

CITY OF NEWCASTLE

Minutes of the Ordinary Council Meeting held in the Council Chambers, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West on Tuesday 28 June 2022 at 6.06pm.

PRESENT

The Lord Mayor (Councillor N Nelmes), Councillors E Adamczyk, J Barrie, J Church, D Clausen, C Duncan, J Mackenzie, C McCabe, C Pull, D Richardson, P Winney-Baartz (*retired 9.17pm*) and M Wood.

IN ATTENDANCE

J Bath (Chief Executive Officer), D Clarke (Director Governance and Chief Financial Officer), K Hyland (Interim Director Strategy and Engagement), F Leatham (Director People and Culture), J Rigby (Acting Director Infrastructure and Property), L Duffy (Acting Director City Wide Services), S Moore (Manager Finance), E Kolatchew (Manager Legal), N Kaiser (Interim Manager Community Strategy and Innovation), M Meehan (Senior Media Advisor), M Murray (Chief of Staff), K Sullivan (Councillor Services/Minutes), E Horder (Councillor Services/Meeting Support), R Garcia (Information Technology Support) and W Haddock (Information Technology Support).

MESSAGE OF ACKNOWLEDGEMENT

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

PRAYER

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

REQUEST TO ATTEND BY AUDIO VISUAL LINK / APOLOGIES

MOTION

Moved by Cr Duncan, seconded by Cr Mackenzie

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

Carried

MOTION

Moved by Cr Barrie, seconded by Cr Mackenzie

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

Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor Church

Councillor Church declared a significant pecuniary conflict of interest in Notice of Motion Item 19 - Curbing Illegal Dumping Driven by Insecure Housing stating that the item in part referred to the Residential Tenancies Act and as he worked in the residential property sector he would leave the Chamber for discussion on the item.

Councillor Clausen

Councillor Clausen declared a significant pecuniary interest in Notice of Motion Item 20 - 15 Years Since Wallsend Flood Event stating that consistently when these matters came to Council he had declared an interest as they referred to his employer. Councillor Clausen indicated that he would leave the Chamber for discussion on the item.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - PUBLIC VOICE COMMITTEE 17 MAY 2022
MINUTES - ORDINARY COUNCIL MEETING 24 MAY 2022

MOTION

Moved by Cr Mackenzie, seconded by Cr Adamczyk

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

Carried

LORD MAYORAL MINUTE

ITEM-12 LMM 28/06/22 - DEFEND ABORTION RIGHTS RALLY

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

- 1 Condemns the recent decision of the United States Supreme Court in *Dobbs v Jackson Women's Health Organization* (19-1392) overruling previously held decisions that the United States Constitution confers a right to an abortion.
- 2 Expresses its concern for the potential implications of this decision on the health and wellbeing of women across the United States and the denial of reproductive rights to women elsewhere in the world.
- 3 Supports the planned Defend Abortion Rights Rally due to take place this coming Thursday, 30th June 2022 from 5.30pm at Newcastle Museum and concluding at Nobbys Beach Reserve.

For the Motion:

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

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Against the Motion:

Councillors Church and Pull.

Carried

ITEM-13

LMM 28/06/22 - UNFAIR GRANT PROGRAM EXCLUSION

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

- 1 Notes its long-standing frustration with inconsistent State Government classification and resulting ineligibility for many grant programs.
- 2 Refers to the content of previous Lord Mayoral Minutes, subsequent submission to the Public Accountability Committee's Inquiry into the integrity, efficacy, and value for money of the NSW Government grant programs and commissioned Background Issues Paper by Hunter Research Foundation Centre regarding City of Newcastle's classification and eligibility for government funding.
- 3 Notes that at the time of said Submission, Newcastle had been denied eligibility to apply for funding sources totaling \$5.86 billion, Newcastle's approximate share of which totaled \$170.9 million, based on City of Newcastle's share of Gross State Product.
- 4 Notes that on 30 March 2021, the Public Accountability Committee tabled 15 recommendations as part its first report into the integrity, efficacy, and value for money of NSW Government grant programs.
- 5 Acknowledges that the report found "it was unacceptable for large regional cities such as Newcastle and Wollongong to be excluded when complementary grants programs are designed for both metropolitan and regional areas" and called for the NSW Government to review and standardise eligibility classifications across grant programs.
- 6 Confirms the Committee also supported investigation into the creation of a third 'gateway city' classification category for regions, which would potentially include local government areas such as Newcastle and Wollongong.
- 7 Notes that the Government provided its final response on 8 June 2022, in which there was no acknowledgement of the concerns raised by City of Newcastle.

- 8 Notes that since that making its submission, Newcastle has since missed out on the opportunity to apply for a share in millions more dollars in funding from the State Government because of its inconsistent classification, more recently including the \$20 million Events Boost program, and the \$35 million Electric Vehicle Fast Charging grant program.
- 9 Confirms our disappointment that despite those inquiry findings, Newcastle is still suffering from funding inequality by being unable to apply for major government grant programs that are accessible by its neighbouring council areas and laments the loss of community infrastructure, programs, and services as a result.
- 10 Writes to the Minister for Local Government, Wendy Tuckerman MP advising of this inequity and requesting assistance in resolving the issue as a matter of urgency.

**Carried
unanimously**

**ITEM-14 LMM 28/06/22 - 25TH ANNIVERSARY OF THE NEWCASTLE
DECLARATION**

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

- 1 Notes that 5th June 2022 was World Environment Day and also marked the 25th Anniversary of the Newcastle Declaration which was subsequently presented to the United Nations 1997 Rio +5 conference in New York.
- 2 Recognises both those organisations and individuals who contributed to the Newcastle Declaration in 1997, including its signatories at the *Pathways to Sustainability International Conference* including former Lord Mayor of Newcastle, Councillor Greg Heys.
- 3 Acknowledges City of Newcastle's ongoing commitment to environmental sustainability and equitable communities, evidenced by the following:
 - a. as a long-standing member of the International Council for Local Environmental Initiatives (ICLEI) and committing to the requirements of the Global Covenant of Mayors for Climate & Energy
 - b. taking the Cities Race to Zero Pledge
 - c. acknowledgement that there is a climate emergency
 - d. integration of United Nations Sustainable Development Goals (SDGs) in the Community Strategic Plan, with the SDG underpinning the strategic direction of the organization and community
 - e. commitment to reach Net Zero for City of Newcastle operations by no later than 2030, and for the community by 2040
 - f. recent endorsement of The Malmo Commitment
 - g. adoption of the Newcastle Climate Action Plan 2021-25

- h. construction of a 5-megawatt solar farm to power the City's operations and provide a foundation for a new circular economy precinct
- i. first local government in NSW to switch to 100% renewable electricity supply for operations through onsite and offsite renewables
- j. creation of a new resource recovery facility, diverting up to 30,000 tonnes of community recyclable waste away from landfill each year
- k. development of a zero emissions vehicles fleet transition plan
- l. supporting public transport electrification through installing a network of EV fast charges throughout the city
- m. installing more than 800 kilowatts of rooftop solar PV on key council sites
- n. planting more than 1200 street and park trees through our Living Streets program, which are resilient to climate change
- o. roll out of smart pole network with LED lighting and smart lighting controls as part of the Hunter Innovation Project
- p. formally committing to the principles and targets of the Paris Climate Agreement

- 4 Reaffirms its commitment to the objectives of the original Declaration, and the continued pursuit for an environmentally sustainable future.

