

Ordinary Council Meeting



City of
Newcastle

DATE: Tuesday 27 August 2024

TIME: 6.00pm

VENUE: Council Chambers
Level 1, City Administration Centre
12 Stewart Avenue
Newcastle West NSW 2302

22 August 2024

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In participating in this Meeting, Councillors are reminded of their oath or affirmation of office made under section 233A of the Local Government Act 1993, and of their obligations under City of Newcastle's Code of Conduct for Councillors to disclose and appropriately manage conflicts of interest.

City of Newcastle
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[For documents marked 'Distributed under Separate Cover' refer to Council's website at http://www.newcastle.nsw.gov.au/](http://www.newcastle.nsw.gov.au/)

Note: Items may not necessarily be dealt with in numerical order

6. CONFIRMATION OF MINUTES

6.1. MINUTES - ORDINARY COUNCIL MEETING 23 JULY 2024

RECOMMENDATION

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

ATTACHMENTS

Attachment A: Public Minutes Ordinary Council Meeting 23 July 2024

Note: The attached minutes are a record of the decisions made by Council at the meeting and are draft until adopted by Council. They may be viewed at www.newcastle.nsw.gov.au

Minutes

Ordinary Council Meeting



Council Chamber, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West, Tuesday, 23 July 2024 at 6.00pm.

1. ATTENDANCE

The Lord Mayor (Councillor N Nelmes), Councillors E Adamczyk (*arrived 6.03pm*), J Barrie, J Church, D Clausen, C Duncan, C McCabe, C Pull, D Richardson (*arrived 6.03pm*), K Wark, P Winney-Baartz and M Wood.

D Clarke (Acting Chief Executive Officer), S Moore (Acting 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), S Mitchell (Acting Managing Director Waste Services), E Kolatchew (Executive Manager Legal and Governance), A Williams (Acting Executive Manager Finance, Property and Performance and Deputy CFO), R Dudgeon (Executive Manager Project Management Office), N Kaiser (Executive Manager Media Engagement and Corporate Affairs), Tim Connell (CN Media), M Meehan (CN Media), P Emmett (Interim Executive Manager Planning and Development), G Coombs (Policy Advisor), J Knight (Councillor Services/Minutes/Meeting Support), L Barnao (Councillor Services/Meetings Support), R Williams (AV 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 Barrie, seconded by Cr Duncan

The apology submitted on behalf of Cr Mackenzie be received and leave of absence granted.

Carried

Nil requests for audio visual attendance.

5. DISCLOSURES OF INTEREST

Nil.

6. CONFIRMATION OF MINUTES

6.1. MINUTES - ORDINARY COUNCIL MEETING 25 JUNE 2024

MOTION

Moved by Cr Pull, seconded by Cr Barrie

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

Carried

7. LORD MAYORAL MINUTE

7.1 COMMITMENT TO EDUCATION AND TRAINING OPPORTUNITIES

MOTION

That Council:

- 1 Notes that City of Newcastle has a commitment to upskilling, training and education opportunities for the local community.
- 2 Commends City of Newcastle's Future Fit program which has supported 72 apprentices, trainees, undergraduates and graduates since 2021 in areas such as civil construction, horticulture, building trades, environmental services and information technology.
- 3 Notes City of Newcastle's commitment to inclusion, with positions targeted towards Aboriginal and Torres Strait Islander people as part the Aboriginal Employment Strategy, and towards increasing female participants in traditionally male dominated occupations.
- 4 Notes that with the support of the United Services Union, City of Newcastle's Enterprise Agreement 2023 supports apprentices and trainees through above award wages and covering 100% of tool allowances.
- 5 Notes that the Lord Mayor's Scholarship Program was established to nurture local talent and support social inclusion by offering support to students who have endured personal or financial hardship to successfully complete their studies and kick start their career.
- 6 Notes that in the last four years 37 students have attended TAFE or the University of Newcastle with support from the Lord Mayor's Scholarship program including:
 - a. Women Empowered Scholarship,
 - b. Aboriginal and Torres Strait Islander Scholarship,
 - c. Culturally and Linguistically Diverse Scholarship,
 - d. Lord Mayor's Art Scholarship,
 - e. PRIDE Scholarship,
 - f. Lord Mayor's Scholarship for Women,

- g. Meg Pursuer Communication Scholarship, and
 - h. Industrial Summer Scholarship.
- 7 Commends the hard work of scholarship recipients and their ongoing commitment to the community.
- 8 Receives a report outlining opportunities to further develop the scholarship program to support disadvantaged local people seeking education and training support.

Carried unanimously

7.2 NEWCASTLE PREMIER LEAGUE T20 CRICKET COMPETITION

MOTION

That Council:

- 1 Congratulates the Newcastle Hunters cricket club and their organising committee on the successful start of Season 3 of their Newcastle Premier League (NPL) T20 cricket competition last month with 16 teams including representing India, Australia, Afghanistan, and Pakistan.
- 2 Notes the incredible work of this organisation to build this grassroots cricket league in Newcastle, following the recognised need for playing competitive cricket in wintertime in the Hunter Region.
- 3 Notes the impressive growth of the competition from 8 teams in 2022, to 14 in 2023, to 16 in 2024 with games played across Newcastle, Lake Macquarie, and that since 2023 Cricket NSW has collaborated to support the NPLT20.
- 4 Note that as well as developing a grassroots winter cricket competition, as an active sports club in the city for the last decade, the Newcastle Hunters organise sporting competitions in soccer, badminton, athletics, and volleyball.
- 5 Acknowledges the significant role this multicultural cricket competition plays in supporting migrants and refugees in our community by promoting community harmony and social cohesion through sport.
- 6 Notes that the Newcastle Hunters provide socio-economic support to their community via their small charity wing and has been awarded the NSW Premier's Community Service Award for COVID-related community work.
- 7 Recognises the significant impact that the City of Newcastle Grants and Sponsorship program has in supporting community organisations like these that build the diverse cultural fabric of the city.
- 8 Thanks the Newcastle Hunters for their ongoing work to make Newcastle a welcoming, inclusive and culturally diverse city.

Carried unanimously

7.3 CONGRATULATING NOVOCASTRIAN OLYMPIANS

MOTION

That City of Newcastle:

- 1 Extend our heartfelt congratulations to the Novocastrian Athletes selected to represent Australia at the upcoming 2024 Olympic Games and 2024 Paralympic Games.
- 2 Recognise the enormous commitment, sacrifice, and resilience, required to reach this pinnacle of athletic achievement, and commend each athlete for their perseverance whilst on this journey.
- 3 Acknowledge that regardless of their results, City of Newcastle is tremendously proud of each athlete and recognises their success as an inspiration to us all.
- 4 Notes that the entire City stands behind each athlete as they prepare to compete on the world stage. We look forward to cheering them on and celebrating their successes. May they have the best of luck and may their Olympic or Paralympic experience be filled with memorable moments and outstanding achievements.
- 5 Writes to Novocastrian Olympians and Paralympians (when the team is finalised) to congratulate them on their selection and wish them luck on behalf of the city.

Carried unanimously

8. REPORTS

8.1. SUPPLEMENTARY REPORT - SPECIAL BUSINESS RATE AUDIT OUTCOME

MOTION

Moved by Cr Clausen, seconded by Cr Barrie

That Council:

- 1 Notes the transparent and effective framework of City of Newcastle's (CN) SBR expenditure policy as confirmed by a recent independent audit by Prosperity Audit Services of 2022/23 expenditure as at **Attachment B**.
- 2 Notes the independent audit found that the SBR expenditure processes and controls are functioning as intended with few minor additional actions necessary at this time.

In relation to questions he was asked at the last Council meeting about 'out of scope' audit matters, Councillor Church stated he had been provided the opportunity by the Acting Chief Executive Officer to provide answers to those questions and tabled his response at the meeting in a letter to the Acting Chief Executive Officer.

PROCEDURAL MOTION

Moved by Cr Richardson, seconded by Cr Duncan

Council adjourn for a 5-10 minute recess to allow Councillors time to read the letter presented by Councillor Church.

Carried

Council adjourned at 6.30pm and Councillors were given time to read the letter from Councillor Church.

Council reconvened at 6.41pm.

Councillor Clausen tabled information from the NSW Electoral Commission (NSWEC), a Newcastle Herald article and an extract from the NSW Independent Commission Against Corruption Operation Spicer report in support of investigations into unaccounted for ratepayer funds allegedly donated to Independent candidates ahead of the 2021 local government elections. Further questions were put to Councillor Church, which he took on notice.

AMENDMENT

Moved by Cr Richardson, seconded by Cr Winney-Baartz

Part B

- 1 Write to the New South Wales Electoral Commission expressing concern with the potential misuse of ratepayer funds from the former Newcastle NOW BIA, and subsequent substantial electoral donations totalling \$42,000 declared by Councillor Church and the Newcastle Independents before the 2021 Council election.
- 2 Requests a report back at Council's next meeting outlining the electoral funding guidelines for all councillors to ensure clarity for councillors and the community on electoral rules, and requesting a further response to unanswered questions from Councillor Church.

Carried

As the amendment was carried, the Lord Mayor confirmed the motion now comprised Parts A and B.

The motion moved by Councillor Clausen and seconded by Councillor Barrie, as amended by Councillor Richardson and seconded by Councillor Winney-Baartz, was put to the meeting.

Carried

8.2. ADOPTION OF PUBLIC EXHIBITION OUTCOMES - WESTERN CORRIDOR ROAD UPGRADES - MINMI ROAD & LONGWORTH AVENUE ANCILLARY TRAFFIC WORKS

MOTION

Moved by Cr Richardson, seconded by Cr Adamczyk

That Council:

- 1 Approves the proposed scope of the (Western Corridor) Traffic Management Ancillary Works (TMAW) presented in **Attachment A**, which includes adjustments to the exhibited plans following public exhibition.
- 2 Endorses consultation for the fixing of road levels on Longworth Avenue Wallsend between Newcastle Road and Minmi Road, and at Minmi Road Wallsend between Maryland Drive (east) and west of the Summerhill Road roundabout.
- 3 Authorises the Chief Executive Office to make an Order under Roads Act 1993 Part 3 Division 3 Section 31 to give effect to the changing of road levels in Longworth Avenue Wallsend between Newcastle Road and Minmi Road, and at Minmi Road Wallsend between Maryland Drive (east) and west of the Summerhill Road roundabout, with a notice to be published in NSW Government Gazette and local newspaper.

