv) 3.06 Boarding Houses and Group Homes
- v) 3.07 Caravan Parks
- vi) 3.08 Seniors Housing
- vii) 7.01 Building Design Criteria

and incorporate a new Section 3.03 Residential Development as provided in **Attachment A** and associated amendments to Part 3 Land Use Specific Provisions, Part 6 Locality Specific Provisions, Part 7 Development Provisions and Part 9 Glossary, as provided in **Attachment B**.

**For the Motion:**

Lord Mayor, Cr Nelmes, Councillors Clausen, Doyle, Dunn, Posniak, Robinson and Waterhouse.

**Against the Motion:**

Councillors Compton and Luke.

**Carried**

**ITEM-61**

**CCL 27/06/17 - ADOPTION OF 2013-2018 DELIVERY PROGRAM, 2017/18 OPERATIONAL PLAN AND 2017/18 FEES AND CHARGES**

Council Officers were acknowledged and thanked for their efforts in preparing the delivery program reports.

**MOTION**

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

Council adopts the revised 2013-2018 Delivery Program in the form as attached at **Attachment A**, the 2017/18 Operational Plan in the form as attached at **Attachment B** and the 2017/18 Fees and Charges in the form as attached at **Attachment C**, subject to:

Reference - Attachment A - Special Rate Variation, page 44

- Amend *First Four Priority Projects* to 'Our Priority Projects'
- Add to 'Our Priority Projects':
  - 5 Improving Swimming Pools
  - 6 Modernising Council libraries
  - 7 Expanding the Art Gallery

**AMENDMENT**

Moved by Cr Clausen

That Council maintains 'Parking Meter Fees' and 'At Grade Carparks' Fees and Charges at 2016/17 levels, noting significant disruption due to light rail construction and changes with commercial car parks (including HDC's carparks at Honeysuckle)

The mover and seconder accepted Councillor Clausen's amendment into the motion.

The motion moved by Lord Mayor, Cr Nelmes and seconded by Councillor Doyle was put to the meeting.

**For the Motion:**

Lord Mayor, Cr Nelmes, Councillors Clausen, Doyle, Dunn and Posniak.

**Against the Motion:**

Councillors Compton, Luke, Robinson and Waterhouse.

**Carried**

## ITEM-62

## CCL 27/06/17 - MAKING OF THE RATES AND CHARGES FOR 2017/18

## MOTION

Moved by Cr Compton, seconded by Cr Dunn

1 Council makes the following rates and charges for the 2017/18 financial year:

RATE	MINIMUM RATE	AD Valorem Amount Cents in \$	BASE AMOUNT		ESTIMATED RATE YIELD P.A. \$'s
			\$	% of Total Rates	
<b>Ordinary Rates</b>					
Residential	Nil	0.201110	671.22	50	84,705,967
Farmland	\$896.30	0.329292	Nil	Nil	41,087
Business	\$896.30	1.668100	Nil	Nil	36,269,808.
<b>Business Sub-Categories</b>					
Major Commercial Shopping Centre - Kotara	\$896.30	2.971177	Nil	Nil	1,325,145
Major Commercial Shopping Centre - Jesmond	\$896.30	3.999433	Nil	Nil	519,926.
Major Commercial Shopping Centre - Waratah	\$896.30	4.428210	Nil	Nil	365,770
Major Commercial Shopping Centre - Wallsend	\$896.30	4.860286	Nil	Nil	416,527
Major Commercial Shopping Centre - The Junction	\$896.30	3.441691	Nil	Nil	195,488
Major Commercial Shopping Centre - Inner City	\$896.30	1.736400	Nil	Nil	257,074
Suburban Shopping Centres.	\$896.30	2.814102	Nil	Nil	261,993
Suburban Shopping Centres - Inner City	\$896.30	2.108604	Nil	Nil	149,500
Suburban Shopping Centres - Mayfield	\$896.30	3.715752	Nil	Nil	161,635
Kotara - Homemaker's Centre	\$896.30	1.280928	Nil	Nil	248,500
Kotara - Homemaker's Centre - South Zone	\$896.30	1.451925	Nil	Nil	271,510
Kooragang Industrial Coal Zone	\$896.30	1.605894	Nil	Nil	565,734
Kooragang North Industrial Coal Zone	\$896.30	2.196587	Nil	Nil	1,267,431
Kooragang Industrial Centre - Walsh Point	\$896.30	1.728006	Nil	Nil	1,126,660
Kooragang Industrial Centre	\$896.30	1.450175	Nil	Nil	1,460,918
Mayfield North Heavy Industrial Centre	\$896.30	0.908217	Nil	Nil	539,481