**Carried
unanimously**

REPORTS BY COUNCIL OFFICERS

ITEM-53 **CCL 28/06/22 - MAKING OF THE RATE - HUNTER
CATCHMENT CONTRIBUTION AND COMMISSION FOR
2022/23**

MOTION

Moved by Cr Mackenzie, seconded by Cr Adamczyk

That Council:

- 1 Notes that the NSW Government's Hunter Local Land Services has established the Hunter Catchment Contribution rate for the 2022/23 rating year at 0.00977 of a cent in the dollar on all relevant properties within the Newcastle Local Government Area (LGA), with a land value in excess of \$300.
- 2 Adopts to continue the making, levying and collection of the Hunter Catchment Contribution on behalf of Hunter Local Land Services at the rate detailed in Paragraph 1.
- 3 Adopts the rate of commission payable to CN for the collection of the 2022/23 Catchment Contribution at 5% of the Hunter Catchment Contributions collected, as determined by Hunter Local Land Services.

**Carried
unanimously**

MOTION

Moved by Cr Clausen, seconded by Cr Duncan

That Council:

- 1 Makes the following Rates and Charges for the 2022/23 financial year:

RATE	MINIMUM RATE	AD Valorem Amount Cents in \$	BASE AMOUNT		ESTIMATED RATE YIELD P.A. \$'s
			\$	% of Total Rates	
Ordinary Rates					
Residential	Nil	0.227580	823.93	50	110,580,258
Farmland	\$1,134.70	0.293510	Nil	Nil	23,032
Business	\$1,134.70	1.568100	Nil	Nil	45,807,615
Business Sub-Categories					
Major Commercial Shopping Centre - Kotara	\$1,134.70	3.679722	Nil	Nil	1,659,555
Major Commercial Shopping Centre – Jesmond	\$1,134.70	4.585446	Nil	Nil	651,133
Major Commercial Shopping Centre – Waratah	\$1,134.70	5.078439	Nil	Nil	458,075
Major Commercial Shopping Centre – Wallsend	\$1,134.70	5.767255	Nil	Nil	461,380
Major Commercial Shopping Centre – The Junction	\$1,134.70	3.948715	Nil	Nil	244,820
Major Commercial Shopping Centre – Inner City	\$1,134.70	1.093038	Nil	Nil	244,841
Major Commercial Shopping Centre (Inner City-East)	\$1,134.70	1.475658	Nil	Nil	92,671
Suburban Shopping Centre – Hamilton	\$1,134.70	1.934387	Nil	Nil	63,641
Suburban Shopping Centre – Inner City	\$1,134.70	2.202954	Nil	Nil	123,586
Suburban Shopping Centre	\$1,134.70	3.282880	Nil	Nil	218,640
Suburban Shopping Centre – Mayfield	\$1,134.70	2.202954	Nil	Nil	194,961
Kotara – Homemaker's Centre	\$1,134.70	1.387959	Nil	Nil	313,009
Kotara – Homemaker's Centre - South Zone	\$1,134.70	1.666798	Nil	Nil	340,027
Kooragang Industrial Coal Zone	\$1,134.70	1.920089	Nil	Nil	710,744
Kooragang North Industrial Coal Zone	\$1,134.70	2.617107	Nil	Nil	1,587,275
Kooragang Industrial Centre - Walsh Point	\$1,134.70	2.186269	Nil	Nil	2,214,488
Kooragang Industrial Centre	\$1,134.70	1.751565	Nil	Nil	1,124,848

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Mayfield West Storage Units	\$567.35	2.831941	Nil	Nil	49,615
Mayfield North Heavy Industrial Centre	\$1,134.70	1.083683	Nil	Nil	675,622
Mayfield North Industrial Centre	\$1,134.70	1.714055	Nil	Nil	517,165
Mayfield North Industrial Centre - Future Development	\$1,134.70	1.845360	Nil	Nil	396,549
Carrington Industrial Port and Coal Zone	\$1,134.70	3.392505	Nil	Nil	1,604,655
Carrington Industrial Centre	\$1,134.70	2.435489	Nil	Nil	1,513,768
Carrington Industrial Port Operations Use	\$1,134.70	2.721934	Nil	Nil	290,104
Broadmeadow Industrial Centre	\$1,134.70	3.870560	Nil	Nil	174,175
Hexham Industrial Centre	\$1,134.70	2.532696	Nil	Nil	1,033,325
Special Rates					
Hunter Mall	Nil	0.170510	Nil	Nil	80,693
Mayfield Business District	Nil	0.095597	Nil	Nil	82,250
Hamilton Business District - Zone A	Nil	0.177738	Nil	Nil	93,809
Hamilton Business District - Zone B	Nil	0.088869	Nil	Nil	36,452
Hamilton Business District - Zone C	Nil	0.044435	Nil	Nil	14,827
Wallsend Business District - Zone A	Nil	0.371295	Nil	Nil	117,334
Wallsend Business District - Zone B	Nil	0.185647	Nil	Nil	15,234
Wallsend Business District - Zone C	Nil	0.278471	Nil	Nil	22,278
New Lambton Business District	Nil	0.098478	Nil	Nil	15,760
City Centre - City East	Nil	0.221853	Nil	Nil	185,260
City Centre - Darby Street	Nil	0.051079	Nil	Nil	35,104
City Centre - City West (Close Zone)	Nil	0.078447	Nil	Nil	259,162
City Centre - City West (Distant Zone)	Nil	0.039224	Nil	Nil	14,548
City Centre – Tower	Nil	0.221853	Nil	Nil	178,955
City Centre – Mall	Nil	0.221853	Nil	Nil	116,328
City Centre – Civic (Close Zone)	Nil	0.116374	Nil	Nil	112,856
City Centre – Civic (Distant Zone)	Nil	0.058187	Nil	Nil	6,507
TOTAL					174,756,934

- 2 An Ordinary Rate of zero point two two seven five eight zero cents (0.227580c) in the dollar with a 50% base charge of eight hundred and twenty three dollars and ninety three cents (\$823.93) named **RESIDENTIAL**, apply to all rateable land in City of Newcastle (CN) Local Government Area (LGA) categorised as Residential.
- 3 An Ordinary Rate of zero point two nine three five one zero cents (0.293510c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **FARMLAND**, apply to all rateable land in CN LGA categorised as Farmland.

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- 4 An Ordinary Rate of one point five six eight one zero zero cents (1.568100c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS**, apply to all rateable land in CN LGA categorised as Business **except** that rateable land determined to be in the Business Sub-Categories - Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City), Suburban Shopping Centres, Suburban Shopping Centres (Inner City), Suburban Shopping Centre – Hamilton, Major Commercial Shopping Centre (Inner City-East), Suburban Shopping Centre - Mayfield, Kotara, Homemaker’s Centre, Kotara, Homemaker’s Centre - South Zone, Kooragang Industrial Coal Zone, Kooragang North Coal Zone, Kooragang Industrial Centre, Kooragang Industrial Centre - Walsh Point, Mayfield North Heavy Industrial Centre, Mayfield North Industrial Centre, Mayfield North Future Industrial Development Centre, Mayfield West Storage Units, Carrington Industrial Coal Zone, Carrington Industrial Centre, Carrington Industrial Port Operations Use, Carrington Industrial Coal and Port Zone, Broadmeadow Industrial Centre and Hexham Industrial Centre.
- 5 An Ordinary Rate of three point six seven nine seven two two cents (3.679722c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - KOTARA**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Kotara located on a site of greater than eight hectares (80,000m²), providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of forty (40) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Kotara.
- 6 An Ordinary Rate of four point five eight five four four six cents (4.585446c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - JESMOND**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Jesmond providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Jesmond.
- 7 An Ordinary Rate of five point zero seven eight four three nine cents (5.078439c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - WARATAH**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major

Commercial Shopping Centre” being defined as a centre of commercial activity within the suburb of Waratah providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Waratah.