Carried unanimously

8.3. HERITAGE ITEM - 13 SECTION STREET, MAYFIELD - PLANNING PROPOSAL AMENDMENT TO NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012

MOTION

Moved by Cr Wood, seconded by Cr Duncan

- 1 That Council:
 - a) Endorses the planning proposal as at Attachment A, prepared under Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act), to amend NLEP 2012 to create a new heritage item at 13 Section Street Mayfield.
 - b) Forwards the planning proposal to the Department of Planning, Housing and Infrastructure (the department) for gateway determination under Section 3.34 of the EP&A Act, requesting the role of planning proposal authority.
 - c) Consults with the community and relevant government agencies as the gateway determination requires.
 - d) Receives a report on the exhibition outcomes, considers any amendments, and makes a final determination on the planning proposal following the close of the exhibition period.

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

Against the Motion: Nil.

Carried

8.4. TENDER REPORT - BAR BEACH REHABILITATION AND REINSTATEMENT - CONTRACT NO. 2024/094T

MOTION

Moved by Cr Duncan, seconded by Cr Barrie

That Council:

- 1 Accept the tender of Daracon in the amount of \$1,310,059.12 (excluding GST), to deliver the construction of the southern access ramp and walkway deflector wall at Bar Beach in accordance with Contract No. 2024/094T.
- 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. IMPROVING TURNOVER OF CITY PARKING FOR THE BENEFIT OF SMALL BUSINESSES TO INCREASE TRADE IN CBD OF NEWCASTLE

MOTION

Moved by Cr Barrie, seconded by Cr Wark

- 1 That City of Newcastle review the existing 2-hour parking from 9.00am to 12pm on Saturdays and increase to the hours of 9.00am to 4.00pm on Saturdays and Sundays in the Hunter and King Street area to the east of Newcastle's central business district.

Councillors Pull and McCabe moved an amendment that being the recommendation of Council Officers outlined in the business papers.

That Council:

- 1 Undertakes, in line with the Parking Plan 2021, a review of timed parking restrictions in the area bound by King Street, Scott Street, Hunter Street, Darby Street and Pacific Street; with a view to improve parking turnover on weekday evenings and on Saturdays, Sundays, and public holidays.

- 2 Notes the review of parking restrictions will occur as a staged rollout to ensure it is delivered in accordance with the Parking Plan and the NSW regulatory framework.
- 3 Notes that the introduction of parking sensors will be progressed within new areas of public domain works (such as within the East End precinct) to provide accurate data of parking activity.

The Lord Mayor asked the mover and seconder of the motion whether they would accept the amendment as a Part B to the motion.

Councillors Barrie and Wark indicated that they would accept Part B to the motion.

The motion moved by Councillor Barrie and seconded by Councillor Wark, as amended by Councillors Pull and McCabe, was put to the meeting.

Carried

9.2. SUPPORT FOR OUR CREATIVE WORKERS

MOTION

Moved by Cr Duncan, seconded by Cr Wood

Part A

That City of Newcastle values a thriving cultural life and notes:

- 1 The work of the City's Community and Culture Advisory Committee under the leadership of Councillor Carol Duncan in supporting the visual and performing arts in Newcastle since 2017.
- 2 The creation of the New Annual Festival in 2021 as the City's flagship cultural festival, and the City's financial commitment to funding the Festival for the next 5 years.
- 3 The endorsement of the City's Cultural Precinct Plan in 2022 to enhance cultural connectivity across the precinct and encourage larger audiences across diverse venues.
- 4 The extension of the Newcastle Art Gallery, supported by generous community and state/federal government gifts/grants, and significant funding from the City of Newcastle.
- 5 The programming at the Newcastle Museum, the Civic Theatre and our libraries, their support of diverse and emerging artists and communities.
- 6 The significant and ongoing funding support given to local artists, writers and performers through City of Newcastle grant programs.

Part B

The City of Newcastle:

- 1 Understands the role of local government as a partner, advocate, enabler and investor in developing a local cultural and creative ecosystem;
- 2 Notes the continuing contribution of the Community and Culture Advisory Committee, supporting the work of the City;
- 3 Acknowledges the importance of creative workers living, creating and performing in Newcastle;
- 4 Acknowledges the need to champion our creative workforce;
- 5 Notes the valuable contribution made to the city's cultural production by the current re-purposing of industrial buildings as creative workspaces in precincts such as Clyde Street Waratah and Mayfield East
- 6 Notes the vulnerability of our industrial spaces to demolition and alternative uses, given the forecast increases in population in the City of Newcastle
- 7 Notes the importance of working with the community to retain and increase affordable creative workspaces.

Part C

The City of Newcastle acknowledges the need to plan how we support the arts, cultural and creative industries in Newcastle over the next 10 years and in the first 12 months of the next term of Council commencing September 2024 shall:

- 1 Investigate options for retaining and increasing affordable creative workspaces across the City of Newcastle and provide a report to the City's Community and Culture Advisory Committee;
- 2 Prepare a 10 year Cultural Plan for the City which includes support for our creative workers and their creative workspaces as a strategic priority.

Carried unanimously

10. CONFIDENTIAL REPORTS

PROCEDURAL MOTION

Moved by Cr Barrie, seconded by Cr Winney-Baartz

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

Carried

Council resolved into confidential session at 8.38pm.

PROCEDURAL MOTION

Moved by Cr Duncan, seconded by Cr Winney-Baartz

Council resolve into open session.

Carried

Council resolved into open session at 8.41pm and the Acting Chief Executive Officer read the resolution of the partial confidential report (*refer resolution at 8.4*) and Confidential Item 10.1 below.

10.1. TENDER REPORT FOR PROCESSING OF RECYCLABLES - CONTRACT NO 2024/114T

MOTION

Moved by Cr McCabe, seconded by Cr Clausen

That Council:

- 1 Accept the tender from IQ Renew Pty Ltd in line with the rate submitted in the tender (estimated contract value of \$9,500,000, excluding GST) for Contract No. 2024/114T Processing of Recyclables.
- 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 the Chief Executive Officer determines otherwise.

The meeting concluded at 8.42pm.

7. LORD MAYORAL MINUTE

To be tabled at the meeting.

8. REPORTS

8.1. TABLING OF REGISTER OF DISCLOSURES OF INTEREST - 1 MAY TO 31 JULY 2024

REPORT BY: CORPORATE SERVICES
CONTACT: ACTING EXECUTIVE DIRECTOR CORPORATE SERVICES
AND CHIEF FINANCIAL OFFICER / EXECUTIVE MANAGER
LEGAL AND GOVERNANCE

PURPOSE

To table the Register of Disclosures of Interest (Register) for the period 1 May to 31 July 2024 received from designated persons.

RECOMMENDATION

That Council:

- 1 Notes the tabling of the Register of Disclosures of Interest (for the period 1 May to 31 July 2024) by the Chief Executive Officer.

KEY ISSUES

- 2 City of Newcastle's (CN) Code of Conduct for Staff requires designated persons to lodge a Disclosure within three months of becoming a designated person or of becoming aware of a new interest that must be disclosed. Designated persons include the Chief Executive Officer (CEO), senior staff, or other CN staff designated because of their exercise of CN functions.
- 3 The CEO is required to table all lodged Disclosures at the first Ordinary Council Meeting held after the lodgment date.

FINANCIAL IMPACT

- 4 There is no budget implication in noting the Register.

NEWCASTLE 2040 ALIGNMENT

- 5 The tabling of the Register is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

Achieving Together

4.2 Trust and Transparency

4.2.2 Shared information and celebration of success

IMPLEMENTATION PLAN/IMPLICATIONS

- 6 The CEO is required to keep a Register which may be accessed by the public in accordance with the Government Information (Public Access) Act 2009 (GIPA Act).

RISK ASSESSMENT AND MITIGATION

- 7 Disclosures of interest are a key control in mitigating the failure to appropriately disclose and manage conflicts of interest.

RELATED PREVIOUS DECISIONS

- 8 At the Ordinary Council Meeting held on 28 May 2024, Council noted the tabling of the Register for the period 1 February to 30 April 2024.

CONSULTATION

- 9 No consultation was required as this is a statutory process under the Code of Conduct for Staff.

BACKGROUND

- 10 Nil.

OPTIONS

Option 1

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

Option 2

- 12 Council does not adopt the recommendation. The Code of Conduct for Staff requires the Disclosures to be tabled at a Council meeting. Failure to do so would constitute a breach of the Code. This is not the recommended option.

REFERENCES

Codes of Conduct

<https://www.newcastle.nsw.gov.au/Council/Our-Responsibilities/Code-of-Conduct>

ATTACHMENTS

Attachment A Register of Disclosures of Interest to be tabled

8.2. ENDORSEMENT OF MOTIONS FOR SUBMISSION TO THE 2024 LOCAL GOVERNMENT NSW CONFERENCE

REPORT BY: CORPORATE SERVICES
CONTACT: ACTING EXECUTIVE DIRECTOR CORPORATE SERVICES
 AND CHIEF FINANCIAL OFFICER / EXECUTIVE MANAGER
 LEGAL AND GOVERNANCE

PURPOSE

To consider proposed motions for submission to the Local Government New South Wales (LGNSW) 2024 Annual Conference (Conference).

RECOMMENDATION

That Council:

- 1 Endorse the motions for submission to the Local Government New South Wales 2024 Annual Conference as set out at **Attachment A**.

KEY ISSUES

- 2 The Conference is being held from 17-19 November 2024 at the Tamworth Regional Entertainment and Conference Centre. The host council is Tamworth Regional Council.
- 3 Councils are invited to submit motions to be considered at the Conference. Five motions were received, and are listed in **Attachment A**.
- 4 City of Newcastle (CN) is entitled to seven votes on motions and for positions in the LGNSW Board Elections. Council has delegated authority to the Lord Mayor to determine who will exercise CN's voting rights from among the Councillor attendees.

FINANCIAL IMPACT

- 5 Councillor attendance at the Conference is provided for within the 2024/25 budget. There are no additional costs associated with the submission of motions.

NEWCASTLE 2040 ALIGNMENT

- 6 Submissions of motions to the Conference is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

Creative

- 3.4 City-shaping partnerships
 - 3.4.1 Optimise city opportunities
 - 3.4.2 Advocacy and partnership

Achieving Together

4.2 Trust and Transparency

4.2.1 Genuine Engagement

4.3 Collaborative and innovative approach

4.3.1 Collaborative organisation

4.3.2 Innovation and continuous improvement

IMPLEMENTATION PLAN/IMPLICATIONS

- 7 CN will formally submit endorsed submissions in line with the 20 October 2024 deadline imposed by LGNSW.

RISK ASSESSMENT AND MITIGATION

- 8 Nil.

RELATED PREVIOUS DECISIONS

- 9 At the Ordinary Council Meeting held on 22 August 2023, Council endorsed the submission of 11 motions to the 2023 Local Government NSW Conference.

CONSULTATION

- 10 Councillors were invited by memo to submit proposed motions for consideration and endorsement by Council for submission to the Conference.

