

Minutes

Ordinary Council Meeting



Council Chamber, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West, Tuesday, 31 October 2023 at 6:04pm.

1. ATTENDANCE

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

J Bath (Chief Executive Officer), D Clarke (Executive Director Corporate Services and CFO), A Jones (Executive Director Creative and Community Services), C Thomson (Executive Director City Infrastructure), M Bisson (Executive Director Planning and Environment), E Kolatchew (Executive Manager Legal and Governance), S Moore (Executive Manager Finance, Property and Performance), R Dudgeon (Executive Manager Project Management Office), N Kaiser (Acting Executive Manager Media Engagement Economy and Corporate Affairs), P Emmett (City Wide Development Assessment Manager), M Kikken (Executive Manager Environment and Sustainability), M Hughes (Media Adviser), L Duffy (Executive Manager Community and Recreation), K Sullivan (Councillor Services/Minutes/Meetings Support), J Knight (Councillor Services/Meeting Support), C Urquhart (AV/Information Technology Support) and J McIvor (Information Technology Support).

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. 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.

4. APOLOGIES / LEAVE OF ABSENCE / ATTENDANCE BY AUDIO VISUAL LINK

MOTION

Moved by Cr Duncan, seconded by Cr Mackenzie

The request submitted by Councillor Richardson to attend by audio visual link be received and leave granted.

Carried

MOTION

Moved by Cr Pull, seconded by Cr Mackenzie

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

For the Motion: Councillors Adamczyk, Mackenzie, McCabe, Pull, Wark, Winney-Baartz and Wood.

Against the Motion: Lord Mayor, Cr Nelmes and Councillors Clausen and Duncan.

Carried

Councillor Richardson's vote was not recorded in the above division.

5. DISCLOSURES OF INTEREST

Councillor Winney-Baartz

Councillor Winney-Baartz declared a non-pecuniary non-significant interest in Item 8.6 - Adoption of Adamstown Park Masterplan stating that her father was a representative of the Adamstown / Hamilton / Merewether Sub Branch and would manage the interest by remaining in the Chamber for discussion on the item.

Councillor Pull

Councillor Pull declared a significant non-pecuniary interest in Item 8.4 - Conservation Agreement for Black Hill Wetland stating the owner of the neighbouring property was an office bearer and president of the Newcastle branch of the Liberal Party and would manage the interest by leaving the Chamber for discussion on the item.

6. CONFIRMATION OF MINUTES

6.1. MINUTES - ORDINARY COUNCIL MEETING 26 SEPTEMBER 2023

MOTION

Moved by Cr Mackenzie, seconded by Cr Duncan

The minutes as circulated be taken as read and confirmed.

Carried

7. LORD MAYORAL MINUTE

7.1 RECOMMIT TO THE 1998 STATEMENT OF COMMITMENT BETWEEN CITY OF NEWCASTLE AND GURAKI ABORIGINAL ADVISORY COMMITTEE

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

1. Acknowledges that we operate on the grounds of the traditional country of the Awabakal and Worimi peoples and that we recognise and respect their cultural heritage, beliefs and continuing relationships with the land, and that they are the proud survivors of more than two hundred years of dispossession.
2. Reiterates our commitment to address disadvantages and attain justice for Aboriginal and Torres Strait Islander peoples of this community, particularly following the recent Voice to Parliament referendum.
3. Notes that the City of Newcastle was proud to be the first local government area in the region to publicly support the 'Yes' campaign for Aboriginal and Torres Strait Islander constitutional recognition, showing our support through public events including Pat Farmer AM's 'Run for the Voice' campaign visit to Federal Park in Wallsend, supporting the Newcastle 'Walk for the Voice' and the public information forum at Gregson Park, Hamilton.
4. Notes 53% of Newcastle residents vote 'Yes' to constitutional recognition of Aboriginal and Torres Strait Islander people through a Voice to Parliament, with Newcastle receiving the highest 'Yes' vote outside of a capital city, and commends the work of local First Nations leaders, our Federal Member for Newcastle, Sharon Claydon MP, and Hunter Workers for their advocacy and campaign leadership.
5. Thanks members of the Guraki Aboriginal Advisory Committee for their work and commitment to providing strategic advice and guidance regarding our engagement with the local Aboriginal community and particularly in the drafting of council plans and strategies, including but not limited to:
 - a. Reconciliation Action Plan,
 - b. Aboriginal Employment Strategy, and
 - c. Aboriginal Heritage Management Strategy.
6. Acknowledges and recommits to the 1998 Statement of Commitment to Aboriginal and Torres Strait Islander People of the City of Newcastle.
7. Forwards this motion to Guraki Aboriginal Advisory Committee noting our thanks and the above re-commitment and requesting that a list of actions be developed at their next committee meeting to inform CN of how we may continue to fulfill our obligations and commitment to reconciliation.