- 8 An Ordinary Rate of five point seven six seven two five five cents (5.767255c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - WALLSEND**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Wallsend providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Wallsend.
- 9 An Ordinary Rate of three point nine four eight seven one five cents (3.948715c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES – THE JUNCTION**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of The Junction providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of fifteen (15) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres – The Junction.
- 10 An Ordinary Rate of one point zero nine three zero three eight cents (1.093038c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES (INNER CITY)**, apply to all rateable land in CN LGA situated at Newcastle West within the centre of activity defined by the land bounded by Parry, National Park, King and Steel Streets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres (Inner City).
- 11 An Ordinary Rate of one point four seven five six five eight cents (1.475658c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES (INNER CITY-EAST)**, apply to all rateable land in CN LGA situated at Newcastle West within the centre of activity defined by the land bounded by Parry, Steel, King and Ravenshaw Streets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres (Inner City-East).
- 12 An Ordinary Rate of three point two eight two eight eight zero cents (3.282880c) in the dollar with a minimum rate of one thousand one hundred and thirty four

dollars and seventy cents (\$1,134.70) named **BUSINESS – SUBURBAN SHOPPING CENTRES**, apply to all rateable land in CN LGA, being utilised as a Suburban Shopping Centre. "Suburban Shopping Centre" being defined as a centre of commercial activity situated on a site of greater than 6000m² which operates and has a dominant use as a Supermarket excepting the land categorised as Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City), Major Commercial Centres (Inner City-East), Suburban Shopping Centre – Mayfield or Suburban Shopping Centre - Hamilton. This land is categorised as Sub-category Business - Suburban Shopping Centres.

- 13 An Ordinary Rate of two point two zero two nine five four cents (2.202954c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – SUBURBAN SHOPPING CENTRES – INNER CITY**, apply to all rateable land in CN LGA, being utilised as an Inner City Suburban Shopping Centre. "Inner City Suburban Shopping Centre" being defined as a centre of commercial activity within the suburb of Newcastle West situated on a site of greater than four thousand and nine hundred square metres (4,900m²) which operates as a Supermarket excepting the land categorised as Major Commercial Centres (Inner City) or Major Commercial Centres (Inner City-East). This land is categorised as Sub-category Business - Suburban Shopping Centres – Inner City.
- 14 An Ordinary Rate of one point nine three four three eight seven cents (1.934387c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – SUBURBAN SHOPPING CENTRES – HAMILTON**. This sub-category applies to all rateable land within the centre of commercial activity defined by the land bounded by Hudson, Swan Donald and Bennett Streets, Hamilton which operates as a Supermarket. This land is categorised as Sub-category Business - Suburban Shopping Centres – Hamilton.
- 15 An Ordinary Rate of two point two zero two nine five four cents (2.202954c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – SUBURBAN SHOPPING CENTRE – MAYFIELD** apply to all rateable land within the suburb of at Mayfield, being utilised as a Suburban Shopping Centre. "Suburban Shopping Centre" being defined as a centre of commercial activity situated on a site of greater than 1 Hectare (10,000m²) with a minimum 4,000m² of floorspace which operates as a Supermarket. This land is categorised as sub-category Business – Suburban Shopping Centre - Mayfield.
- 16 An Ordinary Rate of one point three eight seven nine five nine cents (1.387959c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – KOTARA HOMEMAKER'S CENTRE** apply to all rateable land in CN LGA situated at Kotara, within the centre of activity defined by Lot 501 DP 1174032 and Lots

181 and 182 DP 850168. This land is categorised as sub-category Business – Kotara Homemaker’s Centre.

- 17 An Ordinary Rate of one point six six six seven nine eight cents (1.666798c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – KOTARA HOMEMAKER’S CENTRE - SOUTH ZONE** apply to all rateable land in CN LGA situated at Kotara, within the centre of activity defined by Lot 220 DP 1014716. This land is categorised as sub-category Business – Kotara Homemaker’s Centre - South Zone.
- 18 An Ordinary Rate of one point nine two zero zero eight nine cents (1.920089c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – KOORAGANG INDUSTRIAL COAL ZONE** apply to all rateable land in CN LGA within the centre of activity defined by the suburb of Kooragang being Lot 11 DP 841542, Lot 121 DP 874949, Lot 1 DP 1097327, Lot 5 DP 1097327, Lots 2, 5, 7, 9 DP 775774, Lot 1 DP 775775, Lot 1 DP 869622, Lot 18 DP 1119752. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Kooragang Industrial Coal Zone.
- 19 An Ordinary Rate of two point six one seven one zero seven cents (2.617107c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – KOORAGANG NORTH INDUSTRIAL COAL ZONE** apply to all rateable land in CN LGA within the centre of activity defined by the suburb of Kooragang being Lots 2, 3, 6, 16 DP 1119752, Lot 61 DP 1184395, Lot 62 DP 1184943, Lot 16 DP 262783, Lots 8 DP 1119752, Lots 29, 30, 31, 32 and 33 DP 1184229, Lots 4, 5, 6, 10, 11, 12 DP 1207051, Lots 3, 7, 8, 9, 13, 14, 15 DP 1207051 and Lot 22 DP 1155723. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Kooragang North Industrial Coal Zone.
- 20 An Ordinary Rate of two point one eight six two six nine cents (2.186269c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – KOORAGANG INDUSTRIAL CENTRE WALSH POINT** apply to all rateable land in CN LGA within the centre of activity defined by the suburb of Kooragang being Lot 3 DP 234288, Lot 3 DP 1117013, and Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 DP 271222, Lots 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22 DP 234887, Lots 6, 7 DP 262783, Lots 1 DP 57567, Lots 2, 6, 7, 8, 9 DP 775772, Lots 11, 12, 13, 14, 17, 18, 19, 20, 22, 23 DP 775773, Lots 2, 4, 5, 7, 8, 9, 10, 14 DP 775775, Lots 29, 31, 32, 33, 35, 37, 38, 39, 40, 41, 42 DP 775776, Lots 44, 45, 46, 47, 48, 49, 50, 51, 53 DP 775777, Lots 60, 61, 62, 63 DP 802700, Lots 3 DP 858206, Lots 2, 4, 5 DP 1015754, Lots 201, 202, 203, 204, 205, 206, 208, 210 DP 1017038, Lots 210, 211 DP 1018949, Lots 520, 521 DP 1018950, Lots 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112 DP 1018951, Lots 131, 132 DP 1018952, Lot 362 DP 1104196, Lot 15 DP 1119752, Lots 12, 13 DP 1144748, Lots 1, 2 DP 1184514, Lots 1, 2, 3, 4 DP 1191912, Lots 94, 95 DP 1191913, Lots 41, 42, 43, 44 DP 1193134, Lot 2 DP

1195449, Lots 151, 152, 153 DP 1202468, Lots 91, 92 DP 1202475 and Lot 123/1223462. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act located within this centre of activity which is not sub categorised as Business – Kooragang Industrial Coal Zone or not sub categorised as Business – Kooragang North Industrial Coal Zone or not sub categorized Business – Kooragang Industrial Centre. This land is categorised as sub-category Business – Kooragang Industrial Centre Walsh Point.