BACKGROUND

- 11 The Conference is the annual policy making event for LGNSW members and is designed for Councillors to come together to share ideas and debate issues that shape the way LGNSW advocates.
- 12 Attendance and voting arrangements for the Conference will be managed directly with Councillors following the declaration of results of the 2024 Local Government Election.

OPTIONS

Option 1

- 13 Council adopts the recommendation as shown at Paragraph 1. This is the recommended option.

Option 2

- 14 Council adopts an alternative recommendation. This is not the recommended option.

REFERENCES

LGNSW Annual Conference 2024 Motions Submission Guide

https://lgnsw.org.au/Common/Uploaded%20files/AnnualConference/2024/2024_Conference_Motions_Submission_Guide.pdf

Councillor Expenses and Facilities Policy

[https://newcastle.nsw.gov.au/getmedia/64873b72-40fd-4b8e-8a76-092bd82f077f/Councillor-Expenses-and-Facilities-](https://newcastle.nsw.gov.au/getmedia/64873b72-40fd-4b8e-8a76-092bd82f077f/Councillor-Expenses-and-Facilities-Policy#:~:text=11.14%20If%20CN%20has%20incurred,days%20of%20the%20invoice%20date)

[Policy#:~:text=11.14%20If%20CN%20has%20incurred,days%20of%20the%20invoice%20date](https://newcastle.nsw.gov.au/getmedia/64873b72-40fd-4b8e-8a76-092bd82f077f/Councillor-Expenses-and-Facilities-Policy#:~:text=11.14%20If%20CN%20has%20incurred,days%20of%20the%20invoice%20date)

ATTACHMENTS

Attachment A: Proposed motions for endorsement for submission to the LGNSW 2024 Annual Conference

Attachment A

CITY OF NEWCASTLE, NSW

MOTION 1 - ABILITY OF LOCAL GOVERNMENT TO FUND INFRASTRUCTURE AND SERVICES

That LGNSW:

1. Notes the longstanding and complex financial sustainability challenges faced by the local government sector.
2. Acknowledges that the NSW Government is currently undertaking an inquiry into the ability of local governments to fund infrastructure and services.
3. Notes that the United Services Union submission to the inquiry highlighted that over recent decades critical local government services have been put at risk due to unsustainable funding models imposed on NSW Councils, such as the economically damaging policy of rate capping and annual increase in the section 88 waste levy.
4. Continues to raise concerns that while some councils make Waste Levy contributions of up to approx. \$43 million, as little as 2% could be returned into that Local Government Area in the form of grants to fund resource recovery, waste management and waste and recycling education projects.
5. Supports 100% of income from the Waste Levy be returned to Councils in NSW and continues to advocate strongly for greater financial independence within the Local Government Sector.

BACKGROUND

Financial sustainability of Councils has been undercut by rate-pegging, cost shifting onto local government, and state and federal funding arrangements that are no longer fit for purpose.

Cost shifting continues to be one of the most significant challenges facing the NSW local government sector. CN advocates for a review that takes a holistic approach in understanding the impost cost shifting has on local governments. A key focus should be the consideration of council's increased long-term obligations and allocated funding of shared services.

The local government sector is required to comply with numerous legislation and regulations to meet the current and future needs of communities. This in itself takes time and effort to ensure compliance without constant changes.

Over the past two decades, the rate peg in New South Wales (NSW) has provided ratepayers with the notion of stability of rates increases while posing challenges for Councils in managing budgets and delivering essential services. While ratepayers

benefit from what is characterised as unwarranted excessive rate increases, Councils face constraints on financial flexibility and autonomy. Ultimately, Councils are unable to fund essential services and infrastructure projects, leading to social and economic concerns about service quality and amenity levels.

MOTION 2 - RENEWABLE ENERGY AND SAFE, SECURE JOBS

That LGNSW:

1. Welcome NSW transition towards a low carbon economy that simultaneously creates secure, safe and well-paid jobs.
2. Supports the NSW Premier, The Hon. Chris Minns in his comments regarding the continuation of prohibiting nuclear generated power in NSW and reiterate our commitment to being a nuclear free State.
3. Acknowledges that offshore wind, has the capacity of deliver an estimated 5,600 jobs during the process of wind turbine construction and 2,800 permanent jobs statewide.
 - a) In the Hunter: 3,120 jobs during construction and 1,560 ongoing jobs
 - b) In the Illawarra: 2,500 jobs during construction and 1,250 ongoing jobs.
4. Reaffirms its commitment to renewable energy and highlights the importance of transitioning towards reliable and affordable energy options, particularly during the current cost of living and climate crisis.

BACKGROUND:

The renewable energy transition requires the collective efforts of Federal, State and local governments, industry, business, the community and to create Australia's net zero future.

Through Australia's strong advocacy, led by Climate Change and Energy Minister Chris Bowen and Assistant Minister for Climate Change and Energy Senator Jenny McAllister, a \$100 million commitment to assist local governments to implement climate change adaptation and risk mitigation initiatives at the city level has been secured.

The emerging renewable energy industry represents a huge opportunity, by providing economic diversification and billions of dollars in investment, significant emissions reductions, and the creation of highly skilled and well-paid jobs.

MOTION 3 - ACCELERATED DEVELOPMENT APPLICATION SYSTEM

That LGNSW:

1. Acknowledges the successful development, trial and roll-out of the new City of Newcastle Accelerated Development Application System. The implementation of which has the ability to reduce processing times for eligible development applications to within five to 15 days.
2. Notes that during the 2023/24 financial year over 1,230 development applications, including 1050 dwellings, were determined in an average of 37 days. This is particularly important in helping combat the NSW housing shortage.
3. Notes that the Accelerated DA pathway presents an innovative approach to facilitating timely development outcomes, with some of the onus on the applicant to provide a quality submission that reduces the double-handling of information and speeds up the process, while still ensuring applicants are able to expect the same standard of professional review for each application seen by the assessment team.
4. Calls on the NSW Government to fund the state-wide adoption of the system to streamline and accelerate determinations of development applications across the local government sector.

BACKGROUND

The Accelerated DA System presents an innovative approach to facilitating timely development outcomes, with some of the onus on the applicant to provide a quality submission that reduces the double-handling of information and speeds up the process. It still ensures that applicants are able to expect the same standard of professional review for each application.

Decision ready and low risk DAs are eligible to be assessed under the Accelerated DA System.

The ADA System provides three new lodgment pathways for simple, decision ready and low-risk DAs to be identified and determined, as outlined below:

- a. Authorised Consultant Pathway – 5-day determination timeframe.
- b. Lodgment Ready Pathway – 10-day determination timeframe.
- c. Well-made Pathway – 15-day determination timeframe.

MOTION 4 - SUPPORT FOR THE PROTECTION OF COASTAL WATERS FROM OFFSHORE DRILLING AND MINING

That LGNSW:

1. Thanks the NSW Minns Government for recently introducing legislation which prohibits carrying out sea bed petroleum, mineral exploration and recovery and related development in NSW coastal waters.
2. Acknowledges that the Bill was recently passed by the Parliament and will amend the Environmental Planning and Assessment Act 1979 to prohibit:
 - a. Sea bed petroleum and mineral exploration and recovery in NSW coastal waters, and
 - b. Other development within the State for the purposes of sea bed petroleum and mineral exploration and recovery anywhere.
3. Notes that the prohibitions of the Bill do not extend to activities which may benefit the environment such as the recovery of sand of beach nourishment which is undertaken to help protect coastal areas from erosion.
4. Writes to NSW Premier, The Hon Chris Minns MP, Minister for Planning Paul Scully MP, and Minister for the Environment, The Hon Penny Sharpe MLC expressing the views of the City of Newcastle in support of the Government's advocacy and action in respect of this issue.
5. Calls on the NSW Government to continue taking action against the threat of offshore drilling and mining off the coast of NSW.

BACKGROUND

- The City of Newcastle supports the decision made by the Environmental Planning and Assessment Amendment (Sea Bed Mining and Exploration) Bill 2024 (NSW) on 7 February 2024 which proposed to amend the Environmental Planning and Assessment Act 1979 No. 203 (NSW) to prohibit the carrying out of sea bed petroleum and mineral exploration and recovery and related development.
- The Bill will implement the Offshore Exploration and Mining Policy that was introduced in February 2022 and will not apply to activities that may benefit the environment. This may include the recovery of sand for beach nourishment, or beach scraping undertaken to prevent erosion in coastal areas.

MOTION 5 - FAIRNESS FOR NSW HEALTH WORKERS

That LGNSW:

1. Notes with disappointment the re-introduction of staff parking fees for metropolitan and major regional public hospitals.
2. Acknowledges that the reinstatement of parking fees, which came into effect as of 1 February 2024, has resulted in NSW Health staff having to pay up to \$2,600 per year in fees.
3. Recognises that parking fees aim to encourage the use of public transport, which is the preferable method of transportation, however notes that the nature of shift work within the health care field brings impracticalities for this form of transportation, particularly for vulnerable workers and those living in regional NSW.
4. Supports NSW health workers, the NSW Nurses & Midwives Association and the Health Services Union in highlighting the additional financial strain these changes place on workers in the midst a cost-of-living crisis.
5. Calls upon the NSW Government to provide free parking for staff at all NSW public hospitals.

BACKGROUND

- City of Newcastle does not support the decision to end free parking for staff at metropolitan and major regional public hospitals, imposing significant financial burdens on health workers who rely on driving to work.
- This decision sparked protests among workers, who face high parking fees, with some hospitals charging over \$100 per week. City of Newcastle Stands with members of the Health Services Union (HSU) and the New South Wales Nurses and Midwives' Association (NSWNMA) in their opposing of this decision.

8.3. ELECTORAL FUNDING GUIDELINES

REPORT BY: CORPORATE SERVICES
CONTACT: ACTING EXECUTIVE DIRECTOR CORPORATE SERVICES
 AND CHIEF FINANCIAL OFFICER / EXECUTIVE MANAGER
 LEGAL AND GOVERNANCE

PURPOSE

To make Councillors and the community aware of the NSW Electoral Commission's electoral funding guidelines.

RECOMMENDATION

That Council:

- 1 Notes the NSW Electoral Commission electoral funding guidelines at **Attachment A**.

KEY ISSUES

- 2 At the Ordinary Council Meeting on 23 July 2024, Council resolved to receive a report back at the Ordinary Council Meeting, to be held on 27 August 2024, outlining the electoral funding guidelines for all Councillors to ensure clarity for Councillors and the community on electoral rules.
- 3 Key information relating to the electoral funding guidelines provided by the NSW Electoral Commission is summarised at Attachment A.
- 4 Candidates standing at the 2024 local government elections are required to familiarise themselves with these guidelines or seek advice to ensure they meet all legislative and disclosure requirements as a candidate.

FINANCIAL IMPACT

- 5 Nil.