Mayfield North Industrial Centre	\$896.30	1.461152	Nil	Nil	382,067
Mayfield North Industrial Centre - Future Development	\$896.30	1.840943	Nil	Nil	316,642
Carrington Industrial Coal and Port Zone	\$896.30	2.847350	Nil	Nil	1,281,308
Carrington Industrial Centre	\$896.30	2.049414	Nil	Nil	1,169,267
Carrington Industrial Port Operations Use	\$896.30	2.282223	Nil	Nil	243,445
Broadmeadow Industrial Centre	\$896.30	3.343226	Nil	Nil	139,078
Hexham Industrial Centre	\$896.30	2.345770	Nil	Nil	809,859
<b>Special Rates</b>					
Hunter Mall	Nil	0.226651	Nil	Nil	88,077
Mayfield Business District	Nil	0.100260	Nil	Nil	72,830
Hamilton Business District - Zone A	Nil	0.190496	Nil	Nil	84,953
Hamilton Business District - Zone B	Nil	0.095248	Nil	Nil	33,719
Hamilton Business District - Zone C	Nil	0.047624	Nil	Nil	14,309
Wallsend Business District - Zone A	Nil	0.375751	Nil	Nil	102,439
Wallsend Business District - Zone B	Nil	0.187876	Nil	Nil	13,811
Wallsend Business District - Zone C	Nil	0.281813	Nil	Nil	24,151
New Lambton Business District	Nil	0.114534	Nil	Nil	14,566
City Centre - City East	Nil	0.278329	Nil	Nil	181,703
City Centre - Darby St	Nil	0.062444	Nil	Nil	28,141
City Centre - City West (Close Zone)	Nil	0.115006	Nil	Nil	233,359
City Centre - City West (Distant Zone)	Nil	0.057503	Nil	Nil	18,363
City Centre – Tower	Nil	0.278329	Nil	Nil	172,968
City Centre – Mall	Nil	0.278329	Nil	Nil	120,963
City Centre – Civic (Close Zone)	Nil	0.155644	Nil	Nil	87,677
City Centre – Civic (Distant Zone)	Nil	0.077822	Nil	Nil	6,336
<b>TOTAL</b>					<b>135,790,185</b>

- 2 An Ordinary Rate of zero point two zero one one one zero cents (0.201110c) in the dollar with a 50% base charge of six hundred and seventy one dollars and twenty two cents (\$671.22) named **RESIDENTIAL**, apply to all rateable land in The City of Newcastle Local Government Area (LGA) categorised as Residential.
- 3 An Ordinary Rate of zero point three two nine two nine two cents (0.329292c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **FARMLAND**, apply to all rateable land in The City of Newcastle LGA categorised as Farmland.



- 4 An Ordinary Rate of one point six six eight one zero cents (1.66810c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS**, apply to all rateable land in The City of Newcastle LGA categorised as Business **except** that rateable land determined to be in the Business Sub-Categories - Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City), Suburban Shopping Centres, Suburban Shopping Centres (Inner City), Suburban Shopping Centre - Mayfield, Kotara, Homemaker's Centre, Kotara, Homemaker's Centre - South Zone, Kooragang Industrial Coal Zone, Kooragang North Coal Zone, Kooragang Industrial Centre, Kooragang Industrial Centre - Walsh Point, Mayfield North Heavy Industrial Centre, Mayfield North Industrial Centre, Mayfield North Future Industrial Development Centre, Carrington Industrial Coal Zone, Carrington Industrial Centre, Carrington Industrial Port Operations Use, Carrington Industrial Coal and Port Zone, Broadmeadow Industrial Centre and Hexham Industrial Centre.
- 5 An Ordinary Rate of two point nine seven one one seven seven cents (2.971177c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - KOTARA**, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Kotara located on a site of greater than eight hectares (80,000m<sup>2</sup>), providing at least six thousand square metres (6,000m<sup>2</sup>) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of thirty (30) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Kotara.
- 6 An Ordinary Rate of three point nine nine nine four three three cents (3.999433c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - JESMOND**, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Jesmond providing at least six thousand square metres (6,000m<sup>2</sup>) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Jesmond.
- 7 An Ordinary Rate of four point four two eight two one zero cents (4.428210c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - WARATAH**, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Waratah providing at least six thousand square metres