- 21 An Ordinary Rate of one point seven five one five six five cents (1.751565c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – KOORAGANG INDUSTRIAL CENTRE** apply to all ratable land in CN LGA within the centre of activity defined by the suburb of Kooragang. This sub categorisation applies to all land not used primarily as a service station and categorised as Business in terms of Section 518 of the Act which is not sub categorised as Business – Kooragang Industrial Coal Zone or not sub categorised as Business – Kooragang North Industrial Coal Zone or not sub categorised as Business – Kooragang Industrial Centre Walsh Point. This land is categorised as sub-category Business – Kooragang Industrial Centre.
- 22 An Ordinary Rate of one point zero eight three six eight three cents (1.083683c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – MAYFIELD NORTH HEAVY INDUSTRIAL CENTRE** apply to all rateable land in CN LGA within the centre of activity defined by all land contained within, Lots 224, 225 DP 1013964, Lot 2 DP 1204573, Lot 2 DP 1184257 and Lot 1 DP 874109. This land is categorised as sub-category Business - Mayfield North Heavy Industrial Centre.
- 23 An Ordinary Rate of one point seven one four zero five five cents (1.714055c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – MAYFIELD NORTH INDUSTRIAL CENTRE** apply to all rateable land in CN LGA within the centre of activity defined by Lot 10 DP 625019, Lot 1 DP 403544, Lot 1 DP 528411, Lot 2 DP 207307, Lot 3 DP 259009, Lot 1 DP 880225, Lots 1, 2 DP 1177466, Lots 36, 37, 38, 39, 40 DP 1191723 Lots 5, 6 and 7 DP 1204575 and Lot 11 DP 625019. This land is categorised as sub-category Business - Mayfield North Industrial Centre.
- 24 An Ordinary Rate of one point eight four five three six zero cents (1.845360c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – MAYFIELD NORTH INDUSTRIAL CENTRE - FUTURE DEVELOPMENT** apply to all rateable land in CN LGA within the centre of activity defined by Lots 41, 42, 43, and 44 in DP 1191982, Lots 51, 52, 53 and 54 DP 1229869 and Lot 332 DP 1176879. This land is categorised as sub-category Business - Mayfield North Industrial Centre Future Development.
- 25 An Ordinary Rate of two point eight three one nine four one cents (2.831941c) in the dollar with a minimum rate of five hundred and sixty seven dollars and

thirty five cents (\$567.35) named **BUSINESS – MAYFIELD WEST STORAGE UNITS** apply to all rateable land in CN LGA within the centre of activity defined by all lots contained within Strata Plan 99055. This land is categorised as sub-category Business - Mayfield West Storage Units.

- 26 An Ordinary Rate of three point three nine two five zero five cents (3.392505c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – CARRINGTON INDUSTRIAL PORT AND COAL ZONE** apply to all rateable land in CN LGA within the centre of activity defined by all land within Lot 1 DP 1044636 Lots 1, 2 DP 1104199, the land contained within Railway Land Lease reference number 115/75/2261, Lots 3, 4 DP 1104199, Lots 1, 2, 3 DP1187068, Lot 30 DP 1190075, Lots 8 and 11 DP 1190231, Lots 13, 14, 15, 16 DP 1190232, Lots 110, 111, 113 DP 1191911, Lots 91, 92, 93 DP 1193181, Lots 1, 2, 3 DP 1195231, Lots 219, 220 DP 1195310 . and Lots 1, 2, 3 in DP 1218150. This land is categorised as sub-category Business - Carrington Industrial Coal and Port Zone.
- 27 An Ordinary Rate of two point seven two one nine three four cents (2.721934c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – CARRINGTON INDUSTRIAL PORT OPERATIONS USE** apply to all rateable land in CN LGA within the centre of activity defined by all land within Lot 27 DP 842685 Lot 101 DP 1014244, Lot 1014 DP 1143277, Lot 33 DP 1078910 and Lot 1 DP 834572. This land is categorised as sub-category Business - Carrington Industrial Port Operations Use.
- 28 An Ordinary Rate of two point four three five four eight nine cents (2.435489c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – CARRINGTON INDUSTRIAL CENTRE** apply to all rateable land in CN LGA within the centre of activity defined by all land with an area of greater than than six hundred square metres (600m²) and zoned SP1 – Special Activities under the State Environmental Planning Policy (Three Ports) 2013 and located within the suburb of Carrington and the land known as Lot 1 DP 1097368 excepting that land categorised as Business - Carrington Industrial Coal and Port Zone or the land categorised as Business - Carrington Industrial Port Operations Use. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Carrington Industrial Centre.
- 29 An Ordinary Rate of three point eight seven zero five six zero cents (3.870560c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – BROADMEADOW INDUSTRIAL** apply to all rateable land in CN LGA within the centre of activity defined by all land within Lot 221 DP 1012345. This land is categorised as sub-category Business - Broadmeadow Industrial.
- 30 An Ordinary Rate of two point five three two six nine six cents (2.532696c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – HEXHAM**

INDUSTRIAL CENTRE apply to all rateable land in CN LGA within the centre of activity defined by all land wholly or partly contained in a “parcel of land” as defined within the Valuation of Land Act NSW 1916, which is in the majority zoned IN3 Heavy Industrial under the Newcastle Local Environmental Plan 2012 and located within the suburb of Hexham or Tarro excepting Lots 2 and 3 DP 874409 and Lot 1 DP 90824. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business - Hexham Industrial Centre.

- 31 A Special Rate of zero point one seven zero five one zero cents (0.170510c) in the dollar named **HUNTER MALL**, apply to part of the rateable land within CN LGA constituted and known as the “Hunter Mall Town Improvement District” as defined in **Attachment A** for the purpose of defraying the cost of continuing additional horticultural and cleansing services and street furnishings determined to be of special benefit to the said Hunter Mall Town Improvement District. This rate applies to all properties within the defined area categorised as Business.
- 32 A Special Rate of zero point zero nine five five nine seven cents (0.095597c) in the dollar named **MAYFIELD BUSINESS DISTRICT**, apply to part of the rateable land within CN LGA constituted and known as the “Mayfield Business District” as defined in **Attachment B** for the purpose of defraying the additional cost of promotion, beautification and development of the Mayfield Business District determined to be of special benefit to the said Mayfield Business District. This rate applies to all properties within the defined area categorised as Business.
- 33 A Special Rate of zero point one seven seven seven three eight cents (0.177738c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE A**, apply to part of the rateable land within CN LGA constituted and known as the “Hamilton Business District” as defined in **Attachment C** for the purpose of defraying the additional cost of promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District. This rate applies to all properties within the defined area categorised as Business.
- 34 A Special Rate of zero point zero eight eight eight six nine cents (0.088869c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE B**, apply to part of the rateable land within CN LGA constituted and known as the “Hamilton Business District” as defined in **Attachment D** for the purpose of defraying the additional cost promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District. This rate applies to all properties within the defined area categorised as Business.
- 35 A Special Rate of zero point zero four four four three five cents (0.044435c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE C**, apply to part of the rateable land within CN LGA constituted and known as the “Hamilton Business District” as defined in **Attachment E** for the purpose of defraying the additional cost promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton

Business District. This rate applies to all properties within the defined area categorised as Business.