NEWCASTLE 2040 ALIGNMENT

- 6 The outlining of electoral funding guidelines is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

Achieving Together

- 4.2 Trust and transparency
 - 4.2.3 Trusted customer experience

IMPLEMENTATION PLAN/IMPLICATIONS

- 7 Nil.

RISK ASSESSMENT AND MITIGATION

- 8 The purpose of the NSW Electoral Commission guidelines on electoral funding is to mitigate risk associated with non-compliance of the *Electoral Funding Act 2018*.

RELATED PREVIOUS DECISIONS

- 9 At the Ordinary Council Meeting on 23 July 2024, Council requested a report back at Council's next meeting outlining the electoral funding guidelines.

CONSULTATION

- 10 Nil.

BACKGROUND

- 11 Nil.

OPTIONS

Option 1

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

Option 2

- 13 Council does not note the NSW Electoral Commission electoral funding information. This is not the recommended option.

REFERENCES

ATTACHMENTS

- Attachment A:** Summary of NSW Electoral Commission information regarding electoral funding guidelines

Attachment A

A summary is provided below of the NSW Electoral Commission information and guidance about Electoral Funding, accessible via the following links on its website (www.elections.nsw.gov.au):

1 [Guidelines under the Electoral Funding Act 2018](#)

These guidelines cover the following topics:

- Political Donations
- Disclosures
- Public Funding
- Electoral Expenditure
- Caps
- Campaign Account

2 [NSW Electoral Commission Candidate Information Handbook - Funding and Disclosure](#)

This section covers the following topics:

- Political Donations
- Electoral Expenditure
- Campaign Accounts and Record Keeping
- Disclosing Political Donations and Electoral Expenditure

3 [NSW Electoral Commission - Election Funding, Disclosures and Compliance Webinar](#)

This webinar was recorded on 29 May 2024 and covers the following topics:

- Electoral funding and campaign finance laws
- Register to start campaigning
- Official agent responsibilities
- Managing political donations and electoral expenditure:
 - Campaign accounts
 - Donation caps
 - Prohibited donors
 - Expenditure caps
 - Disclosure obligations
- Electoral material
- Registration of electoral material
- Allegations, offences, compliance
- Key dates
- Resources and support

8.4. HUNTER AND CENTRAL COAST DEVELOPMENT CORPORATION (HCCDC) PUBLIC DOMAIN TRANSFERS

REPORT BY: CORPORATE SERVICES
CONTACT: ACTING EXECUTIVE DIRECTOR CORPORATE SERVICES
AND CHIEF FINANCIAL OFFICER / EXECUTIVE MANAGER
FINANCE PROPERTY AND PERFORMANCE AND DEPUTY
CHIEF FINANCIAL OFFICER

PURPOSE

To classify public domain land transferred from Hunter and Central Coast Development Corporation (HCCDC) as operational land.

RECOMMENDATION

That Council resolves:

- 1 To classify Lot 3 in DP 1277547 and Lot 1 in DP 1285680 1285680 (together called "the Land") as shown at Attachment A as operational land pursuant to section 31 of the Local Government Act (1993) (Act).

KEY ISSUES

- 2 HCCDC recently completed construction of public domain improvements on the Land.
- 3 Upon completion of the works and independent certification, the Land was transferred to City of Newcastle (CN) on 27 June 2024.
- 4 Public domain along Honeysuckle foreshore that has previously been transferred from HCCDC to CN has been classified as operational land to meet the objectives of the purpose of the transfers.
- 5 If CN does not resolve to classify the Land as operational land either prior to acquisition or within three months after acquisition, then in accordance with the Act, the Land will be deemed to have been classified as community land. This is not an appropriate classification for the Land.
- 6 CN publicly exhibited the proposed classification as operational land for the required 28 days in accordance with the Act.
- 7 One submission was received requesting clarifications regarding the proposed classification, as shown at Attachment B, and includes CN's response.
- 8 The resident then further made a submission specifically objecting to the proposed classification, as shown at Attachment C, summarised:
"...this could by Council resolution lead to a change future land use, to other than public open space."

- 9 The intent is for the Land to be used for public domain open space, consistent with other parcels of public domain land at Honeysuckle which have been transferred from HCCDC to CN. There is no intention to change the use of the land.

FINANCIAL IMPACT

- 10 The cost of maintaining the Land will be met within existing budgets.

NEWCASTLE 2040 ALIGNMENT

- 11 The classification as operational land for the purposes of public domain is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

Liveable

- 1.3 Safe, active and linked movement across the city
1.3.1 Connected cycleways and pedestrian networks

IMPLEMENTATION PLAN/IMPLICATIONS

- 12 Once it is resolved that the land is to be classified operational land, CN's land register will be updated to reflect resolution.

RISK ASSESSMENT AND MITIGATION

- 13 There are no foreseen risks with the classification of the Land to operational.

RELATED PREVIOUS DECISIONS

- 14 On 10 December 2019, Council resolved to classify various parcels of land transferred from HCCDC to CN as operational land for the purposes of the Act.

CONSULTATION

- 15 Public notice of the proposal to classify the land as operational commenced Saturday 6 July 2024 and closes Monday 5 August 2024.
- 16 At the Liveable Cities Committee held on 8 June 2022, the Committee agreed to endorse the operational classification of public domain parcels transferred from HCCDC to CN.

BACKGROUND

- 17 HCCDC and CN previously entered into a Dedication Framework Agreement (DFA) dated 30 October 2019.
- 18 The DFA allows for HCCDC to undertake public domain works and improvements along public land at Honeysuckle.

- 19 Upon completion of the works and independent certification, the improved land is to be transferred from HCCDC to CN.
- 20 There are some historic interests and rights granted by HCCDC encumbering the Land, which run with the title when it was transferred to CN.
- 21 In order to give effect to those interests and obligations, once the Land is transferred into the ownership of CN, the Council's ability to deal with the Land and maintain the current uses of the Land must be unfettered, which is consistent with and supports the proposal to classify the Land as operational.

OPTIONS

Option 1

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

Option 2

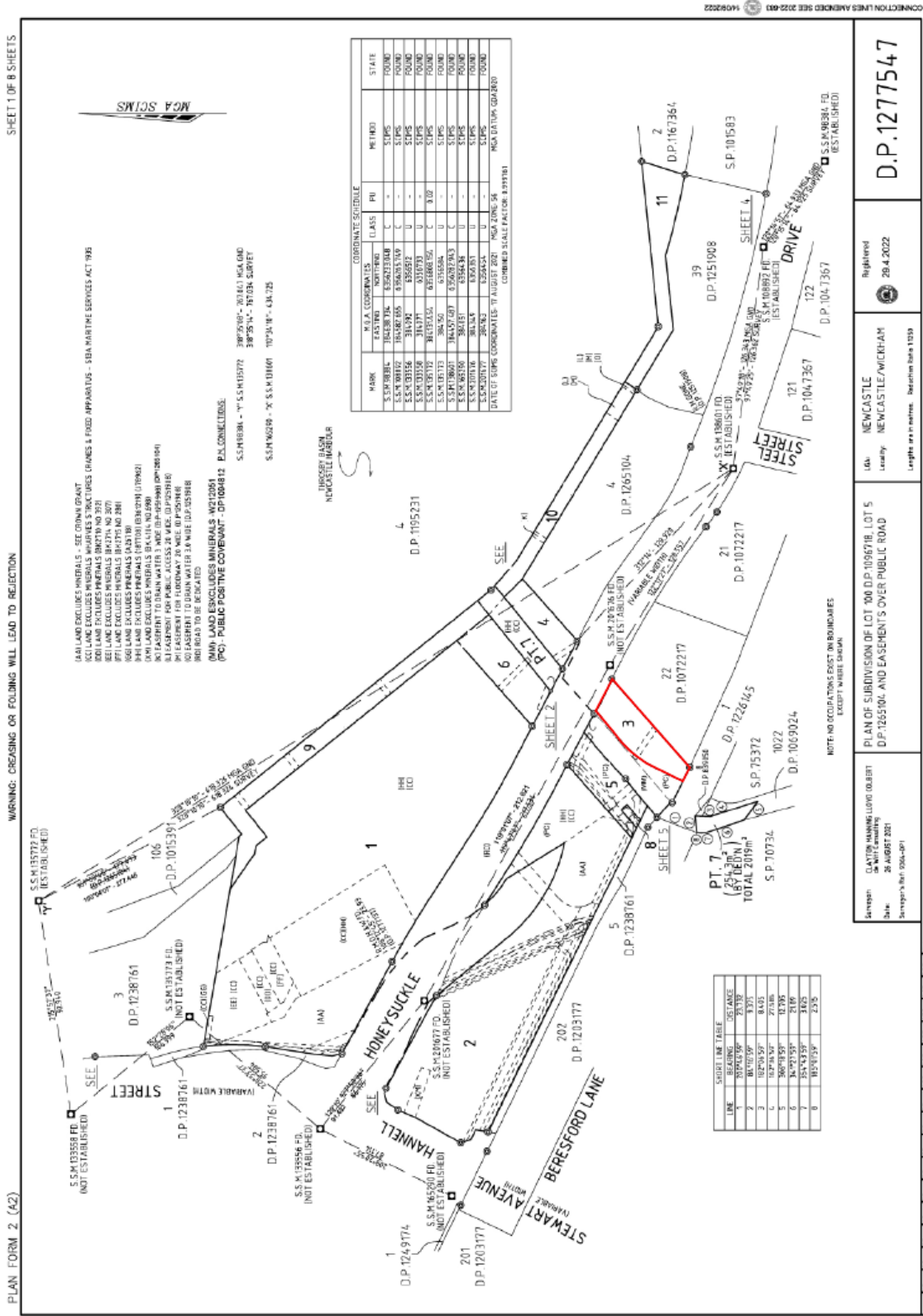
- 23 Council does not resolve to classify the Land as operational. This is not the recommended option.

REFERENCES

ATTACHMENTS

- | | |
|----------------------|---|
| Attachment A: | Plan of Properties |
| Attachment B: | Resident Questions and CN Response |
| Attachment C: | Residents further response and submission |

Attachment A: Plan of Properties



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Attachment B: Resident Questions and CN Response

- What is the current Classification of the Lots?
There is no current classification, under the Local Government Act (1993), before a council acquires land, or within 3 months after it acquires land, a council may resolve that the land be classified as operational land.
- Why is it necessary to Classify the Lots to Operational and what future opportunities will it present that are not currently available?
There are some historic interests and rights granted by HCCDC encumbering the Property (e.g. easements), which run with the title when it is transferred to CN. In order to give effect to those interests and obligations, once the Property is transferred into the ownership of CN, the Council's ability to deal with the land and maintain the current uses of the land must be unfettered. No additional opportunities will be available as the purpose is for public domain.
- What is the current zoning of the Lots and will this change with classification to Operational?
Current zoning is a mix of Public Recreation and Mixed Use. The classification of the land does not change zoning.
- What is the intended land use of the Lots?
Public Domain
- Who is the current owner of the Lots?
City of Newcastle
- Is the current owner intending to sell the Lots?
No, it is held for public domain purposes.