(6,000m<sup>2</sup>) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Waratah.

- 8 An Ordinary Rate of four point eight six zero two eight six cents (4.860286c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - WALLSEND**, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Wallsend providing at least six thousand square metres (6,000m<sup>2</sup>) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major **COMMERCIAL SHOPPING CENTRES - WALLSEND**.
- 9 An Ordinary Rate of three point four four one six nine one cents (3.441691c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES – THE JUNCTION**, apply to all rateable land in The City of Newcastle LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of The Junction providing at least six thousand square metres (6,000m<sup>2</sup>) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of fifteen (15) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres – The Junction.
- 10 An Ordinary Rate of one point seven three six four zero zero cents (1.736400c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES (INNER CITY)**, apply to all rateable land in The City of Newcastle LGA situated at Newcastle West within the centre of activity defined by Parry, National Park, King and Ravenshaw Streets, being utilised as a Major Commercial Centre (Inner City). "Major Commercial Centre – (Inner City)" being defined as a centre of commercial activity providing at least six thousand square metres (6,000m<sup>2</sup>) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres (Inner City).
- 11 An Ordinary Rate of two point eight one four one zero two cents (2.814102c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – SUBURBAN SHOPPING CENTRES**, apply to all rateable land in The City of Newcastle LGA, being utilised as a Suburban Shopping Centre. "Suburban Shopping Centre" being defined as a centre of commercial activity situated on a site of greater than 6000m<sup>2</sup> which operates and has a dominant use as a Supermarket excepting the land categorised as Major Commercial Shopping Centres - Kotara, Major

Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City) or Suburban Shopping Centre - Mayfield. This land is categorised as Sub-category Business - Suburban Shopping Centres.

- 12 An Ordinary Rate of two point one zero eight six zero four cents (2.108604c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – SUBURBAN SHOPPING CENTRES – INNER CITY**, apply to all rateable land in The City of Newcastle LGA, being utilised as an Inner City Suburban Shopping Centre. "Inner City Suburban Shopping Centre" being defined as a centre of commercial activity within the suburb of Newcastle West or Hamilton situated on a site of greater than four thousand and nine hundred square metres (4,900m<sup>2</sup>) which operates as a Supermarket excepting the land categorised as Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City), Suburban Shopping Centre – Mayfield and Suburban Shopping Centres. This land is categorised as Sub-category Business - Suburban Shopping Centres – Inner City.
- 13 An Ordinary Rate of three point seven one five seven five two cents (3.715752c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – SUBURBAN SHOPPING CENTRE - MAYFIELD** apply to all rateable land in The City of Newcastle LGA within the suburb of at Mayfield, being utilised as a Suburban Shopping Centre. "Suburban Shopping Centre" being defined as a centre of commercial activity situated on a site of greater than 1 Hectare.(1,000m<sup>2</sup>) which operates as a Supermarket. This land is categorised as sub-category Business – Suburban Shopping Centre - Mayfield.
- 14 An Ordinary Rate of one point two eight zero nine two eight cents (1.280928c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – KOTARA HOMEMAKER'S CENTRE** apply to all rateable land in The City of Newcastle LGA situated at Kotara, used for commercial purposes, within the centre of activity defined by Lot 501 DP 1174032 and Lot 181 DP 850168. This land is categorised as sub-category Business – Kotara Homemaker's Centre.
- 15 An Ordinary Rate of one point four five one nine two five cents (1.451925c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – KOTARA HOMEMAKER'S CENTRE - SOUTH ZONE** apply to all rateable land in The City of Newcastle LGA situated at Kotara, used for commercial purposes, within the centre of activity defined by Lot 220 DP 1014716. This land is categorised as sub-category Business – Kotara Homemaker's Centre - South Zone.
- 16 An Ordinary Rate of one point six zero five eight nine four cents (1.605894c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty

cents (\$896.30) named **BUSINESS – KOORAGANG INDUSTRIAL COAL ZONE** apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by the suburb of Kooragang being Lot 11 DP 841542, Lot 121 DP 874949, Lot 1 DP 1097327, Lot 5 DP 1097327, Lots 2, 5, 7, 9 DP 775774, Lot 1 DP 775775, Lot 1 DP 869622, Lot 18 DP 1119752. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Kooragang Industrial Coal Zone.

- 17 An Ordinary Rate of two point one nine six five eight seven cents (2.196587c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – KOORAGANG NORTH INDUSTRIAL COAL ZONE** apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by the suburb of Kooragang being Lots 2, 3, 6, 16 DP1119752, Lot 61 DP 1184395, Lot 62 DP 1184943, Lot 16 DP 262783, Lots 8 DP 1119752, Lots 29, 30, 31, 32 and 33 DP 1184229, Lots 4, 5, 6, 10, 11, 12 DP 1207051, Lots 3, 7, 8, 9, 13, 14, 15 DP 1207051 and Lot 22 DP 1155723. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Kooragang North Industrial Coal Zone.
- 18 An Ordinary Rate of one point seven two eight zero zero six cents (1.728006c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – KOORAGANG INDUSTRIAL CENTRE WALSH POINT** apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by the suburb of Kooragang being Lots 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22 DP 234887, Lots 6, 7 DP 262783, Lots 1, 2, 3 DP 557904, Lot 1 DP575674, Lots 2, 6, 7, 8, 9 DP 775772, Lots 11, 12, 13, 14, 17, 18, 19, 20, 22, 23 DP 775773, Lots 2, 4, 5, 7, 8, 9, 10, 14 DP 775775, Lots 29, 31, 32, 33, 35, 37, 38, 39, 40, 41, 42 DP 775776, Lots 44, 45, 46, 47, 48, 49, 50, 51, 53 DP 775777, Lots 60, 61, 62, 63 DP 802700, Lot 3 DP 858206, Lots 2, 4, 5 DP1015754, Lots 201, 202, 203, 204, 205, 206, 208, 210 DP 1017038, Lots 210, 211 DP 1018949, Lots 520, 521 DP 1018950, Lots 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112 DP 1018951, Lots 131, 132 DP 1018952, Lot 362 DP 1104196, Lot 15 DP 1119752, Lot 12, 13 DP 1144748, Lots 1, 2 DP 1184514, Lots 1, 2, 3, 4 DP 1191912, Lots 94, 95 DP 1191913, Lots 41, 42, 43, 44 DP 1193134, Lot 2 DP 1195449, Lots 151, 152, 153 DP 1202468, Lots 91, 92 DP 1202475 and Lot 3 in DP 234288. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act located within this centre of activity which is not sub categorised as Business – Kooragang Industrial Coal Zone or not sub categorized Business – Kooragang North Industrial Coal Zone or not sub categorized Business – Kooragang Industrial Centre. This land is categorised as sub-category Business – Kooragang Industrial Centre Walsh Point.
- 19 An Ordinary Rate of one point four five zero one seven five cents (1.450175c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – KOORAGANG INDUSTRIAL**

**CENTRE** apply to all ratable land in The City of Newcastle LGA within the centre of activity defined by the suburb of Kooragang. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act located in Kooragang which is not sub categorised as Business – Kooragang Industrial Coal Zone or not sub categorised as Business – Kooragang North Industrial Coal Zone or not sub categorised as Business – Kooragang Industrial Centre Walsh Point. This land is categorised as sub-category Business – Kooragang Industrial Centre.