- 36 A Special Rate of zero point three seven one two nine five cents (0.371295c) in the dollar named **WALLSEND BUSINESS DISTRICT - ZONE A**, apply to part of the rateable land within CN LGA constituted and known as the "Wallsend Business District" as defined in **Attachment F** for the purpose of defraying the additional cost promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District. This rate applies to all properties within the defined area categorised as Business.
- 37 A Special Rate of zero point one eight five six four seven cents (0.185647c) in the dollar named **WALLSEND BUSINESS DISTRICT - ZONE B**, apply to part of the rateable land within CN LGA constituted and known as the "Wallsend Business District" as defined in **Attachment G** for the purpose of defraying the additional cost promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District. This rate applies to all properties within the defined area categorised as Business.
- 38 A Special Rate of zero point two seven eight four seven one cents (0.278471c) in the dollar named **WALLSEND BUSINESS DISTRICT - ZONE C**, apply to part of the rateable land within CN LGA constituted and known as the "Wallsend Business District" as defined in **Attachment H** for the purpose of defraying the additional cost of promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District. This rate applies to all properties within the defined area categorised as Business.
- 39 A Special Rate of zero point zero nine eight four seven eight cents (0.098478c) in the dollar named **NEW LAMBTON BUSINESS DISTRICT**, apply to part of the rateable land within CN LGA constituted and known as the "New Lambton Business District" as defined in **Attachment I** for the purpose of defraying the additional cost of promotion, beautification and development of the New Lambton Business District determined to be of special benefit to the said New Lambton Business District. This rate applies to all properties within the defined area categorised as Business.
- 40 A Special Rate of zero point two two one eight five three cents (0.221853c) in the dollar named **CITY CENTRE - CITY EAST**, apply to part of the rateable land within CN LGA constituted and known as the "City Centre Benefit Area - City East" as defined in **Attachment J** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City East determined to be of special benefit to the said City Centre Benefit Area - City East. This rate applies to all properties within the defined area categorised as Business.
- 41 A Special Rate of zero point zero four nine eight three three cents (0.049833c) in the dollar named **CITY CENTRE - DARBY STREET**, apply to part of the rateable land within CN LGA constituted and known as the "City Centre Benefit

Area -Darby Street” as defined in **Attachment K** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Darby Street determined to be of special benefit to the said City Centre Benefit Area -Darby Street. This rate applies to all properties within the defined area categorised as Business.

- 42 A Special Rate of zero point zero five one zero seven nine cents (0.051079c) in the dollar named **CITY CENTRE - CITY WEST (CLOSE ZONE)**, apply to part of the rateable land within CN LGA constituted and known as the “City Centre Benefit Area - City West” as defined in **Attachment L** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City West (Close Zone) determined to be of special benefit to the said City Centre Benefit Area - City West (Close Zone). This rate applies to all properties within the defined area categorised as Business.
- 43 A Special Rate of zero point zero three nine two two four cents (0.039224c) in the dollar named **CITY CENTRE - CITY WEST (DISTANT ZONE)**, apply to part of the rateable land within CN LGA constituted and known as the “City Centre Benefit Area -City West” as defined in **Attachment M** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City West (Distant Zone) determined to be of special benefit to the said City Centre Benefit Area - City West (Distant Zone). This rate applies to all properties within the defined area categorised as Business.
- 44 A Special Rate of zero point two two one eight five three cents (0.221853c) in the dollar named **CITY CENTRE - TOWER** apply to part of the rateable land within CN LGA constituted and known as the “City Centre Benefit Area - Tower” as defined in **Attachment N** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Tower determined to be of special benefit to the said City Centre Benefit Area - Tower. This rate applies to all properties within the defined area categorised as Business.
- 45 A Special Rate of zero point two two one eight five three cents (0.221853c) in the dollar named **CITY CENTRE – MALL**, apply to part of the rateable land within CN LGA constituted and known as the “City Centre Benefit Area - Mall” as defined in **Attachment O** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Mall determined to be of special benefit to the said City Centre Benefit Area - Mall. This rate applies to all properties within the defined area categorised as Business.
- 46 A Special Rate of zero point one one six three seven four cents (0.116374c) in the dollar named **CITY CENTRE - CIVIC (CLOSE ZONE)**, apply to part of the rateable land within CN LGA constituted and known as the “City Centre Benefit Area – Civic (Close Zone)” as defined in **Attachment P** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area – Civic (Close Zone) determined to be of special

benefit to the said City Centre Benefit Area – Civic (Close Zone). This rate applies to all properties within the defined area categorised as Business.

- 47 A Special Rate of zero point zero five eight one eight seven cents (0.058187c) in the dollar named **CITY CENTRE - CIVIC (DISTANT ZONE)**, apply to part of the rateable land within CN LGA constituted and known as the “City Centre Benefit Area –Civic (Distant Zone)” as defined in **Attachment Q** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area – Civic (Distant Zone) determined to be of special benefit to the said City Centre Benefit Area – Civic (Distant Zone). This rate applies to all properties within the defined area categorised as Business.
- 48 A **STORMWATER MANAGEMENT SERVICE CHARGE** of twenty five dollars (\$25.00) per non-strata title property and twelve dollars and fifty cents (\$12.50) per strata / company title unit for the provision of stormwater management services. This charge applies to all rateable land categorised as Residential not being an exclusion as outlined in Section 496A(2) of the Act as amended.
- 49 A **STORMWATER MANAGEMENT SERVICE CHARGE** of twenty five dollars (\$25.00) per three hundred and fifty square metres (350m²) or part thereof, of land area capped at a maximum of \$5,000 for each non-strata title property. This charge applies to all non-strata title or non-company title rateable land categorised as Business or sub-categorised as one of the Business sub-categories referred to in the table within paragraph 1 of this report not being an exclusion as outlined in Section 496A(2) of the Act as amended or an exclusion outlined in paragraph 48.
- 50 A **STORMWATER MANAGEMENT SERVICE CHARGE** of twenty five dollars (\$25.00) per three hundred and fifty square metres 350m² or part thereof, of land area occupied by the strata scheme, capped at a maximum of \$5,000, divided between each unit based on the unit entitlement of each business lot divided by the total unit entitlement of strata lots within the scheme. This charge applies to all strata title or company title rateable land categorised as Business where the dominant use of the strata development is for business purposes, not being an exclusion as outlined in Section 496A(2) of the Act as amended.
- 51 A **STORMWATER MANAGEMENT SERVICE CHARGE** of twelve dollars and fifty cents (\$12.50) per three hundred and fifty square metres (350m²) or part thereof, of land area capped at a maximum of \$2,500 for each non-strata property. This charge shall only apply where a business property's storm water is not discharged to a storm water pipeline that is reliant on a downstream network that CN has a proportion of the ownership of, and maintenance responsibility for. This charge applies to non-strata title or non-company title rateable land categorised as Business or sub-categorised as one of the Business sub-categories referred to in the table within paragraph 1 of this report not being an exclusion as outlined in Section 496A(2) of the Act as amended.
- 52 A **DOMESTIC WASTE MANAGEMENT SERVICE CHARGE** of four hundred and sixty dollars and zero cents (\$460.00) for the provision of domestic waste

management services for each parcel of rateable land for which the service is available in CN LGA.