Attachment C: Residents further response and submission

Thank you for responding to my questions regarding the Classification of 35a and 46a Honeysuckle Drive Newcastle.

I am pleased that the Lots will be used as Public Domain and will be available as public open space. However I am concerned that by Classifying the land as Operational, this could by Council resolution lead to a change future land use, to other than public open space. If Council was fully committed to retaining the land for public open space from now into the future, then it should be classified as Community land. Hence I lodge my strongest objection to the land being classified as Operational.

As you would be well aware, there is a critical shortage of open space in this part of the City and every effort needs to be made to preserve what limited open space is available.

8.5. 505 MINMI ROAD FLETCHER - UPDATE ON PLANNING PROPOSAL

REPORT BY: PLANNING AND ENVIRONMENT
CONTACT: EXECUTIVE DIRECTOR PLANNING AND ENVIRONMENT /
INTERIM EXECUTIVE MANAGER PLANNING AND
DEVELOPMENT

PURPOSE

To provide an update on the planning proposal for 505 Minmi Road Fletcher.

RECOMMENDATION

That Council:

- 1 Notes on 8 July 2024, City of Newcastle (CN) requested the Department of Planning, Housing and Infrastructure (the Department) to not proceed with the planning proposal for 505 Minmi Road Fletcher.
- 2 Notes on 28 July 2024 the Department issued an Alteration of Gateway Determination which states the proposal should not proceed
- 3 Notes on 8 August 2024 the Department advised CN of the proponent's intent to lodge a Gateway review. The proponent has 42 calendar days to formally apply for a Gateway review. CN will receive formal advice once the application is received and will be provided with 21 calendar days to respond. The Independent Planning Commission will consider all information and provide its recommendation to the Department. The Minister (or delegate) will consider the recommendations and determine whether to alter the Gateway Determination.

KEY ISSUES

- 4 At the Ordinary Council Meeting held on 8 December 2020, Council resolved to not support the planning proposal for 505 Minmi Road Fletcher (the proposal) to rezone the land from C4 Environmental Living zone to part R2 Low Density Residential and part C2 Environmental Conservation zones (**Attachment A**).
- 5 Following this, the proponent submitted the proposal for review to the Hunter and Central Coast Regional Planning Panel (the Panel).
- 6 The Panel review found the proposal demonstrated strategic and site-specific merit and could be submitted for gateway determination. The Panel did not endorse the proposed zone boundaries, as they were not satisfied that the boundaries had been informed by analysis of the onsite biodiversity values.
- 7 In May 2022, following the Panel determination, CN accepted the planning proposal authority (PPA) role and submitted the proposal to the Department for Gateway Determination.

- 8 On 10 January 2023, the Department issued Gateway Determination which allowed the proposal to proceed subject to conditions relating primarily to biodiversity, density, and timeframe requirements.
- 9 On 8 January 2024, CN requested that the Minister determine that the proposal not proceed under s.3.35(4) *Environmental Planning and Assessment Act 1979*. This was based on the proponent's failure to address the Gateway Determination requirements.
- 10 In response, the Department altered the Gateway Determination's timing for completion by 23 November 2024 and directed CN to begin the planning proposal exhibition process.
- 11 CN exhibited the planning proposal from 22 April 2024 to 21 May 2024. During the exhibition, CN received 361 submissions, the majority of which raised biodiversity and infrastructure matters. One of the submissions received during the exhibition was from the NSW Environment Protection Authority (EPA).
- 12 The EPA submission, dated 27 May 2024 (**Attachment D**), raised land use conflict concerns due to the proximity of the proposed residential land use zone to Summerhill Waste Management Centre.
- 13 The EPA advises additional assessment is needed to inform appropriate future land uses, transitional zonings, buffer distances, and design choices. CN anticipates a minimum of 12 months would be needed to meet relevant EPA guideline assessment requirements.
- 14 In addition to matters raised by the EPA, concerns remain with regard to land use efficiency and avoiding areas of the site with high environmental value to improve biodiversity outcomes. To date, the proponent has failed to adequately address these concerns and has not demonstrated consideration of appropriate zone boundary options to address matters raised in Gateway Determination of 10 January 2023.
- 15 On 8 July 2024, CN formally requested the department not proceed with the planning proposal as a result of the outstanding matters identified through the exhibition period, including the EPA submission, the time required to address them, the lack of certainty around a clear resolution of these matters, and the reasons previously detailed to the Department (**Attachment B**).
- 16 On 28 July 2024 the Department approved CN's request and issued an Alteration of Gateway Determination stating the proposal for 505 Minmi Road, Fletcher should not proceed (**Attachment C**).
- 17 On 8 August 2024 the Department advised CN of the proponent's intent to lodge a Gateway review. The proponent has 42 calendar days to formally apply for a Gateway review. CN will receive formal advice once the application is received

and will be provided with 21 calendar days to respond. The Independent Planning Commission will consider all information and provide its recommendation to the department. The Minister (or delegate) will consider the recommendations and determine whether to alter the Gateway Determination.

FINANCIAL IMPACT

- 18 The proponent's planning proposal fees are in accordance with CN's Fees and Charges.

NEWCASTLE 2040 ALIGNMENT

- 19 A request to the Minister to determine the proposal not proceed is consistent with the following strategic directions of Newcastle 2040 Community Strategic Plan.

Liveable

- 1.1 ***Enriched neighbourhoods and places***
- 1.1.1 Great spaces
 - 1.1.2 Well-designed places
 - 1.1.3 Protected heritage places
- 1.2 ***Connected and fair communities***
- 1.2.1 Connected communities
 - 1.2.2 Inclusive communities
 - 1.2.3 Equitable communities
 - 1.2.4 Healthy communities
- 1.3 ***Safe, active and linked movement across the city***
- 1.3.1 Connected cycleways and pedestrian networks
 - 1.3.2 Road networks
 - 1.3.4 Effective public transport

Sustainable

- 2.1 ***Action on climate change***
- 2.1.3 Resilient urban and natural areas
- 2.2 ***Nature-based solutions***
- 2.2.1 Regenerate natural systems
 - 2.2.2 Expand the urban forest

IMPLEMENTATION PLAN/IMPLICATIONS

- 20 Not proceeding with the proposal ensures amendments to the *Newcastle Local Environmental Plan 2012* (LEP) are consistent with CN's planning priorities and objectives of its Local Strategic Planning Statement, Local Housing Strategy, and Newcastle Environment Strategy.

RISK ASSESSMENT AND MITIGATION

- 21 The proposal was prepared and assessed following the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act), and the department's LEP Making Guideline 2023.
- 22 Adherence to the legislative framework under the EP&A Act reduces risk by ensuring a planning proposal considers all relevant policies and strategic planning documents and is determined in an appropriate timeframe.

RELATED PREVIOUS DECISIONS

Previous Planning Proposal - Lodged 2009

- 23 At the Ordinary Council Meeting held on 18 December 2012, Council resolved to forward a planning proposal for 505 Minmi Road, Fletcher to the Minister for Planning and Infrastructure for gateway determination.
- 24 Council resolved at its meeting on 25 August 2015, to publicly exhibit the draft Planning Agreement for an offsite environmental land offset for 505 Minmi Road, Fletcher for 28 days.
- 25 Council resolved at its meeting on 8 December 2015, not to proceed with the planning proposal for the site and requested the Minister for Planning and Environment to allow CN to discontinue the proposed amendments.

Current Planning Proposal - Lodged 2020

- 26 Council resolved at its meeting on 8 December 2020, not to endorse the planning proposal to rezone 505 Minmi Road Fletcher and maintain current zoning for the site (E4 Environmental Living) under the LEP.
- 27 At the Ordinary Council Meeting on 12 December 2023, Council resolved to note that CN would be requesting the Minister for Planning not to proceed with the planning proposal for land at 505 Minmi Road Fletcher; due to the proponent not having satisfied the department's gateway determination conditions.

CONSULTATION

- 28 The Gateway Determination required consultation with the following public authorities and government agencies:
 - i) Transport for NSW
 - ii) The then Biodiversity and Conservation Division (BCD)
 - iii) Ausgrid
 - iv) Heritage NSW
 - v) NSW Rural Fire Service
 - vi) Subsidence Advisory NSW

- vii) Awabakal Local Aboriginal Land Council
- viii) Department of Education

29 CN exhibited the planning proposal from 22 April 2024 to 21 May 2024 following the Alteration of Gateway Determination issued by the department on 22 March 2024. During the exhibition, CN received 361 submissions including a submission from the NSW EPA.

BACKGROUND

30 On 1 May 2020, CN formally accepted lodgment of a proposal to rezone land at 505 Minmi Road Fletcher from C4 Environmental Living to R2 Low Density Residential and C2 Environmental Conservation.

31 On 8 December 2020, Council resolved to not support the proposal for gateway determination. Following this, the proponent requested an independent review by the panel.

32 On 23 September 2021, the department advised CN, that the panel's review found the proposal demonstrated strategic and site specific merit and could be submitted for gateway determination.

33 On 10 January 2023, the department issued gateway determination subject to conditions, including LEP timeframes. The planning proposal was to be exhibited within 90 days of gateway determination with the LEP completed by 20 January 2024.

34 CN continued to work with the proponent as required for our role as PPA. However, the pre-exhibition conditions were not met or close to resolution to meet the gateway determination requirements. In particular, the biodiversity and density matters were not adequately addressed.

35 On 8 January 2024, CN requested the Minister determine it not proceed under s.3.35(4) EP&A Act. This request was based on the proponent's failure to address the gateway determination. In response, the department amended the gateway determination timing for completion by 23 November 2024 and directed CN to begin the planning proposal exhibition process.

OPTIONS

Option 1

39 Note the recommendation as at Paragraph 1 to 2. This is the recommended option.

Option 2

40 Council resolves not to adopt the recommendation option.

REFERENCES

ATTACHMENTS

Attachment A: Proposed Zones Map – May 2023

Attachment B: Letter to DPHI - Request to withdraw 505 Minmi Road Fletcher– Dated 8 July 2024

Attachment C: Alteration of Gateway Determination – 28 July 2024

Attachment D: Environment Protection Authority Advice – 27 May 2024

Attachments A - D distributed under separate cover

8.6. EXECUTIVE MONTHLY PERFORMANCE REPORT

REPORT BY: CORPORATE SERVICES
CONTACT: ACTING EXECUTIVE DIRECTOR CORPORATE SERVICES
AND CHIEF FINANCIAL OFFICER / EXECUTIVE MANAGER,
FINANCE PROPERTY AND PERFORMANCE AND DEPUTY
CHIEF FINANCIAL OFFICER

PURPOSE

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

- a) Monthly financial position and year to date (YTD) performance against the 2024-2025 Operational Plan as at the end of July 2024.
- b) Investment of temporary surplus funds under section 625 of the *Local Government Act 1993* (Act), submission of report in accordance with the Act and clause 212 of the *Local Government (General) Regulation 2005* (Regulation).