AMENDMENT

Moved by Cr Pull

8. Requests a complete report on all financial and in-kind support, including the value of all staff time dedicated to supporting the Voice to Parliament referendum.

The motion lapsed for want of seconder.

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

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

Against the Motion: Councillor Pull.

Carried

7.2 FINAL REPORT OF ROYAL COMMISSION INTO VIOLENCE, ABUSE, NEGLECT AND EXPLOITATION

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

1. Acknowledges the work of the Royal Commission over the last 4 years with the release on 29 September 2023 of the 13 volumes of the Report of the Disability Royal Commission, including 222 recommendations.
2. Acknowledges the courage and generosity of people with lived experience of disability who shared their knowledge and experiences of violence, abuse, neglect and exploitation with the Royal Commission.
3. Supports the vision for an inclusive Australian society that enables people with a disability to live, learn, work and engage alongside people without disability.
4. Acknowledges the importance of the UN Convention on the Rights of People with a Disability and notes the recommendation for the Australian Government to enact a Disability Rights Act and for each state and territory to establish corresponding protections.
5. Supports the reform of housing policies to increase the availability and supply of accessible and adaptive housing.
6. Supports increasing public sector employment for people with a disability, noting that the City of Newcastle is committed to increasing the number of

people with a disability who are employed, retained and promoted at Council and providing better support by implementing the City's Inclusion Diversity and Equity Strategy.

7. Notes the City of Newcastle Disability Inclusion Action Plan 2022-2026 and the actions taken to create an inclusive community, including:-
 - a. The Count Us In Festival in September 2023.
 - b. Employment Forum and Business Lunch in 2023 to support better outcomes for employment.
 - c. Enhanced liveable housing design provisions in the 2023 draft Development Control Plan.
 - d. Advocacy with the state government in July 2023 to adopt liveable housing design standards in NSW and high accessibility standards for social housing.
 - e. Support for the construction of more social housing in the City with an MOU in 2022 with the NSW government.
8. Commits to the continued implementation of the Disability Inclusion Action Plan over the next 2 years and working with the City of Newcastle Access and Inclusion Advisory Committee.
9. Notes the importance of co-design with people with a disability and the need to be inclusive, respectful, participative, iterative and outcomes focussed.
10. Commits to reviewing the recommendations of the Royal Commission as they relate to the roles and responsibilities of local government and working with people with a disability.

**Carried
unanimously**

7.3 NEW ANNUAL SUCCESS

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

1. Notes the recent conclusion of the highly successful New Annual, Newcastle flagship arts and cultural festival, with the 2023 event including more than 60 percent local programming.
2. Notes the vision of New Annual is to put Newcastle on the radar nationally and internationally, as a creative city where exciting, ambitious and accessible contemporary art and culture grows and thrives.
3. Proudly supports arts and culture through our various grants and sponsorship programs which provide opportunities for individuals, groups, and organisations to deliver cultural projects and events that benefit the community.

4. Recognises New Annual's success over the last three years which has attracted around 95,000 visitors in total, with the *Locally Made and Played* grant program helping to fund more than 230 live music and cultural performances across the city since 2021 and delivering almost \$100,000 in direct support, providing a welcome boost to local venues and helping support our amazing Novocastrian talent.

**Carried
unanimously**

8. REPORTS

8.2. TABLING OF REGISTER OF DISCLOSURES OF INTEREST ANNUAL REPORT

MOTION

Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

That Council:

- 1 Note the tabling of the Register of Disclosures of Interest for the financial year 2022/2023 by the Chief Executive Officer.

Carried

8.8. PUBLIC EXHIBITION OF DRAFT COUNCIL PROPERTY LEASE AND LICENCE POLICY

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

- 1 Place the Draft Council Property Lease and Licence Policy (Draft Policy) at **Attachment A** on public exhibition for a period of 28 days.
- 2 Receives a report back following the public exhibition period.