- 53 A **BUSINESS WASTE MANAGEMENT SERVICE CHARGE** of two hundred and seventy six dollars and seventy seven cents (\$276.77) for the provision of waste management services (other than domestic waste management services), on each parcel of rateable land categorised as Business or sub-categorised as one of the Business sub-categories referred to in the table within paragraph 1 of this report, for which the service is provided or proposed to be provided in CN LGA.

Carried

ITEM-56 CCL 28/06/22 - ADOPTION OF COUNCILLOR EXPENSES AND FACILITIES POLICY

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

- 1 Adopts the Councillor Expenses and Facilities Policy at **Attachment A**.

**Carried
unanimously**

ITEM-49 CCL 28/06/22 - PUBLIC ART REFERENCE GROUP (PARG) ANNUAL REPORT

MOTION

Moved by Cr Duncan, seconded by Cr Mackenzie

That Council:

- 1 Receives the Public Art Reference Group Annual Report 2020/2021 as at **Attachment A**.

**Carried
unanimously**

ITEM-50 CCL 28/06/22 - ADOPTION OF CODE OF MEETING PRACTICE

In moving the motion, Councillor Adamczyk stated that she was moving an updated recommendation distributed to Councillors in an all Councillor memo dated 28 June 2022 – *Updated Recommendation – Code of Meeting Practice*.

MOTION

Moved by Cr Adamczyk, seconded by Cr Clausen

That Council:

- 1 Adopts the Code of Meeting Practice at **Attachment A** with the following underlined amendments:

- 7.4 A Council officer, or member of the public, is to be addressed by their official designation or as Mr/Mrs (surname).
- 15.1 A Councillor may draw the attention of the Chairperson to an alleged breach of this Code by raising a point of order. A point of order does not require a seconder.

For example:

- Addressing the meeting without the permission of the Chairperson;
- Councillors speaking or whispering while another Councillor is addressing the meeting;
- Verbal interjections;
- discourtesy to fellow Councillors during a meeting;
- exceeding time limits without the agreement of the meeting; or
- any actions or comments that could be considered to be a breach of the Code of Conduct

- 2 Notes the submissions received in response to public exhibition at **Attachment B**.

AMENDMENT

Moved by Lord Mayor, Cr Nelmes

That Council:

- 1 Notes that changes to the current meeting preamble and prayer were not publicly exhibited as a part of the community consultation process for the Adoption of the Code of Meeting Practice (COMP);
- 2 Notes that genuine inclusive consultation specifically regarding the preamble and prayer has not occurred;
- 3 Asks Councillor McCabe to lead the engagement and consultation regarding proposed changes to the preamble and prayer component of the COMP, inclusive of all interested parties;
- 4 Notes the submission from several faith-based groups, including the statement:

The current prayer is 'Almighty God. We humbly ask you to bless this meeting, direct and prosper our deliberations, the advancement of your glory and the true welfare of the people of Newcastle'. It is not specifically Christian as no direct reference is made to Jesus Christ or to any Christian formularies. There is an opportunity for revision of the prayer to make it more inclusive. We are open to working with you on this. The Council will be aware of the vast number of faith-based charities that daily serve the marginalized. Council and council staff are regularly affirmed and prayed for in the congregations of this City.

- 5 Invites Church leaders and community to work with Councillor McCabe on a way forward given there is an opportunity for revision of the prayer to make it more inclusive, including but not limited to:
- Bishop Peter Stuart, Anglican Bishop of Newcastle
 - Fr Greg Barker, Maitland-Newcastle Catholic Diocesan Administrator
 - Major Mark Everitt, Area Officer, Hunter and NSW Central Coast, The Salvation Army
 - Pastor Matt Brown, Hunter District Baptist Church
 - Rev Keith Edwards, Regional Oversight C3 Church
 - Pastor Luke Main, Hunter Region Leader, Australian Christian Churches
 - Rev Greg McConnell, The Chair of the Hunter Presbytery of the Uniting Church
 - Rick Prosser, Kingdomworks
- 6 Receives a report back to the Community and Culture Advisory Committee from Councillor McCabe regarding the results of the engagement.

The mover and seconder of the motion agreed to incorporate the amendment into the motion as Part B.

AMENDMENT

Moved by Cr Mackenzie, seconded by Cr McCabe

That Section 4 of the Newcastle Code of Meeting Practice be amended to incorporate Sections 4.1 – 4.24 of the Office of Local Government’s Model Code of Meeting Practice for Local Councils in NSW (2021) to enable members of the public to address the elected Council on items of business on the agenda of an Ordinary Council Meeting.

For the Amendment: Councillors Barrie, Church, Mackenzie and McCabe.

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

Defeated

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

Carried

ITEM-51 CCL 28/06/22 - ASSET ADVISORY COMMITTEE CHARTER

MOTION

Moved by Cr Clausen, seconded by Cr Richardson

That Council:

- 1 Adopts the Asset Advisory Committee Charter as shown at **Attachment A**.

AMENDMENT

Moved by Cr Mackenzie

That Council:

Adopts the Asset Advisory Committee Charter as shown at **Attachment A** with the addition of a new clause 20.3 which states:

The Committee will report at least annually to the elected Council on attendance, a summary of performance and key items of business (having regard for confidentiality of commercial in confidence information).

Noting that the Committee did annually report back to Council as was required by all Advisory Committees, the mover and seconder of the motion agreed to add the amendment to the Charter.

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

Carried

ITEM-52 CCL 28/06/22 - INTEREST ON OVERDUE RATES AND CHARGES FOR 2022/23

MOTION

Moved by Cr Richardson, seconded by Cr Clausen

That Council:

- 1 Adopts the rate of 6.0% per annum on interest on overdue rates and charges for the period 1 July 2022 to 30 June 2023.

Carried

ITEM-54 CCL 28/06/22 - ADOPTION OF DELIVERING NEWCASTLE 2040 AND RESOURCING NEWCASTLE 2040

MOTION

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

That Council:

- 1 Adopt 2022-2023 Delivering Newcastle 2040 at **Attachment A**.
- 2 Adopt the 2022-2023 Fees and Charges at **Attachment B**.
- 3 Adopt Resourcing Newcastle 2040 at **Attachment C** (including the Long-Term Financial Plan at **Attachment D**, Workforce Development Strategic Plan at **Attachment E**, and the Asset Management Planning documents at **Attachment F**).

For the Motion:

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

Against the Motion:

Councillor Church.

Carried

ITEM-57 CCL 28/06/22 - EXECUTIVE MONTHLY PERFORMANCE REPORT

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

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

AMENDMENT

Moved by Cr Church, seconded by Cr Pull

- 2 That City of Newcastle reinstate the preparation and public release of the June Executive Monthly Report in July each year.

Defeated

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

Carried

NOTICES OF MOTION

ITEM-17 NOM 28/06/22 - 25 YEARS ANNIVERSARY OF NSW APOLOGY TO THE STOLEN GENERATION

MOTION

Moved by Cr Richardson, seconded by Cr Wood

That City of Newcastle:

- 1 Acknowledges that 18 June 2022 marked the twenty-fifth anniversary of Premier Bob Carr MP's apology to the Indigenous people of New South Wales for the systemic removal of Aboriginal children and the separation of generations of Aboriginal families over many decades by government.
- 2 Sincerely apologises for the intergenerational trauma, hurt, abuse and injustices suffered by Aboriginal children and their families, because of those government policies, the effects of which still live on in many survivors to this day.
- 3 Recognises the hard work and dedication of the Guraki Aboriginal Advisory Committee, and the contribution by the broader Aboriginal and Torres Strait Islander community to the City of Newcastle.