RECOMMENDATION

That Council:

- 1 Receives the Executive Monthly Performance Report for July 2024.

KEY ISSUES

- 2 At the end of July 2024 the consolidated YTD actual operating position is a surplus of \$4.9m which represents a positive variance of \$2.4m against the budgeted YTD surplus of \$2.5m. This budget variance is due to a combination of income and expenditure variances which are detailed in **Attachment A**. The full year budget for 2024/25 is a surplus of \$4.1m.
- 3 The net funds generated as at the end of July 2024 is a surplus of \$9.9m (after capital revenues, expenditure and loan principal repayments). This is a positive variance to the YTD budgeted position of \$7.2m. This is primarily driven by the positive operating result and delay in expenditure within the Capital Works Program.
- 4 CN's temporary surplus funds are invested consistent with CN's Investment Policy, Investment Strategy, the Act and Regulations. Details of all CN funds invested under section 625 of the Act are provided in the Investment Policy and Strategy Compliance Report (section 4 of **Attachment A**).

FINANCIAL IMPACT

- 5 The variance between YTD budget and YTD actual results at the end of July 2024 is provided in the Executive Monthly Performance Report.

NEWCASTLE 2040 ALIGNMENT

- 6 The Executive Monthly Performance Report is consistent with the strategic directions of the Newcastle 2040 Community Strategic Plan.

Achieving Together

4.1 Inclusive and integrated planning

4.1.1 Financial sustainability

IMPLEMENTATION PLAN/IMPLICATIONS

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

RISK ASSESSMENT AND MITIGATION

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

RELATED PREVIOUS DECISIONS

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

CONSULTATION

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

BACKGROUND

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

OPTIONS

Option 1

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

Option 2

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

REFERENCES

ATTACHMENTS

Attachment A: Executive Monthly Performance Report - July 2024

Attachment A distributed under separate cover

9. NOTICES OF MOTION

9.1. NEWCASTLE INDOOR SPORTS FACILITY AND THE BROADMEADOW PLACE STRATEGY

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

PURPOSE

The following Notice of Motion was received on Thursday 15 August 2024 from the abovementioned Councillors.

MOTION

That City of Newcastle:

- 1 Notes that consultation has recently concluded on the Broadmeadow Place Strategy, and thanks the community for their insights and submissions.
- 2 Since the release of the Place Strategy, local media has reported that the Jemena Gas Works site, which has recently been remediated to an IN2 standard, has been made available for purchase (Newcastle Herald, 1 June 2024, attached).
- 3 Notes the elected Council's unanimous resolution of 28 May 2024 advocating that the Broadmeadow planning changes incorporate the continued operation of the PCYC, Newcastle Basketball, Newcastle Tennis, Broadmeadow Magic and Newcastle Show in the Broadmeadow Precinct, together with significantly enhanced public community open space, indoor sports, leisure and aquatic facilities.
- 4 Writes to the NSW Government and local Members of Parliament requesting that the NSW Government purchase or compulsory acquire the Jemena site, to enable the relocation of existing infrastructure to allow new housing and development on government owned-land within the Broadmeadow Precinct.

BACKGROUND

Greater Newcastle is one of the fastest growing areas in NSW, with an estimated 200,000 people expected to move to the region by 2056. Ensuring quality housing and creating jobs will be critical to the success of the city and region.

In December 2022, the NSW Government announced Broadmeadow as a regionally significant growth area as part of the Hunter Regional Plan 2041. The plan sets the strategic direction for land use planning to help create vibrant and connected communities in the Hunter region.

The Broadmeadow precinct covers an area of 313 ha close to Newcastle's CBD and presents a once in a generation opportunity to achieve city-shaping outcomes that will define Newcastle for decades to come. The place strategy serves as a blueprint for how the area will change over time, particularly for areas where significant population growth is expected. The place strategy will establish locations for future housing, employment, public open space, sports and entertainment, recreation, transport, and areas of cultural heritage.

Stage 1 includes plans to deliver 3,200 homes in the first 5 years. The initial stage also includes relocation of the entertainment centre and basketball facility to allow mixed-use developments to catalyse the future town centre at Broadmeadow Station (including a new community facility), and locate new residential uses within the town centre and adjoining Broadmeadow Park subprecinct. The first stage also focuses on the mixed-use redevelopment of the Locomotive Heritage Park and surrounding areas south of Lambton Road. It also supports the shift towards finer grain urban services and employment uses in Hamilton North.

Hunter Indoor Sports Centre

The NSW Government, through the NSW Office of Sport, has provided Newcastle Basketball with \$25 million in NSW Government funding to deliver the Hunter Indoor Sports Centre. Newcastle Basketball is the grant recipient, applicant for the development, and operator of the proposed facility.

The Office of Sport and Newcastle Basketball approached City of Newcastle in 2022 to discuss possible sites for the facility in the Newcastle Local Government Area. As the Office of Sport's grant funding does not provide for purchasing land, the criteria for sites included public ownership (either Council-owned or Crown Land), minimum land size to cater for the facility, appropriate site zoning and proximity to existing transport infrastructure.

The NSW Government has advised that it is not possible to retain the facility within its Hunter Park sporting precinct. The only site that met the criteria is Wallarah Oval, which is Crown Land under City of Newcastle's care and control.

At the request of the Member for Wallsend, in July 2024 City of Newcastle coordinated a site tour of the former Astra Street landfill facility. The meeting was attended by the Deputy Lord Mayor, Acting CEO, representatives from Council's infrastructure directorate, and representatives from the NSW Office of Sport. The tour confirmed that the former landfill site is unsuitable for the indoor sports centre due to the ongoing site remediation works and land zoning.

No final decision has been made on the indoor sports centre. Significant further planning state government approvals, including a state significant development application and approvals from NSW Crown Lands, are required before the Hunter Indoor Sports Centre can proceed – these approvals are the responsibility of Newcastle Basketball, as are all costs associated with the proposal. The development application is considered by the NSW Government to be a [State Significant Development](#) so City of Newcastle is not the determining authority for the application.

City of Newcastle has provided in-principle support to enable the development application to progress, however has raised concerns regarding parking and traffic, flooding and stormwater management, and impacts on local residents, which need to be quantified and addressed through the development application process with the NSW Government.

Should the Hunter Indoor Sports Centre be given state planning approval to proceed, City of Newcastle's priority is to ensure current user groups are no worse off.

City of Newcastle has been engaging with local sporting clubs and associations, and the local high school, to explore and plan upgrades to other nearby local facilities. Subject to relevant approvals, a long-term lease with Newcastle Basketball would enable them to occupy the site to construct and operate the facility. City of Newcastle has highlighted the need for the facility to also be available for other compatible community and sporting uses.

Relevant advocacy regarding Hunter Park can be found [here](#):

<https://newcastle.nsw.gov.au/getattachment/4d3b43db-abad-40cc-97c2-df092cc14db2/Public-Minutes-for-Ordinary-Council-Meeting-Tuesday,-28-May-2024.pdf>

ATTACHMENTS

Attachment A: Newcastle Herald 1 June 2024

Attachment A

newcastleherald.com.au

Business park planned for former gasworks site

JEMENA is poised to sell the former Hamilton North gasworks site to an industrial property developer.

The gas and electricity infrastructure company was tight-lipped about the planned sale, but the *Newcastle Herald* understands a deal is all but complete for the 7.4-hectare site.

Jemena acquired the contaminated Clyde Street land in 2006 from AGL as part of a corporate transaction. In 2020, it completed an \$11.5 million "cap and contain" remediation of the site to light industrial standard.

The *Herald* understands the land could become a business park.

The 30-year planning strategy for Broadmeadow announced last week by the NSW government and City of Newcastle places the gasworks site in a Hamilton North "business and innovation" sub-precinct.

"This place strategy encourages the appropriate remediation and reuse of contaminated sites for employment-generating uses within this sub-precinct," the strategy says.

- Michael Parris

9.2. LIGHTING AND THE NORTH LAMBTON DOG PARK

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

PURPOSE

The following Notice of Motion was received on Thursday 15 August 2024 from the abovementioned Councillors.

MOTION

That City of Newcastle:

- 1 Note the popularity of CN's fenced dog parks in North Lambton, Maryland and Islington
- 2 Note the benefits of these facilities to both dogs and humans, including increased exercise, recreation and social connection
- 3 Note the impact of fewer daylight hours in winter causing reduced evening usage at the dog parks
- 4 Note that any disruptive works at these sites would involve consultation with surrounding residents
- 5 Prepare a report for the Infrastructure Advisory Committee regarding the feasibility and indicative cost of installing lighting at these dog parks, starting with North Lambton

BACKGROUND

Nil.

ATTACHMENTS

Nil.