- 20 An Ordinary Rate of zero point nine zero eight two one seven cents (0.908217c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – MAYFIELD NORTH HEAVY INDUSTRIAL CENTRE** apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land contained within, Lot 225 DP 1013964, Lot 224 DP 1013964, Lot 2 DP 1204573, Lot 2 DP 1184257 and Lot 1 DP 874109 This land is categorised as sub-category Business - Mayfield North Heavy Industrial Centre.
- 21 An Ordinary Rate of one point four six one one five two cents (1.461152c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – MAYFIELD NORTH INDUSTRIAL CENTRE** apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by Lot 10 DP 625019, Lot 1 DP 403544, Lot 1 DP 528411, Lot 2 DP 207307, Lot 3 DP 259009, Lot 1 DP 880225, Lots 1, 2 DP 1177466, Lots 36, 37, 38, 39, 40 DP 1191723 and Lot Pt 1 DP 207307. This land is categorised as sub-category Business - Mayfield North Industrial Centre.
- 22 An Ordinary Rate of one point eight four zero nine four three cents (1.840943c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – MAYFIELD NORTH INDUSTRIAL CENTRE FUTURE DEVELOPMENT** apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by Lots 41, 42, 43, 44, 45 in DP 1191982. This land is categorised as sub-category Business - Mayfield North Industrial Centre Future Development.
- 23 An Ordinary Rate of two point eight four seven three five zero cents (2.847350c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – CARRINGTON INDUSTRIAL COAL AND PORT ZONE** apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land within Lot 1 DP 1044636 Lots 1, 2 DP 1104199, the land contained within Railway Land Lease reference number 115/75/2261, Lots 3, 4 DP 1104199, Lots 1, 2, 3 DP 1187068, Lot 30 DP 1190075, Lots 8 and 11 DP 1190231, Lots 12, 13, 14, 15, 16 DP 1190232, Lots 110, 111, 113 DP 1191911, Lots 91, 92, 93 DP 1193181, Lots 1, 2, 3 DP 1195231, Lots 219, 220 DP 1195310. This land is categorised as sub-category Business - Carrington Industrial Coal and Port Zone.

- 24 An Ordinary Rate of two point two eight two two two three cents (2.282223c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – CARRINGTON INDUSTRIAL PORT OPERATIONS USE** apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land within Lot 11 DP 1023961, Lot 27 DP 842685 Lot 101 DP 1014244, Lot 1014 DP 1143277, Lot 33 DP 1078910 and Lot 1 DP 834572. This land is categorised as sub-category Business - Carrington Industrial Port Operations Use.
- 25 An Ordinary Rate of two point zero four nine four one four cents (2.049414c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – CARRINGTON INDUSTRIAL CENTRE** apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land with an area of greater than than six hundred square metres (600m<sup>2</sup>) zoned SP1 – Special Activities under the State Environmental Planning Policy (Three Ports) 2009 and located within the suburb of Carrington and the land known as Lot 1 DP 1097368 excepting that land categorised as Business - Carrington Industrial Coal and Port Zone or the land categorised as Business - Carrington Industrial Port Operations Use. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Carrington Industrial Centre.
- 26 An Ordinary Rate of three point three four three two two six cents (3.343226c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – BROADMEADOW INDUSTRIAL** apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land within Lot 221 DP 1012345. This land is categorised as sub-category Business - Broadmeadow Industrial.
- 27 An Ordinary Rate of two point three four five seven seven zero cents (2.345770c) in the dollar with a minimum rate of eight hundred and ninety six dollars and thirty cents (\$896.30) named **BUSINESS – HEXHAM INDUSTRIAL CENTRE** apply to all rateable land in The City of Newcastle LGA within the centre of activity defined by all land wholly or partly contained in a “parcel of land” as defined within the Valuation of Land Act NSW 1916, which is zoned IN3 Heavy Industrial under the Newcastle Local Environmental Plan 2012 and located within the suburb of Hexham excepting Lots 2 and 3 DP 874409 and Lot 1 DP 90824. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business - Hexham Industrial Centre.
- 28 A Special Rate of zero point two two six six five one cents (0.226651c) in the dollar named **HUNTER MALL**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “Hunter Mall Town Improvement District” as defined in **Attachment A** for the purpose of defraying the cost of continuing additional horticultural and cleansing services and street furnishings determined to be of special benefit to the said Hunter Mall Town Improvement District.