- 4 Reaffirms City of Newcastle's commitment to truth-telling and reconciliation, noting the City's unanimous support for the campaign for a referendum for Indigenous Constitutional Recognition through a Voice to Parliament.

Carried

**ITEM-18 NOM 28/06/22 - PLAYGROUND REPLACEMENT PROGRAM
2022/23**

MOTION

Moved by Cr Adamczyk, seconded by Cr Richardson

That City of Newcastle:

- 1 Notes the ongoing success of our Playground Replacement Program with brand new playgrounds being delivered in 2021/22 at McCauley Park, Tarro; Minmi Reserve, Minmi; Kotara Park, Kotara and Bernborough Avenue, Maryland as well as significant progress towards the completion of the \$1.5 million Wallsend Active Hub, bringing the City's investment into new and upgraded playgrounds to more than \$10 million in the past five years alone;
- 2 Notes that our 2022/23 Budget has dedicated \$15.3 million for new and improved parks, playgrounds, sporting, and aquatic facilities – including a Playground Replacement at Beresfield Pool, following recent upgrades to the playgrounds at Wallsend and Mayfield Pools;
- 3 Notes that the first stage of the multimillion-dollar investment into the Foreshore Park all-abilities playground and water park Masterplan implementation will be delivered in partnership under the Works Program in our 2022/23 Budget, and that along with the Playground Replacement Program, forms a key priority component of the 'Liveable Newcastle' objective of our Community Strategic Plan *Newcastle 2040*;
- 4 Advises the community that the 2022/23 Playground Replacement Program includes upgrades in the following locations:
 - a) Waratah Park, Waratah
 - b) Harold Myers Park, Birmingham Gardens
 - c) Vera Wilson Park, Beresfield
 - d) Highland County, Fletcher
 - e) Avon Street Reserve, Mayfield

AMENDMENT

Moved by Cr Mackenzie, seconded by Cr Clausen

PART B - Stevenson Park Masterplan

That Council

- 1 Notes that CN collaborated closely with the Friends of Stevenson Park and the Mayfield West community to deliver a \$1.2 million inclusive playground and active space at Stevenson Park;
- 2 Notes the concerns raised by Mayfield United Junior Soccer Football Club in the media regarding upgrades to facilities at Stevenson Park;
- 3 Notes that Stevenson Park sporting fields and amenities were historically managed by a S355 Committee and that CN has only recently commenced management of the grounds;
- 4 Notes that an analysis of the existing sports facilities conditions was undertaken during the preparation of the Stevenson Park Masterplan, which found:
 - a. Many elements of the facility are unsafe, do not meet Australian Standards and pose a risk to the community.
 - b. The facility and associated amenities do not provide equitable access and is not Disability Discrimination Act compliant.
 - c. The amenities do not cater for the increasing participation rates of females in sport and their specific needs.
 - d. Lighting does not meet Australian standards of play.
- 5 Continues to work collaboratively with the users of Stevenson Park, including MUJSFC and the Friends of Stevenson Park, to deliver the improvements detailed in the Stevenson Park Masterplan, including possible upgrades to field, amenities, access, lighting, shade trees and spectator seating in the Sports precinct of that plan, further stages of the playground, picnic tables, directional signage to public toilets and directional signage to disabled parking spaces.

**Carried
unanimously**

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

**Carried
unanimously**

ITEM-19 **NOM 28/06/22 - CURBING ILLEGAL DUMPING DRIVEN BY INSECURE HOUSING**

Councillor Church left the Chamber for discussion on the item.

MOTION

Moved by Cr Richardson, seconded by Cr Duncan

That City of Newcastle:

- 1 Notes City of Newcastle's commitment to increasing affordable and social housing in Newcastle to help address the housing affordability crisis across the city;
- 2 Notes that a lack of affordable rental accommodation can result in housing stress and housing insecurity;
- 3 Notes that insecure housing can be a significant driver of illegal dumping, especially in areas where there is a high turnover of tenants, and this cost is entirely borne by ratepayers in the community;
- 4 Notes that insecure housing has been exacerbated in recent years by short term leases, high rents, and added cost of living pressures;
- 5 Notes that tenants can be given as little as 14 days' notice to vacate a residential premises, and arranging a bulk waste collection in such a time frame is not always possible;
- 6 Notes that the Tenants Union estimates a forced eviction and the associated relocation costs will cost a tenant a minimum of \$2500, and the cost of having waste removed privately can be prohibitive for those already experiencing financial hardship;
- 7 Advocates to the NSW State Government to amend the Residential Tenancies Act 2010 to address housing insecurity and ensure that the cost of eviction is not borne by those who can least afford it;
- 8 Requests City of Newcastle's Affordable Housing Working Party consider Council's response to the issue of illegal dumping resulting from insecure housing, including in multi-unit dwellings.

Councillor Winney-Baartz retired from the meeting at 9.17pm.

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

Against the Motion: Councillor Pull.

Carried

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

ITEM-20**NOM 28/06/22 - 15 YEARS SINCE WALLSEND FLOODING
EVENT**

Councillor Clausen left the Chamber for discussion on the item.

MOTION

Moved by Cr Pull, seconded by Cr Adamczyk

That City of Newcastle

- 1 Acknowledges the 15-year anniversary of the 2007 flood event which inundated the CBD of Wallsend.
- 2 Acknowledges the loss of businesses, livelihoods, and homes in the superstorm event.
- 3 Notes the steps taken by City of Newcastle to prepare for and mitigate future flood events including planning measures, development control and the delivery of flood mitigation works.
- 4 Reaffirms its commitment to delivering Flood Mitigation works, and working with key stakeholders, including the Hunter Water Corporation and the NSW Government, to take appropriate actions and measures to help reduce the impact of future flood events.

AMENDMENT

Moved by Cr Richardson, seconded by Cr Duncan

- 5 Notes that no funding was allocated in the NSW Government's recent budget for flood mitigation works in Wallsend, and
- 6 Writes to the NSW Treasurer, the Hon. Matt Kean MP, and the NSW Minister for Lands and Water the Hon. Kevin Anderson MP, once again seeking funding for Hunter Water Corporation to widen the canal in Wallsend.
- 7 Also correspond with the NSW opposition, specifically the Shadow Treasurer, seeking its commitment to future funding for flood mitigation works.

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

PROCEDURAL MOTION

Moved by Cr Duncan, seconded by Cr Mackenzie

Council extend the meeting until close of business.

Carried

The amendment moved by Councillor Richardson and seconded by Councillor Duncan was put to the meeting.