9.3. GETTING ON WITH THE JOB - END OF TERM REVIEW - COUNCILLOR PRODUCTIVITY

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

PURPOSE

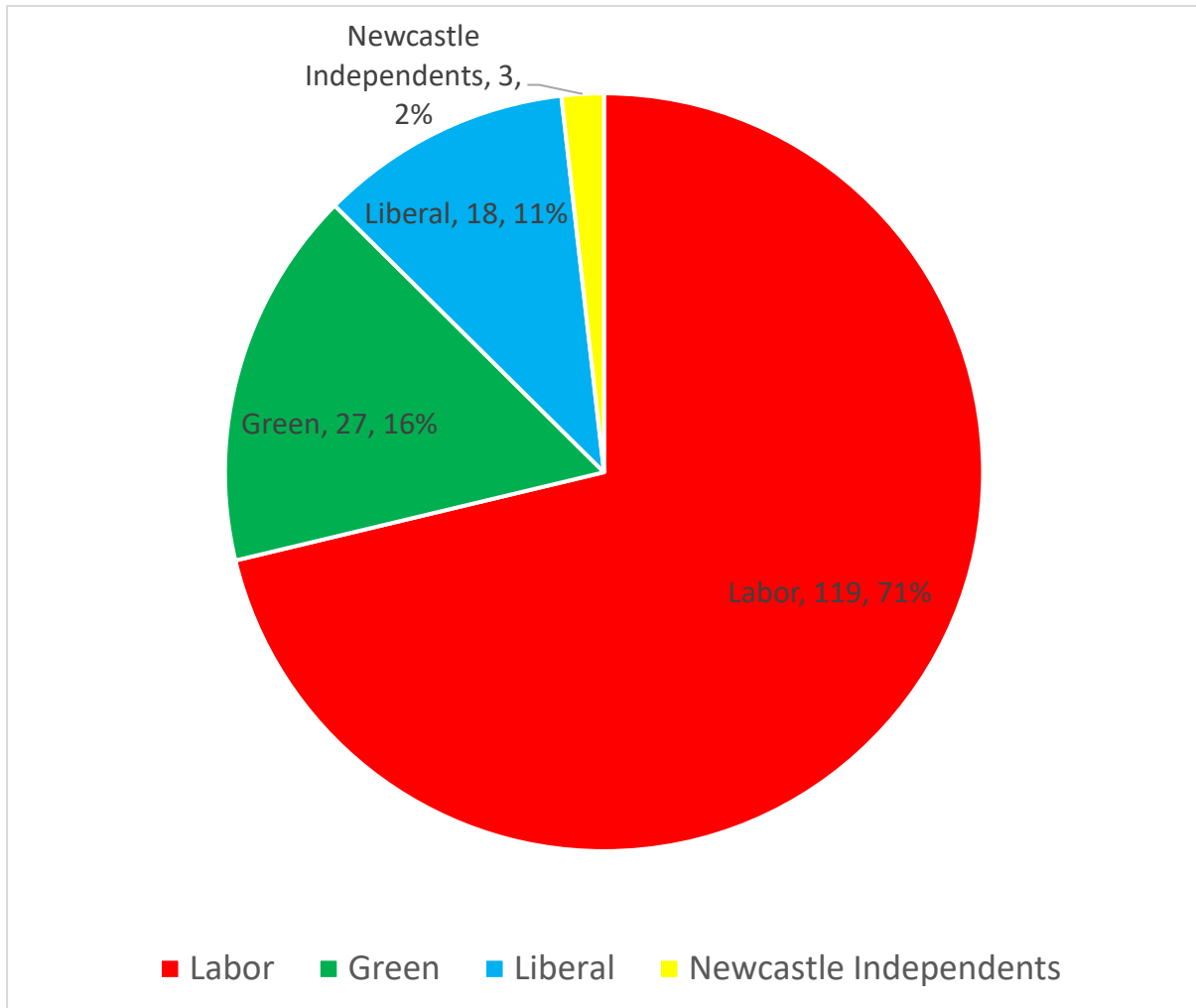
The following Notice of Motion was received on Sunday 18 August 2024 from the abovementioned Councillors.

MOTION

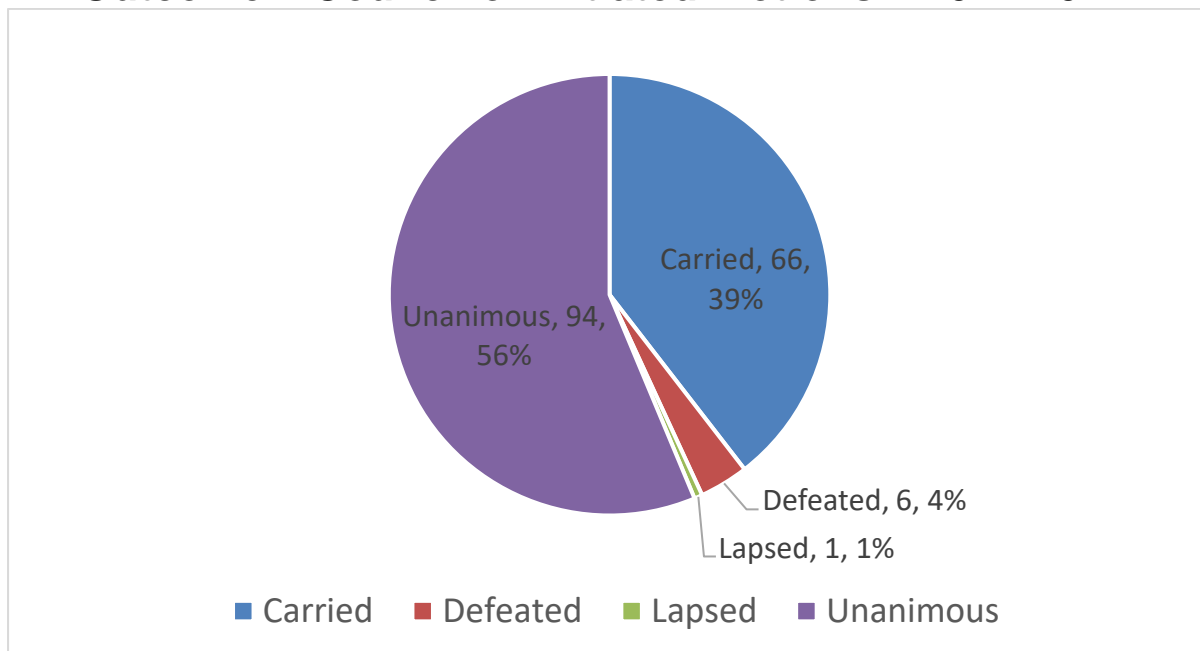
That City of Newcastle:

- 1 Acknowledges that the August 2024 Council meeting is the last meeting of the current shortened council term.
- 2 Notes that under the Local Government Act, a Councillor's role is to set the direction and strategy of the Council, provide governance oversight of the organisation in its operations, and advocate on behalf of their communities.
- 3 Notes that Councillor initiated motions are one of the key mechanisms for Councillors to undertaking this role.
- 4 Notes that during the 2021-2024 term of Council [minutes available to July 2024], there have been:
 - a. 28 meetings of the council (ordinary and extraordinary meetings) where Councillor initiated motions have been considered
 - b. Council's Annual Budget (Delivering Newcastle 2040) and Making of the Rates were carried with unanimous support across the term (with the exception of the 2022/23 and 2024/25 budget which were only opposed by Cr Church)
 - c. Across these meetings 463 motions have been considered and debated. Of these:
 - i. The vast majority (98.7%) were Carried.
 - ii. 62% of all motions were Carried Unanimously.
 - iii. 167 of these (36%) were initiated by Councillors via Notice of Motion or Lord Mayoral Minute.
 - d. Labor Councillors developed and presented 71% of all Councillor initiated motions (119 motions), the Greens Councillors developed and presented 16% (27 motions), the Liberal Councillors developed 10% (18 motions) and the Newcastle Independent councillor developed and presented 1.7% (3 motions).
 - e. These covered topics as important as:
 - i. Funding for Minmi Road upgrades between Newcastle Rd and Minmi (22/02/2022 - opposed by Cr McCabe)
 - ii. Keeping Beresfield Pool in public hands and low fee (26/04/22 – opposed by Cr Church)

Originating party – Councillor initiated motions – 2021-2024



Outcome – Councillor initiated motions – 2021-2024



ATTACHMENTS

Nil.

9.4. RECOGNITION OF PARALYMPIANS AND INCLUSIVE SPORT IN NEWCASTLE

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

PURPOSE

The following Notice of Motion was received on Thursday 15 August 2024 from the abovementioned Councillors.

MOTION

- A The City of Newcastle values our sports people and our sports communities and:
- 1 Celebrates the commencement of the Paralympics on 28 August 2024 for 11 days of competition, with 160 Australian parathletes competing in 17 of the 22 sports.
 - 2 Congratulates the contingent of Novocastrian Paralympians on their selection.
- B That the City of Newcastle supports the role of sport in creating social connections for people of all abilities across our community, and notes:
- 1 One in 6 residents of the Newcastle Local Government area has a disability and only 25% of people with a disability currently participate in sport. Three in four people with a disability feel excluded from sport and recreation.
 - 2 The Sports Clubs/Associations Disability Inclusion Survey 2024 has been designed in conjunction with the Access and Inclusion Advisory Committee and disseminated to sporting groups across Newcastle. The purpose of the survey is to understand how the City can work with local clubs to support greater inclusion of people with a disability in community sport and in the life of the club.
 - 3 The fifth annual Count Us In Festival ran from 8 to 15 August 2024 and focused on inclusive sport with:
 - a) A Come and Try Inclusive Sports Day
 - b) Inclusive Sports Forum with guest speakers former Newcastle Knights player Alex McKinnon and Paralympian Rae Anderson together with local sporting groups
 - c) Inclusive Sports Pitch Night to give local sporting groups the chance to obtain funding to build and enhance disability inclusion in their club.

C That the City of Newcastle:

- a) within 6 months of the commencement of the new 2024 Council term, investigate the opportunities for providing ongoing support and capacity building in local sporting groups to improve the participation of people with a disability in community sport and local clubs.
- b) co-design the investigation with the new Access and Inclusion Advisory Committee and prepare a report for that Committee to consider and advise on.

D That the City of Newcastle acknowledges:

- a) the contribution made by the Access and Inclusion Committee this term of Council and the previous term of Council
- b) the importance of an Access and Inclusion Committee in the next term of Council. constituted by community members with a disability and representatives from local organisations which understand allyship and the rights of people with a disability
- c) that the preparation of the City's next Disability Inclusion Action Plan in 2026 should allow for co-design with people with a disability, in particular members of the Access and Inclusion Advisory Committee
- d) and notes the commitments made in the Lord Mayoral Minute of 31 October 2023 on the Final Report of the Royall Commission into Violence, Abuse, Neglect and Exploitation of People with Disability including the importance of co-design with people with a disability.

BACKGROUND

Nil.

ATTACHMENTS

Attachment A: Lord Mayoral Minute of 31 October 2023 on the Final Report of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with a Disability.

Attachment B: Count Us In Program overview

Attachment A

7.2 LMM 31/10/2023 – Final Report of Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

MOTION:

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.

Background:

Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

Media Release: 29 September 2023

Royal Commission publishes Final report with 222 recommendations

Earlier today the Australian Government tabled the [Final Report](#) of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability in the Australian Parliament.

The 12-volume report devotes a volume to the voices of people with disability. It also includes an introductory volume with an Executive Summary and the Commissioners' vision for an inclusive Australia. This is the society in which people with disability told us they want to live – it is also the society in which they have a right to live and that all Australians have a role in creating.

The [report](#) contains 222 recommendations to promote a more inclusive society that supports the independence of people with disability and their right to live free from violence, abuse, neglect and exploitation.

Recommendations cover a wide range of areas, including:

- the introduction of an Australian Disability Rights Act to strengthen protection of the rights of people with disability and meet Australia's obligations under the Convention on the Rights of Persons with Disabilities
- a new Australian Government portfolio specifically responsible for disability, a new Minister for Disability Inclusion and a new Department of Disability Equality and Inclusion responsible for national leadership on relevant policies and programs
- a new National Disability Commission as an independent statutory authority
- more accessible information and communications, and increasing the number, skills and accessibility of interpreters
- a new framework and national principles for supported decision-making
- major reforms to mainstream systems to dismantle barriers that prevent people with disability accessing inclusive education, open employment, and accessible, appropriate and safe housing
- addressing the over-representation of people with disability in criminal justice settings and children with disability in youth detention settings
- increasing culturally safe disability services and supports for First Nations people with disability, and removing barriers to the NDIS in remote and very remote communities

- nationally-consistent adult safeguarding laws, community visitor schemes, and an independent one-stop shop in each state and territory for reporting complaints, referrals and support.