- 29 A Special Rate of zero point one zero zero two six zero cents (0.100260c) in the dollar named **MAYFIELD BUSINESS DISTRICT**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the "Mayfield Business District" as defined in **Attachment B** for the purpose of defraying the additional cost of promotion, beautification and development of the Mayfield Business District determined to be of special benefit to the said Mayfield Business District.
- 30 A Special Rate of zero point one nine zero four nine six cents (0.190496c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE A**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the "Hamilton Business District" as defined in **Attachment C** for the purpose of defraying the additional cost of promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District.
- 31 A Special Rate of zero point zero nine five two four eight cents (0.095248c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE B**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the "Hamilton Business District" as defined in **Attachment D** for the purpose of defraying the additional cost promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District.
- 32 A Special Rate of zero point zero four seven six two four cents (0.047624c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE C**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the "Hamilton Business District" as defined in **Attachment E** for the purpose of defraying the additional cost promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District.
- 33 A Special Rate of zero point three seven five seven five one cents (0.375751c) in the dollar named **WALLSEND BUSINESS DISTRICT - ZONE A**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the "Wallsend Business District" as defined in **Attachment F** for the purpose of defraying the additional cost promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District.
- 34 A Special Rate of zero point one eight seven eight seven six cents (0.187876c) in the dollar named **WALLSEND BUSINESS DISTRICT - ZONE B**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the "Wallsend Business District" as defined in **Attachment G** for the purpose of defraying the additional cost promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District.
- 35 A Special Rate of zero point two eight one eight one three cents (0.281813c) in the dollar named **WALLSEND BUSINESS DISTRICT - ZONE C**, apply to part

of the rateable land within The City of Newcastle LGA constituted and known as the "Wallsend Business District" as defined in **Attachment H** for the purpose of defraying the additional cost of promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District.

- 36 A Special Rate of zero point one one four five three four cents (0.114534c) in the dollar named **NEW LAMBTON BUSINESS DISTRICT**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the "New Lambton Business District" as defined in **Attachment I** for the purpose of defraying the additional cost of promotion, beautification and development of the New Lambton Business District determined to be of special benefit to the said New Lambton Business District.
- 37 A Special Rate of zero point two seven eight three two nine cents (0.278329c) in the dollar named **CITY CENTRE - CITY EAST**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the "City Centre Benefit Area - City East" as defined in **Attachment J** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City East determined to be of special benefit to the said City Centre Benefit Area - City East.
- 38 A Special Rate of zero point zero six two four four four cents (0.062444c) in the dollar named **CITY CENTRE - DARBY STREET**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the "City Centre Benefit Area -Darby Street" as defined in **Attachment K** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Darby Street determined to be of special benefit to the said City Centre Benefit Area -Darby Street.
- 39 A Special Rate of zero point one one five zero zero six cents (0.115006c) in the dollar named **CITY CENTRE - CITY WEST (CLOSE ZONE)**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the "City Centre Benefit Area - City West" as defined in **Attachment L** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City West (Close Zone) determined to be of special benefit to the said City Centre Benefit Area - City West (Close Zone).
- 40 A Special Rate of zero point zero five seven five zero three cents (0.057503c) in the dollar named **CITY CENTRE - CITY WEST (DISTANT ZONE)**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the "City Centre Benefit Area -City West" as defined in **Attachment M** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City West (Distant Zone) determined to be of special benefit to the said City Centre Benefit Area - City West (Distant Zone).