**Carried
unanimously**

8.10. REQUEST FOR SUPPORT FOR THE RELEASE OF EASEMENT IN GROSS - 13 GRANDVIEW ROAD, NEW LAMBTON HEIGHTS

MOTION

Moved by Cr Winney-Baartz, seconded by Cr Mackenzie

That Council:

- 1 Resolves to support the request to release an existing easement for drainage and create an easement to drain water, burdening Lot 1 DP 1234593 (13 Grandview Road, New Lambton Heights) as shown at **Attachment A**.

Carried

8.11. REQUEST FOR SUPPORT FOR THE RELEASE OF TWO PUBLIC POSITIVE COVENANTS - 79A YOUNG ROAD, LAMBTON

MOTION

Moved by Cr Mackenzie, seconded by Cr Duncan

That Council:

- 1 Resolves to support the release of the two public positive covenants currently burdening Lot 432 DP 1094038 (79A Young Road, Lambton).

**Carried
unanimously**

8.13. EXECUTIVE MONTHLY PERFORMANCE REPORT

MOTION

Moved by Cr Clausen, seconded by Cr Winney-Baartz

That Council:

- 1 Receives the Executive Monthly Performance Report for September 2023.

**Carried
unanimously**

8.1. AUTHORISATION FOR SIGNING OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2023

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

- 1 Receives the draft Financial Statements for the year ended 30 June 2023 (**Attachment A**) and formally refers them to CN's Auditor, the Audit Office of New South Wales, 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 (**Attachments B and C**)

- 3 In anticipation of receiving of the Auditor's Report, endorse publication on City of Newcastle's (CN) website of the intention to present its audited Financial Statements for the year ended 30 June 2023 at the Ordinary Council Meeting to be held on 28 November 2023 in accordance with Section 418 and Section 705(3) of the Act.

**Carried
unanimously**

8.3. ADOPTION OF NEWCASTLE ENVIRONMENT STRATEGY (NES)

MOTION

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

That Council:

- 1 Adopts the Newcastle Environment Strategy 2023 at Attachment A.
- 2 Receives the Newcastle Environment Strategy – Public Exhibition Engagement Report at Attachment B.

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

Against the Motion: Councillor Pull.

Carried

8.4. CONSERVATION AGREEMENT FOR BLACK HILL WETLAND

Councillor Pull left the Chamber for discussion on the item.

MOTION

Moved by Cr Richardson, seconded by Cr Adamczyk

That Council:

- 1 Endorses the establishment of a Conservation Agreement (Attachment A) over Lot 122, DP 1235373 at 185D Lenaghans Drive, Black Hill, in accordance with Division 12 of the NSW National Parks and Wildlife Act 1974 and Part 5, Division 3 of the NSW Biodiversity Conservation Act 2016.
- 2 Authorises the Executive Director Planning & Environment to sign the Conservation Agreement on behalf of the City of Newcastle (CN).

Councillor Clausen proposed that point 2 be amended to read as follows:

- 2 Authorises the Lord Mayor to sign the Conservation Agreement on behalf of the City of Newcastle (CN).

The mover and seconder of the motion agreed to accept Councillor Clausen's amendment to the motion.

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

**Carried
unanimously**

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

8.5. EXHIBITION OF DRAFT NEWCASTLE CITY CENTRE HERITAGE CONSERVATION AREAS REVIEW REPORT

MOTION

Moved by Cr Duncan seconded by Cr Clausen

That Council:

- 1 Endorses the Draft NCC HCAs Review Report for exhibition purposes for a minimum 28 days. (Attachment A).
- 2 Receives a post-exhibition report on submissions to the Draft NCC HCAs Review Report.

**Carried
unanimously**

8.6. ADOPTION OF ADAMSTOWN PARK MASTERPLAN

MOTION

Moved by Cr Winney-Baartz, seconded by Cr Duncan

That Council:

- 1 Adopts the Adamstown Park Masterplan at Attachment A.
- 2 Receives the Adamstown Park Masterplan – Public Exhibition Report at Attachment B.