Carried

- 3 Further notes that CN reaffirmed its long-held commitment to declaring the city a Nuclear Free Zone in June 2021, with reference to 29 June 1982 when the City first declared Newcastle a Nuclear Free Zone under Lord Mayor Joy Cummings AM, and resolving to establish with Hunter Peace Group a dedicated Newcastle Peace Park at Tighes Hill Reserve, adjacent to Islington Park.
- 4 Writes to the Prime Minister The Hon Anthony Albanese MP, Minister for Foreign Affairs Senator the Hon Penny Wong, Minister for Defence and Deputy Prime Minister The Hon Richard Marles MP, and Minister for Defence Industry The Hon Pat Conroy MP to urge them to urgently progress the signing and ratification on the Treaty on the Prohibition of Nuclear Weapons.
- 5 Further writes to Minister for Defence and Deputy Prime Minister The Hon Richard Marles MP, and Minister for Defence Industry The Hon Pat Conroy MP to express CN's opposition to a nuclear submarine base in the Port of Newcastle, consistent with this and proceeding resolutions of Council.

AMENDMENT

Moved by Cr Clausen, seconded by Cr Adamczyk

- 1 Notes that the International Campaign to Abolish Nuclear Weapons (ICAN) Cities Appeal was endorsed unanimously by the City of Newcastle on 26 February, 2019.
- 2 Further notes that the CN submitted a motion in support of the Treaty on the Prohibition of Nuclear Weapons to the Australian Local Government Association (ALGA) for discussion at the 2020 National General Assembly.
- 3 Further notes that CN reaffirmed its long-held commitment to declaring the city a Nuclear Free Zone in June 2021, with reference to 29 June 1982 when the City first declared Newcastle a Nuclear Free Zone under Lord Mayor Joy Cummings AM, and resolving to establish with Hunter Peace Group a dedicated Newcastle Peace Park at Tighes Hill Reserve, adjacent to Islington Park.
- 4 Writes to the Prime Minister The Hon Anthony Albanese MP, Minister for Foreign Affairs Senator the Hon Penny Wong, Minister for Defence and Deputy Prime Minister The Hon Richard Marles MP, and Minister for Defence Industry The Hon Pat Conroy MP to urge them to urgently progress the signing and ratification on the Treaty on the Prohibition of Nuclear Weapons, after taking into account the need to:
 - a. Ensure an effective verification and enforcement architecture
 - b. Ensure the interaction of the Ban Treaty with the longstanding Nuclear Non-Proliferation
 - c. Treaty Work to achieve universal support for the Ban Treaty.

Request that the Commonwealth Government takes urgent action to reduce the risk of nuclear war by continuing to seek nuclear disarmament and non-proliferation by:

- a. Working to create the conditions necessary to achieve a pathway to universal support for the Ban Treaty
 - b. Advocating to the United States that it actively negotiates with Russia, China and other nuclear armed states to develop a treaty to the New START treaty with a view to realising the objectives of Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), namely, a world free of nuclear weapon; and
 - c. Seeking to work with partners and allies to build upon the International Commission on Nuclear Non-Proliferation and Disarmament to develop an initiative which proposes a way of working with states possessing nuclear weapons to achieve Article VI of the NPT and encouraging transparency among all states with nuclear weapons in relation to their use doctrine and the composition of their arsenals, while continuing to strengthen non-proliferation goals in the Indo Pacific region.
- 5 Further writes to Minister for Defence and Deputy Prime Minister The Hon Richard Marles MP, and Minister for Defence Industry The Hon Pat Conroy MP to express CN's opposition to a nuclear submarine base in the Port of Newcastle, consistent with this and preceding resolutions of Council.

The mover and seconder agreed to incorporate the amendment into the motion.

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

PROCEDURAL MOTION

Moved by Cr Pull, seconded by Cr Mackenzie

Council consider the motion seriatim, Part A (points 1-4) and Part B (point 5).

Carried

PART A

MOTION

Moved by Cr Mackenzie, seconded by Cr McCabe

- 1 Notes that the International Campaign to Abolish Nuclear Weapons (ICAN) Cities Appeal was endorsed unanimously by the City of Newcastle on 26 February, 2019.
- 2 Further notes that the CN submitted a motion in support of the Treaty on the Prohibition of Nuclear Weapons to the Australian Local Government Association (ALGA) for discussion at the 2020 National General Assembly.

- 3 Further notes that CN reaffirmed its long-held commitment to declaring the city a Nuclear Free Zone in June 2021, with reference to 29 June 1982 when the City first declared Newcastle a Nuclear Free Zone under Lord Mayor Joy Cummings AM, and resolving to establish with Hunter Peace Group a dedicated Newcastle Peace Park at Tighes Hill Reserve, adjacent to Islington Park.
- 4 Writes to the Prime Minister The Hon Anthony Albanese MP, Minister for Foreign Affairs Senator the Hon Penny Wong, Minister for Defence and Deputy Prime Minister The Hon Richard Marles MP, and Minister for Defence Industry The Hon Pat Conroy MP to urge them to urgently progress the signing and ratification on the Treaty on the Prohibition of Nuclear Weapons, after taking into account the need to:
 - a. Ensure an effective verification and enforcement architecture
 - b. Ensure the interaction of the Ban Treaty with the longstanding Nuclear Non-Proliferation
 - c. Treaty Work to achieve universal support for the Ban Treaty.

Request that the Commonwealth Government takes urgent action to reduce the risk of nuclear war by continuing to seek nuclear disarmament and non-proliferation by:

- a. Working to create the conditions necessary to achieve a pathway to universal support for the Ban Treaty
- b. Advocating to the United States that it actively negotiates with Russia, China and other nuclear armed states to develop a treaty to the New START treaty with a view to realising the objectives of Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), namely, a world free of nuclear weapon; and
- c. Seeking to work with partners and allies to build upon the International Commission on Nuclear Non-Proliferation and Disarmament to develop an initiative which proposes a way of working with states possessing nuclear weapons to achieve Article VI of the NPT and encouraging transparency among all states with nuclear weapons in relation to their use doctrine and the composition of their arsenals, while continuing to strengthen non-proliferation goals in the Indo Pacific region.

**Carried
unanimously**

PART B

MOTION

Moved by Cr Mackenzie, seconded by Cr McCabe

- 5 Further writes to Minister for Defence and Deputy Prime Minister The Hon Richard Marles MP, and Minister for Defence Industry The Hon Pat Conroy MP to express CN's opposition to a nuclear submarine base in the Port of Newcastle, consistent with this and proceeding resolutions of Council.

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

Against the Motion: Councillors Barrie, Church and Pull.

Carried

ITEM-23 NOM 28/06/22 - UPDATE ON CITY WIDE CLIMATE ACTION PATHWAY

MOTION

Moved by Cr Mackenzie, seconded by Cr McCabe

That City of Newcastle:

- 1 Notes the resolution of Council in February 2022 to work in collaboration with the SDG Hunter Region Taskforce to progress a city-wide pathway and timetable to carbon neutrality in line with Newcastle Climate Action Plan 2021-25, which commits the City of Newcastle to a Net Zero Emission City by not later than 2040.
- 2 Receives a briefing from the SDG Hunter Region Taskforce on progress to date, specifically with regard to:
 - a Developing a city-wide pathway and timetable to carbon neutrality by no later than 2040 in conjunction with business, the public sector and the community and based on the best scientific and technical advice; and
 - b Recommending measures to progress economic diversification and structural economic change as fossil fuel industries become less reliable within the LGA and more broadly across the Hunter.

For the Motion: Lord Mayor, Cr Nelmes and Councillors Adamczyk, Barrie, Church, Clausen, Duncan, Mackenzie, McCabe, Richardson and Wood.

Against the Motion: Councillor Pull.

Carried

The meeting concluded at 10.14pm