- 41 A Special Rate of zero point two seven eight three two nine cents (0.278329c) in the dollar named **CITY CENTRE - TOWER** apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - Tower” as defined in **Attachment N** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Tower determined to be of special benefit to the said City Centre Benefit Area - Tower.
- 42 A Special Rate of zero point two seven eight three two nine cents (0.278329c) in the dollar named **CITY CENTRE – MALL**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area - Mall” as defined in **Attachment O** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Mall determined to be of special benefit to the said City Centre Benefit Area - Mall.
- 43 A Special Rate of zero point one five five six four four cents (0.155644c) in the dollar named **CITY CENTRE - CIVIC (CLOSE ZONE)**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area – Civic (Close Zone)” as defined in **Attachment P** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area – Civic (Close Zone) determined to be of special benefit to the said City Centre Benefit Area – Civic (Close Zone).
- 44 A Special Rate of zero point zero seven seven eight two two cents (0.077822c) in the dollar named **CITY CENTRE - CIVIC (DISTANT ZONE)**, apply to part of the rateable land within The City of Newcastle LGA constituted and known as the “City Centre Benefit Area –Civic (Distant Zone)” as defined in **Attachment Q** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area – Civic (Distant Zone) determined to be of special benefit to the said City Centre Benefit Area – Civic (Distant Zone).
- 45 A **STORMWATER MANAGEMENT SERVICE CHARGE** of twenty five dollars (\$25.00) per non-strata property and twelve dollars and fifty cents (\$12.50) per Strata/Company Title unit for the provision of stormwater management services. This charge applies to all rateable land categorised as Residential not being an exclusion as outlined in Section 496A(2) of the Act as amended.
- 46 A **STORMWATER MANAGEMENT SERVICE CHARGE** of twenty five dollars \$25.00 per three hundred and fifty square meters (350m<sup>2</sup>) or part thereof, of land area capped at a maximum of \$1,000 for each non-strata property. This charge applies to all non-strata or non-company title rateable land categorised as Business not being an exclusion as outlined in Section 496A(2) of the Act as amended.

- 47 A **STORMWATER MANAGEMENT SERVICE CHARGE** of twenty five dollars (\$25.00) per three hundred and fifty square meters 350m<sup>2</sup> or part thereof, of land area occupied by the strata scheme, capped at a maximum of \$1,000, divided between each unit based on the unit entitlement of each business lot divided by the total unit entitlement of strata lots within the scheme. This charge applies to all strata or company title rateable land categorised as Business where the dominant use of the strata development is for business purposes, not being an exclusion as outlined in Section 496A(2) of the Act as amended.
- 48 A **DOMESTIC WASTE MANAGEMENT SERVICE CHARGE** of three hundred and forty dollars and nine cents (\$340.09) for the provision of domestic waste management services for each parcel of rateable land for which the service is available in The City of Newcastle LGA.
- 49 A **BUSINESS WASTE MANAGEMENT SERVICE CHARGE** of two hundred and thirty one dollars and fifty one cents (\$231.58) for the provision of waste management services (other than domestic waste management services), on each parcel of rateable land categorised as Business or sub-categorised as one of the Business sub-categories referred to in the table within paragraph 1 of this report, for which the service is provided or proposed to be provided in The City of Newcastle LGA.

**For the Motion:** Lord Mayor, Cr Nelmes, Councillors Clausen, Compton, Doyle, Dunn, Luke, Posniak, Robinson and Waterhouse.

**Against the Motion:** Nil.

**Carried**

**ITEM-63 CCL 27/06/17 - MAKING OF THE RATE - HUNTER CATCHMENT CONTRIBUTION AND COMMISSION FOR THE YEAR COMMENCING 1 JULY 2017**

**MOTION**

Moved by Cr Posniak, seconded by Cr Dunn

- 1 (a) Council notes that Hunter Local Land Services has established the Hunter Catchment Contribution rate for the 2017/18 rating year at 0.011000 of a cent in the dollar on all relevant properties within the Newcastle Local Government Area (LGA), with a land value in excess of \$300.
- (b) Council endorses the levying and collection of the Hunter Catchment Contribution on behalf of Hunter Local Land Services as the rate detailed in Paragraph 1(a) above.

- 2 Council endorses the rate of commission payable to Council for the collection of the 2017/18 Catchment Contribution at 5% of Hunter Catchment Contributions collected, as determined by Hunter Local Land Services.