AMENDMENT

Moved by Cr McCabe, seconded by Cr Wark

Part B

That the Adamstown Park Masterplan is accepted, with the exception of the synthetic turf training pitch which should be maintained as a natural grassed area.

For the Amendment: Councillors Mackenzie, McCabe and Wark.

Against the Amendment: Lord Mayor, Cr Nelmes and Councillors Adamczyk, Clausen, Duncan, Pull, Richardson, Winney-Baartz and Wood.

Defeated

The motion moved by Councillor Winney-Baartz and seconded by Councillor Duncan was put to the meeting.

**Carried
unanimously**

8.7. ADOPTION OF CROWN LAND PLAN OF MANAGEMENT 2023 AND APPLICATION TO THE MINISTER

MOTION

Moved by Cr Clausen, seconded by Cr Adamczyk

That Council:

Part A

- 1 Adopts the City of Newcastle Crown Land Plan of Management 2023(CLPoM) pursuant to section 40 of the Local Government Act in accordance with 3.23(6) of the Crown Land Management Act 2016. **(Attachment A)**.

Part B

- 2 Notes that as part of any application to the Minister seeking consent of a proposed lease, a Crown Land Plan of Management must first be adopted by the Council.
- 3 Notes on 21 September 2023 City of Newcastle (CN) wrote to the Minister for Local Government seeking consent to grant the lease to enable the operation of CN's five inland pools in accordance with Section 47(5) of the LG Act following an earlier delegated decision by the CEO.
- 4 Notes that 13 submissions were received from the public objecting to a proposed lease over community land described as Beresfield Swimming Centre (230 Anderson Drive, Beresfield), Wallsend Memorial Swimming Centre (6 Frances St, Wallsend), Mayfield Swimming Centre (21a Maitland Rd, Mayfield), Lambton Park War Memorial Swimming Centre (50 Howe St, Lambton), Stockton War Memorial Swimming Centre (49 Pitt St, Stockton).

- 5 Notes that section 47(5) of the LG Act requires an application to be made to the Minister for consent when submissions are received objecting to a proposed lease, and thus requiring the Minister to provide consent to grant a lease.
- 6 Makes an application to the Minister for Local Government seeking consent to grant the proposed lease over the community land described as Beresfield Swimming Centre (230 Anderson Drive, Beresfield), Wallsend Memorial Swimming Centre (6 Frances St, Wallsend), Mayfield Swimming Centre (21a Maitland Rd, Mayfield), Lambton Park War Memorial Swimming Centre (50 Howe St, Lambton), Stockton War Memorial Swimming Centre (49 Pitt St, Stockton) to BlueFit Pty Ltd (ABN 74 127 508 230) for a term of 7 years plus two possible 7 year options for the purpose of operation of inland swimming pools under section 46(b)(i) of the Local Government Act 1993.
- 7 Notes the application to the Minister is on terms consistent with the CEO's delegated decision and the lease is subject to a \$5 million contribution to capital works being delivered within the initial 7 year lease period.

PROCEDURAL MOTION

Moved by Cr Mackenzie seconded by Cr Pull

Parts A and B be voted on seriatim.

For the Procedural Motion: Councillors Mackenzie, McCabe, Wark and Pull.

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

Defeated

The Lord Mayor proposed an additional Part C that Council request a timely decision by the end of the year to enable a permanent delivery service in place for the operation of the pools.

The mover and seconder of the motion accepted Part C as outlined by the Lord Mayor.

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

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

Against the Motion: Councillors Mackenzie, McCabe, Pull and Wark.

Carried

8.9. APPLICATION FOR LOCAL EVENT DAY FOR NEWCASTLE SHOW 2024

MOTION

Moved by Cr Adamczyk, seconded by Cr Clausen

That Council:

- 1 Resolves to make an application to the Minister for Industrial Relations seeking the proclamation of Show Day for Friday 1 March 2024 as a Local Public Holiday, and if that is not approved by the Minister, request their approval for it to be proclaimed a Local Event Day as set out in the *Public Holidays Act 2010(NSW)*.

Councillor Pull gave notice of a foreshadowed motion that Council make application for a Local Event Day as set out in the *Public Holidays Act 2010(NSW)*.

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

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

Against the Motion: Councillors Pull and Wark.

Carried

The foreshadowed motion from Councillor Pull lapsed.

