

CITY OF NEWCASTLE

Minutes of the Ordinary Council Meeting held in the Council Chambers, 2nd Floor City Hall, 290 King Street, Newcastle on Tuesday 23 May 2017 at 5.35pm.

PRESENT

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

IN ATTENDANCE

J Bath (Interim Chief Executive Officer), G Cousins (Director Corporate Services), K Liddell (Acting Director Infrastructure), P Chrystal (Director Planning and Regulatory), E Kolatchew (Acting Manager (Legal and Governance), J Gaynor (Manager Strategic Planning), P McCarthy (Team Co-ordinator Strategic Planning), N Bavinton (Smart City Co-ordinator), A Glauser (Manager Finance), K Hyland (Manager Communications and Engagement), B Johnson (Media Officer, K Sullivan (Council Services/Minutes) and A Knowles (Council Services/Webcasting).

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.

APOLOGIES

MOTION

Moved by Cr Compton, seconded by Cr Doyle

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

Carried

PROCEEDINGS IN BRIEF

The Lord Mayor welcomed Jeremy Bath, recently appointed Interim Chief Executive Officer, to his first Ordinary Council meeting.

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

The Lord Mayor called for declarations of pecuniary and non-pecuniary interests.

There being none the Lord Mayor then moved for confirmation of the minutes.

CONFIRMATION OF PREVIOUS MINUTES

CCL 23/05/17 - MINUTES PUBLIC VOICE COMMITTEE 18 APRIL 2017
CCL 23/05/17 - MINUTES BRIEFING COMMITTEE 18 APRIL 2017

MOTION

Moved by Cr Clausen, seconded by Cr Osborne

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

Carried

CCL 23/05/17 - MINUTES ORDINARY COUNCIL MEETING 26 APRIL 2017

MOTION

Moved by Cr Clausen, seconded by Cr Osborne

The draft minutes as circulated be taken as read and confirmed subject to the following:

- a) Inserting the word "Carried" on page 19 (at the end of Item-45 CCL 26/04/17 - Draft Community Land Plan of Management Public Exhibition);
- b) Amending the following text "*A legislative commitment...*" to be in italics on page 23, paragraph 2 of Part C (Item 46-26/04/17 - BBC Committee Recommendation); and
- c) Inserting an apostrophe in the quoted section for the word "ratepayer's" on the final line on page 27 of recommendation 2 (Item 11-NOM 26/04/17 Open and transparent Governance - State Government Taxes and Levies - 2017/18).
- d) Amending recommendation 1 on page 27 (Item-11 NOM 26/04/17 Open and transparent Governance - State Government Taxes and Levies - 2017/18) to read:

That Council adopts the motion ~~Council notes the~~ as amended by the recommendation in the Director's ~~comments~~ report.

Carried

LORD MAYORAL MINUTE

ITEM-8 **LMM 23/05/17 - CORRESPONDENCE FROM TRANSPORT FOR NSW - COUNCIL RESOLUTION OF 9 MAY 2017 - EXHIBITION OF DRAFT PLANNING AGREEMENT FOR RAIL CORRIDOR LAND BETWEEN WORTH PLACE AND WATT STREET NEWCASTLE**

MOTION

Moved by Lord Mayor, Cr Nelmes

Council note correspondence received from Transport for NSW regarding Council's resolution of 9 May 2017 with respect to the review of the NSW Long Term Master Plan and their offer to provide a briefing to Council on the status of planning work.

Officers to co-ordinate a briefing with TfNSW as soon as practicable.

**Carried
Unanimously**

REPORTS BY COUNCIL OFFICERS

ITEM-52 **CCL 23/05/17 - EXECUTIVE MONTHLY PERFORMANCE REPORT - APRIL**

MOTION

Moved by Cr Osborne, seconded by Cr Dunn

The report be received.

**Carried
Unanimously**

ITEM-53 **CCL 23/05/17 - QUARTERLY BUDGET REVIEW STATEMENT - MARCH**

MOTION

Moved by Cr Doyle, seconded by Cr Clausen

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

Carried

ITEM-54 CCL 23/05/17 - ADOPTION OF RELATED PARTY DISCLOSURE POLICY

MOTION

Moved by Cr Osborne, seconded by Cr Posniak

Council adopts the draft Related Party Disclosure Policy at **Attachment A**.

**Carried
Unanimously**

ITEM-55 CCL 23/05/17 - 1 ORDNANCE STREET, NEWCASTLE - CONSIDERATION TO PREPARE A PLANNING PROPOSAL TO AMEND NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012

MOTION

Moved by Cr Doyle, seconded by Cr Osborne

Council resolves to prepare a planning proposal to amend Schedule 1 - Additional permitted uses of the Newcastle Local Environmental Plan 2012 (LEP) by removing Item 1 Use of certain land at 1 Ordnance Street, Newcastle.

Councillor Compton enquired whether Council was aware of any action by the previous applicant to challenge the decision of the Court and if so would Council be a party to that action if Council were to remove the proposed sections from Schedule 1.

Councillor Compton, noting a lease was currently in place, made a further enquiry:

- 1) what would be the outcome should Council remove Schedule 1 from the LEP; and
- 2) what impact would it have on a possible action by the applicant or on their further negotiations.

The Lord Mayor requested the questions be taken on notice.

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

Against the Motion: Nil.

Carried

ITEM-56 CCL 23/05/17 - ENDORSEMENT OF EXHIBITION OF THE DRAFT NEWCASTLE SMART CITY STRATEGY 2017-2021

Council Officers were acknowledged and thanked for their efforts in preparing the strategy.

MOTION

Moved by Cr Compton, seconded by Cr Osborne

Council resolves to:

- i) Place the draft *Newcastle Smart City Strategy 2017-2021* (Strategy) as provided in **Attachment A** on public exhibition for 6 weeks.
- ii) Receive a report back on the outcomes of the public exhibition.

**Carried
Unanimously**

The meeting concluded at 5.59pm.