While most recommendations are directed to the Australian Government, some are directed to state and territory governments. Other recommendations are directed to non-government agencies, such as service providers and professional associations responsible for training in disability and related health areas.

The Royal Commission has recommended the Australian Government and state and territory governments publish written responses to the Final report by 31 March 2024.

The [Final Report](#) is available on our website, along with [A brief guide to the Final Report](#) and a brochure called [Listening to First Nations people with disability](#).

Final Report volumes

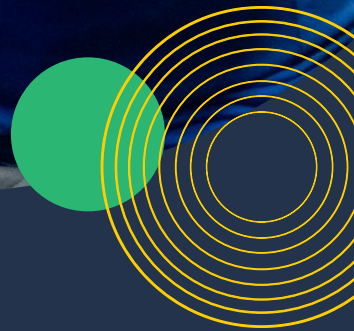
- [Introductory Volume - Executive summary, Chair's foreword, Vision of an inclusive Australia and Recommendations](#)
- [Volume 1 – Voices of people with disability](#)
- [Volume 2 – About the Royal Commission](#)
- [Volume 3 – Nature and extent of violence, abuse, neglect and exploitation](#)
- [Volume 4 – Realising the human rights of people with disability](#)
- [Volume 5 – Governing for inclusion](#)
- [Volume 6 – Enabling autonomy and access](#)
- [Volume 7 – Inclusive education, employment and housing](#)
- [Volume 8 – Criminal justice and people with disability](#)
- [Volume 9 – First Nations people with disability](#)
- [Volume 10 – Disability services](#)
- [Volume 11 – Independent oversight and complaint mechanisms](#)
- [Volume 12 – Beyond the Royal Commission](#)

Royal Commission fast figures:

- 32 public hearings heard evidence from 837 witnesses
- 1,785 private sessions
- 7,944 submissions
- 17,824 phone enquiries
- 14 issues papers, with 710 responses
- 700+ community engagement activities
- 12 policy roundtables or workshops
- 28 research reports



City of
Newcastle



Count **Us In** Sport

8 – 15 August 2024

Program Overview

1 in 5

20% of people in Australia live with a disability (1 in 6 in the Newcastle LGA)

75%

3 in 4 people with a disability feel excluded from sports and recreation

1 in 4

Only 25% of people with a disability currently participate in sport

Stats: Paralympics Australia



Making sports and recreation activities accessible to everyone

In 2024, Count Us In is back for its fifth year. To celebrate this milestone, the City of Newcastle is partnering with sporting groups/clubs, disability organisations and others to recognise the important role of sports and recreation activities in our lives.

Aligning with the 2024 Paris Olympics and Paralympics, this year's Count Us In festival is about making sport more accessible by removing participation barriers for the estimated 1 in 6 Newcastle residents who live with a disability.

Former Newcastle Knight Alex McKinnon and Paralympian Rae Anderson will join forces with City of Newcastle in August to champion the importance of making sport accessible for all.

Count Us In 2024 includes:

- Display of Inclusive Sports Banners on Laman Street, Newcastle
- Inclusive Sports and Recreation Register
- Come and Try Inclusive Sports Day-9 August
- Inclusive Sports Forum-13 August
- Inclusive Sports Pitch Night-15 August
- Paralympics Watch Party

The Count Us In Sport program will kick on the following day with a Come and Try Inclusive Sports event at No.2 Sportsground and surrounds, where school students and community members will be invited to participate in a series of sporting activities.

Sports clubs, associations and recreational providers with ideas to enhance disability inclusion in Newcastle will have the chance to promote their plans at an Inclusive Sports Pitch night on 15 August, with four grants of up to \$2,500 each on offer from City of Newcastle.

The Count Us In Sport program will wrap up with a fun Paralympics Watch Party hosted by Community Disability Alliance Hunter on a date still to be confirmed.



The high-profile pair will headline the inaugural Inclusive Sports Forum, which is one of five free activities being delivered as part of City of Newcastle's Count Us In Sport program from 8-15 August.

"City of Newcastle prides itself on being a liveable and welcoming community for all people, increasing social inclusion and community connections with events like Count Us In festival in line with our Disability Inclusion Action Plan," Lord Mayor of Newcastle, Cr Nuatali Nelmes.

Find out more about
Count Us In Sport
[newcastle.nsw.gov.au/
countusin2024](http://newcastle.nsw.gov.au/countusin2024)

Festival Commencement & Inclusive Sports Banners

Thursday 8 August

In an Olympic and Paralympic Year banners with images that celebrate disability inclusion in sport will fly high in Laman Street, Newcastle. Novocastrians love sport and we want all our community to be able to access the benefits that sport brings, and celebrate the great achievements of athletes with disabilities.

Inclusive Sports and Recreation Database-Register Now!

We're building a local data base of inclusive sport and recreation activities so we can share it with the whole community. Help us tell the story. You can promote your sport and recreation activity in Newcastle and encourage over 30,000 Novocastrians to get involved in your sport or activity. It all starts by registering on City of Newcastle's Community Directory.

[Register here](#)

Come and Try Inclusive Sports Day

Friday 9 August No 2 Sports Ground Smith Street Newcastle

Join us for an inclusive sports day come try session! Whether you're a seasoned athlete or trying something new, everyone is welcome. Discover a variety of activities in a welcoming environment. Make connections and get started on a regular activity. Two sessions will be held on the day, a morning session for school aged children and afternoon general public session.

Register for the [general public session](#)

Register for the school student session via contact Issi Palmieri issi@canvaseventsco.com.au

Sport and recreation providers are welcome to join us on the day to promote their activities, complete the Sport and Recreation Provider [Registration form](#) or contact issi@canvaseventsco.com.au

Inclusive Sports Forum

**Tuesday 13 August Mc Donald Jones Stadium
5pm-8pm**

Former Newcastle Knight Alex McKinnon and Paralympian Rae Anderson headline our Inclusive Sports Forum. Each will share their stories and experiences in sport alongside local clubs and recreation providers working in the disability inclusion space. Anderson will also speak about her work with Disability Sports Australia and the Accessibility Champions Course freely available to clubs, associations and others to facilitate sports inclusion.

This free event is targeted at sports clubs, associations and others interested in inclusion in sport.

[Register here](#)

Inclusive Sports Pitch

**Thursday 15 August Hunter Room, Newcastle City Hall
5pm-8pm**

Join us for City of Newcastle's Inclusive Sports Pitch Night.

Ideas from Sports Clubs, Associations, Organisations and recreational providers that can enhance disability inclusion within Newcastle at their local level will be pitched to a panel of judges to potentially be awarded up to \$2500 to deliver the activity/improvement over the following 6 to 12 months, 4 opportunities available.

This fast-paced evening will discover, encourage and reward some great local ideas about how more people with disabilities can access sport and recreation.

[Register](#) to be in the audience.

What to pitch your idea
email communityadmin@ncc.nsw.gov.au
or call 4974 2863.

Paralympics Watch Party (Between 29 Aug-9 Sept)

CN is also working with Community Disability Alliance Hunter (CDAH) to support a Paralympics Watch Party hosted by CDAH during the Paralympics.

Find out more about CDAH at cdah.org.au and join us for the watch party when details are posted.



**9.5. QUESTION ON NOTICE - ORDINARY COUNCIL MEETING - 23 JULY 2024 -
ITEM 8.2 SPECIAL BUSINESS RATE AUDIT OUTCOME**

BACKGROUND

At the Ordinary Council Meeting held on 23 July 2024, Council resolved the following:

2. *Requests a report back at Council's next meeting outlining the electoral funding guidelines for all councillors to ensure clarity for councillors and the community on electoral rules, and requesting a further response to unanswered questions from Councillor Church.*

ATTACHMENTS

Attachment A: Response from Councillor Church, dated 19 August 2024

Attachment A

19 August 2024

David Clarke
Acting Chief Executive Officer
City of Newcastle
PO Box 489
NEWCASTLE NSW 2300

Mr Clarke,

Thank you for your recent undated letter which was attached to an email to me from [REDACTED], Governance Business Partner, City of Newcastle dated 8 August 2024.

My response to the five (5) numbered points in your letter are as follows.

1. **"Why did the Newcastle Alliance not donate directly to Councillor Church and his Newcastle Independents candidates?"**

I have no association with Newcastle Alliance.

In my view, this question would need to be asked of Newcastle Alliance.

2. **"ICAC's Operation Spicer identified the previous source of the Newcastle Alliance funding as associates of property developer and liqueur industry businesses. These are prohibited donors in NSW. If not, ratepayer funds left in the former Newcastle Now BIA, were funds from prohibited donors 'washed' through the Newcastle Alliance, and then onto Newcastle Now Partnerships, prior to being provided to Councillor Church and the Newcastle Independent candidates?"**

This is a statement, not a question.

In any event, I disagree with the premise, made once again without any evidence by Cr Clausen.

3. **"Was Councillor Church aware of the ultimate source of the donations when he accepted them?"**

I was aware who made the donations, which were then properly declared to the NSW Electoral Commission.

4. **"Councillor Church, who did you give your bank details to, or who gave you the cheque?"**

Donations were received and receipted by volunteers working on our campaign team. I did not receive a cheque.

5. **"What did those secret donors want in return for the extraordinary \$42,000 they provided Councillor Church and his running mates prior to the last council election? Why is there so much secrecy around the funds?"**

I deny any suggestion that I have engaged in secrecy.

I received two donations of \$3,000 which have been publicly declared in accordance with the NSW Electoral Commission guidelines.

In my view, the allegation that \$42,000 in donations were received is incorrect, and would not withstand any level of appropriate scrutiny. No undertakings were given to any donors. To suggest otherwise is misleading and represents a failure by Cr Clausen to consider issues fairly.

In addition, I would like to raise an issue with a breach of clause 9.19 of the Code of Meeting Practice (**Code**) which provides as follows: *The Chairperson must not permit discussion on any reply or refusal to reply to a question put to a Councillor or CN staff.*

In my view, this obligation has been breached by:

1. Crs Clausen, Nelmes and Richardson at the Ordinary Council meeting held on 25 June 2024; and
2. Crs Clausen at the Ordinary Council meeting held on 23 July 2024. Please provide me with details of what action will be taken by you to address these breaches.

Please also ensure that breaches of this nature do not occur at any further Ordinary Council meetings.

Yours faithfully,

Councillor John Church

10. CONFIDENTIAL REPORTS

Nil items.