8.12. MAJOR EVENTS UPDATE

In moving the motion, Councillor Clausen moved an additional Part C.

MOTION

Moved by Cr Clausen, seconded by Cr Duncan

That Council:

Part A

- 1 Notes in 2022, the elected Council unanimously resolved to undertake extensive community consultation on the option available in the existing agreement to extend the Newcastle 500 for a further five years (at a cost of no more than \$1.6 million annually).
- 2 Notes the NSW Government has declined to support the five year extension of the event.
- 3 Resolves that a proposed one year extension is inconsistent with the extensive community consultation undertaken in 2023 which was based upon an option of a five year extension within the 2017 contract.

- 4 Notes that Supercars Australia has informed City of Newcastle (CN) that it is finalising options to replace the Newcastle 500 as the 2024 season-opener.
- 5 Resolves that the previous agreements between CN, the NSW Government and Supercars Australia, including a five-year option, have expired with the decision of the NSW Government not to support the five year option.
- 6 Notes that since successfully hosting the Newcastle 500 as the city's largest ever event, Newcastle has attracted new, and significantly larger events, including events of an international reach, (and notwithstanding the impacts of COVID-19) than in the five years prior to 2017.
- 7 Endorses the success of major events attended by hundreds of thousands of locals and intrastate, interstate and international visitors during the last six years, including:
 - i) Supercars Newcastle 500 (2017-2023)
 - ii) Australian Matildas fixtures (2017, 2018, 2021, 2023)
 - iii) Oceania Supermoto Championships (2018, 2022, 2023)
 - iv) NSW Waratahs Super Rugby match (2019, 2020)
 - v) Australian Wallabies Rugby Union Test match (2020)
 - vi) Argentina Pumas vs New Zealand All Blacks Rugby Union Test match (2020)
 - vii) Mens World Hockey Masters (2021)
 - viii) New Annual Arts Festival (2021, 2022, 2023)
 - ix) World Surf League Newcastle Cup (2021)
 - x) Van Gogh Alive Exhibition (2022)
 - xi) Australian Diamonds vs England Netball match (2022)
 - xii) Come From Away Musical (2023)
 - xiii) Elton John Concerts (2023)
 - xiv) Paul McCartney Concert (2023)
 - xv) RAAF Air Show (2023)
 - xvi) Rocky Horror Show Musical (2024)
 - xvii) Pink Concert (2024)

Part B

- 8 Endorses Foreshore Park, including Camp Shortland, as Newcastle's premier major event space in line with the adopted Foreshore Plan of Management.
- 9 Commits to secure new major events in Newcastle, as a central pillar of our visitor economy.

Part C

Support Mayor Jay Suvaal's call to retain Supercars in the Hunter by encouraging Destination NSW and Supercars to engage with Cessnock City Council on the proposed Wine Country 500.

AMENDMENT

Moved by Cr Adamczyk, seconded by Cr Wood

Part B

- 10 Prioritises through accessible tourism as part of our Destination Management Plan universally accessible experiences for every person, for every event.

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

Against the Amendment: Nil.

Carried

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

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

Against the Motion: Councillors McCabe and Wark.

Carried

8.14. TENDER REPORT – CELL NINE STAGE 2 - UPPER BATTER – CONTRACT NO 2024/016T

MOTION

Moved by Cr Mackenzie, seconded by Cr Adamczyk

That Council:

- 1 Accept the tender of Synergy Resource Management Pty Ltd in the amount of \$1,836,425 (excluding GST) for Construction of the Cell 9 Stage 2 - Upper Batter Component of the Cell 9 Landfill for Contract No. 2024/016T.
- 2 The confidential attachments relating to the matters specified in s10A(2)(d) of the Local Government Act 1993 be treated as confidential and remain confidential until the Chief Executive Officer determines otherwise.