**Carried**

**ITEM-66 CCL 27/06/17 - ANNUAL FEES FOR LORD MAYOR AND COUNCILLORS 2017/18**

**MOTION**

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

- 1 Council approves:
- a An increase of 0% to the annual fees payable to the Lord Mayor in accordance with s.249(1) of the Local Government Act 1993
  - b An increase of 0% to the annual fees payable to Councillors in accordance with s.248(1) of the Act
- 2 Council resolves to reallocate the budgeted 2.5% increase towards expediting the delivery of the Wallsend Public Domain Plan including the replacement of Tyrrell, Boscawen and Nelson Street Bridges.
- 3 Council writes to the Premier, Minister for Local Government, Leader of the Opposition, Shadow Minister for Local Government and Local Government NSW requesting amendment of Division 5 of the *Local Government Act* to remove the pecuniary conflict of interest whereby Councillors are required to vote on their own allowances.

**Carried  
unanimously**

**ITEM-68 CCL 27/06/17 - COOKS HILL SURF LIFE SAVING CLUB - FUNDING CONTRIBUTION**

**MOTION**

Moved by Lord Mayor, Cr Nelmes, seconded by Clausen

Council receives this report.

**Carried**

## NOTICES OF MOTION

### ITEM-15                      NOM 27/06/17 - THROSBY CREEK ACTION PLAN

Councillor Clausen had declared a pecuniary interest in this item and left the Chamber for discussion on the item.

In moving the motion, Councillor Posniak stated that she wished to accept Part 2 of the recommendation as included in the Officer's report in the business papers.

#### ORIGINAL MOTION

Moved by Cr Posniak

That Council

- 1     Notes the work undertaken by the Throsby Creek Government Agencies Committee in developing a Throsby Catchment Action Plan 2018-2024.
- 2     Commits resources to work collaboratively and to focus on this project with other agencies in delivering agreed actions in financial year 2017/18 and beyond.

#### MOTION

Moved by Cr Posniak, seconded by Cr Dunn

- 1     Notes the work undertaken by the Throsby Creek Government Agencies Committee in developing a Throsby Catchment Action Plan 2018-2024.
- 2     Notes that resources will continue to be committed to work collaboratively and to focus on this project with other agencies in delivering agreed actions in FY 2017/18 and beyond.

**Carried**

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

## CONFIDENTIAL REPORTS

### ITEM-7                      CON 27/06/17 - CONFIDENTIAL HUMAN RESOURCES MATTER

As the confidential report was to be tabled at the meeting, the Lord Mayor read the reasons for entering into confidential session as listed on the running sheet.

*The matter relates to Section 10(A)(2(a) personal matters concerning particular individuals and the closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege and security.*

*Council is required to determine the organisation structure. This structure impacts particular individuals within the organisation and should remain confidential.*

#### **PROCEDURAL MOTION**

Moved by Cr Posniak

Council move into confidential session for the reasons outlined.

**Carried**

Council moved into confidential session at 6.30pm.

At this stage of the meeting the press and gallery were cleared.

Staff present were the Interim Chief Executive Officer, HR Projects Manager and Council's Executive Support Officers.

The Lord Mayor allocated time for Councillors to read the report.

The recommendation was moved and seconded by Councillors Dunn and Posniak.

Councillor Luke was of the view that the report was not confidential and that it should be discussed in open Council.

#### **PROCEDURAL MOTION**

Moved by Cr Luke

Council move out of confidential session to discuss this item.

**Carried**

Council reconvened at 6.44pm and the Acting Director Corporate Services, Acting Director Infrastructure and Director Planning and Regulatory returned to the Chamber.

The report before Council was now being discussed in open session.

The Lord Mayor put the motion moved by Councillors Posniak and Dunn in confidential session to the meeting.

### **MOTION**

Moved by Cr Dunn, seconded by Cr Posniak

- 1 Council adopts the transitional organisational structure.
- 2 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 Council determines otherwise.

**For the Motion:** Lord Mayor, Cr Nelmes, Councillors Clausen, Doyle, Dunn and Posniak.

**Against the Motion:** Councillors Compton, Luke, Robinson and Waterhouse.

**Carried**

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

#### **Lord Mayor, Cr Nelmes**

The Lord Mayor declared her standing declaration regarding the Coastal Revitalisation Committee stating that she spoke at length on this earlier in the meeting. The Lord Mayor also stated that family members were members of the Stockton, Merewether and Cooks Hill Surf Clubs and declared a non-pecuniary less than significant interest.

**The meeting concluded at 6.46pm.**