**Carried
unanimously**

9. NOTICES OF MOTION

9.1. HILLCREST TENNIS CLUB

MOTION

Moved by Cr Clausen, seconded by Cr Winney-Baartz

That Council:

- 1 Congratulates the Hillcrest Tennis Club, Mayfield on celebrating its 85th anniversary on Saturday 23 September 2023, recognising its contribution to our community.
- 2 Acknowledges the significant volunteer efforts made by members of the Hillcrest Tennis Club, particularly under the leadership of President Elva Osborne and Secretary Ross McGovern. Their unwavering commitment has played a pivotal role in maintaining and enhancing the Club's facilities and operations, as well as securing funds to ensure its continued existence.
- 3 Recognise the remarkable journey of Hillcrest Tennis Club, which began in 1938 as a recreational facility for the workers of Lysaghts sheet steel manufacturer. Over the years, the club has evolved to include modern amenities, an upgraded clubhouse, toilet facilities, and two synthetic courts, making it a valuable publicly owned asset to our community.
- 4 Recognise the positive impact of Hillcrest Tennis Club on the Mayfield community, fostering a sense of belonging, promoting physical fitness, and facilitating social interaction. The Club's ability to adapt to changing circumstances, such as during the COVID-19 pandemic, by introducing online bookings and maintaining affordability, underscores its commitment to inclusivity and accessibility.
- 5 Commits to the protection of the Hillcrest Tennis Courts, and continued partnership with Tennis NSW and the Tennis Club in the development of a Tennis Strategy as an action of the 10-year Strategic Sports Plan.
- 6 Wishes the Club continued success and anticipates with excitement the celebration of 100 years of Tennis in Mayfield at the Club's 2038 centennial festivities.

Carried

9.2. CALL TO RESTORE THE NEWCASTLE MINES GROUTING FUND

In moving the motion Councillors Pull and Adamczyk amended the original motion in the business papers to read as follows:

MOTION

Moved by Cr Pul, I seconded by Cr Adamczyk

That Council:

- 1 Notes that the New South Wales Government has announced that it will wind up the Newcastle Mines Grouting Fund.
- 2 Notes that Mine Grouting Works can be expensive and difficult to predict, and that the fund provided security for investors and developers against potential cost blowouts on mine grouting works.

- 3 Notes that the Newcastle Mine Grouting Fund only had minimal impact on the State Budget, but provided significant benefits and assurance to the redevelopment and revitalisation of Inner-City Newcastle.
- 4 Notes that the \$21M fund was introduced in 2015 to financially support the structural and geological stability of developments of three or more stories.
- 5 Notes the scope of mapped and unmapped undermining across the city, including in suburbs undergoing revitalisation, and identified in our Local Housing Strategy 92% target for infill development and our Local Strategic Planning Statement identified targeted uplift for development in urban renewal corridors.
- 6 Calls on the NSW Government to restore the Newcastle Mines Grouting Fund and writes to The Hon. Yasmin Catley MP, Minister for the Hunter and The Hon. Paul Scully MP, Minister for Planning, to coordinate with the Commonwealth Government, the NSW State Government, the City of Newcastle, and the development sector to safeguard the risks of undermining on development across the city.

Councillor McCabe proposed an additional Part B acknowledging the work of former Greens Councillor Michael Osborne in this matter.

Following discussion, the mover and seconder of the motion included the following addition to the motion.

Part B

Acknowledges the work and unanimous support of former Councillors, including former Greens Councillor Michael Osbourne and current Lord Mayor Nuatali Nemes in supporting the proposal for the grouting fund, recognising the collaboration with the Hunter Development Corporation on this proposal until the scheme was set up in 2015.

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

**Carried
unanimously**

9.3. COMMUNITY PREPARATIONS TO ENSURE A SAFE SUMMER

MOTION

Moved by Cr Adamczyk, seconded by Cr Duncan

That Council:

- 1 Acknowledges the recent announcements issued by fire and emergency agencies, and by the Australian Bureau of Meteorology in declaring a combined El Niño and positive Indian Ocean Dipole event, which, combined with ongoing climate change impacts, is expected to bring dangerous weather conditions to our region this summer.

This is page 16 of the Minutes of the Ordinary Council Meeting held Council Chamber, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West on Tuesday, 31 October 2023 at 6:04pm.

- 2 Notes that such warnings and declarations have highlighted the elevated risks associated with drought in the upcoming summer season, of bushfires, grass fires, storm activity, floods, and heatwaves, and that large parts of the Hunter region including the city of Newcastle have already been declared as experiencing drought.
- 3 Notes that the risks and impacts of these events can be more deeply and disproportionately felt by different communities and social groups in our city, whether according to gender, age, culture, income, mobility, ability, and / or geography, and commends the emergency preparedness actions undertaken to increase disaster resilience in vulnerable communities locally including by Zara's House, the Red Cross, and the SES.
- 4 Reaffirms its unwavering commitment to prioritise the safety of the city's residents, by taking proactive steps to educate and prepare our community for potentially dangerous weather conditions and events, and to equip the city in responding to local climate risks, including via: the development and implementation of flood studies and flood risk management plans and coastal management programs, bridge replacements, improved planning controls for thermal buildings and to address the urban heat island effect, the city Emergency Control Centre, creek rehabilitation works, increasing tree canopy and the urban forest, participation in the Hunter JO's Hunter Resilience Program and the implementation of our *Newcastle Environment Strategy*.
- 5 Encourages all levels of government to collaborate in addressing the root causes of climate change which contribute to the increased frequency and severity of extreme weather events, and to assist in community preparedness in times of local climate risks.
- 6 When developing our Climate Risk and Resilience Action Plan, to support the delivery of our *Newcastle Environment Strategy* 'Action on Climate Change', include an education program to empower our community with the knowledge, skills, and confidence to effectively prepare for, respond to, and recover from climate risks and severe weather events, in collaboration with our community, organisations, service providers, landlords and real estate agents, university, and businesses.

AMENDMENT

Moved by Cr McCabe, seconded by Cr Mackenzie

- 5 Encourages all levels of government to collaborate in addressing the root causes of climate change which contribute to the increased frequency and severity of extreme weather events **by ceasing to approve any new fossil fuel projects as required by the IPCC**, and to assist in community preparedness in times of local climate risks.

For the Amendment: Councillors Mackenzie and McCabe.

Against the Amendment: Lord Mayor, Cr Nelmes and Councillors Adamczyk, Clausen, Duncan, Pull, Richardson, Wark, Winney-Baartz and Wood.

Defeated

The motion moved by Councillor Adamczyk and seconded by Councillor Duncan was put to the meeting.

Carried

As the time was nearing, 10.00pm Councillor Clausen moved the following procedural motion.

PROCEDURAL MOTION

Moved by Cr Clausen, seconded by Cr Pull

Council extend the meeting to 10.10pm to conclude items on the agenda.

Carried

9.4. RECOGNITION OF CARERS

MOTION

Moved by Cr Wood, seconded by Cr Adamczyk

That Council:

Part A

- 1 Reiterates that we value the contribution of informal and family carers in caring for loved ones across our community and recognises the role of carers by:-
 - a. Hosting celebrations with carers to mark Carers Week in October 2023 - holding a community morning tea and film event at Civic Playhouse Theatre on 20 October and a lunch and learn event for City of Newcastle employees on 18 October.
 - b. Supporting the NSW Carers Charter and providing information about the Charter, carer entitlements and services on the City's intranet.
 - c. Collecting data to better understand the needs of carers at the City of Newcastle, noting that at least 17% of employees identify as carers of loved ones over the age of 18.
 - d. Supporting flexible work arrangements for employees.
 - e. Implementing the City's Inclusion, Diversity and Equity Strategy for employees.

Part B

- 1 Welcomes the important work being done by the Federal Labor Government in relation to unpaid carers and the care and support economy, in particular the House of Representatives Standing Committee on Social Policy and Legal Affairs Inquiry into the operation of the Carer Recognition Act 2010 and the Senate Select Committee on Work and Care 2022-2023.

- 2 Notes that reforming the Commonwealth Carer Recognition Act should include:
 - a. Conferring rights on carers consistent with Australia's obligations under UN conventions such as the International Covenant on Economic, Social and Cultural Rights.
 - b. Imposing greater obligations on all public service agencies with improved reporting and accountability and the introduction of formal complaints mechanisms.
- 3 Supports the development of a National Carer Strategy and Implementation Plans (noting that there has been no National Strategy since 2013) which provide a whole of government approach to supporting carers.
- 4 Supports the creation of a national carer advisory body to provide advice on the development and implementation of a National Carer Strategy, including input from individuals with diverse experiences of caring.
- 5 The provision of better supports for working carers, including expanding carer leave entitlements under the National Employment Standards.

**Carried
unanimously**

At the conclusion of the meeting the Chief Executive Officer read the resolution of the partial confidential report (refer resolution at 8.14).

The meeting concluded at 10.09pm.