



City of
Newcastle

CITY OF NEWCASTLE



Ordinary Council Meeting

Councillors,

In accordance with section 367 of the Local Government Act, 1993 notice is hereby given that an Ordinary Council Meeting will be held on:

DATE: Tuesday 28 September 2021

TIME: 6.00pm

VENUE: Audio visual platform Zoom

J Bath
Chief Executive Officer

**City Administration Centre
12 Stewart Avenue
NEWCASTLE WEST NSW 2302**

22 September 2021

Please note:

Meetings of City of Newcastle (CN) are webcast. CN accepts no liability for any defamatory, discriminatory or offensive remarks or gestures made during the meeting. Opinions expressed or statements made by participants are the opinions or statements of those individuals and do not imply any form of endorsement by CN. Confidential matters will not be webcast.

The electronic transmission is protected by copyright and owned by CN. No part may be copied or recorded or made available to others without the prior written consent of CN. Council may be required to disclose recordings where we are compelled to do so by court order, warrant or subpoena or under any legislation. Only the official minutes constitute an official record of the meeting.

Authorised media representatives are permitted to record meetings provided written notice has been lodged. A person may be expelled from a meeting for recording without notice. Recordings may only be used for the purpose of accuracy of reporting and are not for broadcast, or to be shared publicly. No recordings of any private third party conversations or comments of anyone within the Chamber are permitted.

**ORDINARY COUNCIL MEETING
28 September 2021**

CONTENTS

Item	Business	Page
	APOLOGIES/LEAVE OF ABSENCE	
	ORDERS OF THE DAY	
	DECLARATIONS OF PECUNIARY / NON PECUNIARY INTEREST	
	CONFIRMATION OF PREVIOUS MINUTES	3
	MINUTES - ORDINARY COUNCIL MEETING 24 AUGUST 2021	3
	LORD MAYORAL MINUTE	14
ITEM-22	LMM 28/09/21 - BYPASSING FREIGHT FROM RESIDENTIAL NEWCASTLE	14
	REPORTS BY COUNCIL OFFICERS	17
ITEM-90	CCL 28/09/21 - COMMUNITY AND ECONOMIC RESILIENCE PACKAGE EXTENSION	17
ITEM-91	CCL 28/09/21 - NEWCASTLE ART GALLERY FOUNDATION - MEMORANDUM OF UNDERSTANDING	21
ITEM-92	CCL 28/09/21 - ADOPTION OF WICKHAM MASTERPLAN 2021 UPDATE	25
ITEM-93	CCL 28/09/21 - EXECUTIVE MONTHLY PERFORMANCE REPORT	37
	NOTICES OF MOTION	40
ITEM-29	NOM 28/09/21 - INNER CITY BYPASS - PEATTIE'S ROAD DEPOT	40
ITEM-30	NOM 28/09/21 - PRINCIPAL PEDESTRIAN NETWORK	43
	NOM 28/09/21 - ITEM 30 - DIRECTOR COMMENT - PRINCIPAL PEDESTRIAN NETWORK	45
ITEM-31	NOM 28/09/21 - CHANGES TO 2022 NEWCASTLE 500 SUPERCARS	49
ITEM-32	NOM 28/09/21 - NEWCASTLE PORTSIDE FREIGHT RAIL-LINE	51
ITEM-33	NOM 28/09/21 - WOODCHIP EXPORTS FROM THE PORT OF NEWCASTLE	53
	CONFIDENTIAL REPORTS - Nil	

**FOR DOCUMENTS MARKED 'DISTRIBUTED UNDER SEPARATE COVER' REFER TO
COUNCIL'S WEBSITE AT www.newcastle.nsw.gov.au**

NOTE: ITEMS MAY NOT NECESSARILY BE DEALT WITH IN NUMERICAL ORDER

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - ORDINARY COUNCIL MEETING 24 AUGUST 2021

RECOMMENDATION

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

ATTACHMENTS

Attachment A: 210824 Ordinary Council Meeting Minutes

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

Attachment A

CITY OF NEWCASTLE

Minutes of the Ordinary Council Meeting held via audio visual platform Zoom on Tuesday 24 August 2021 at 6.14pm.

PRESENT

The Lord Mayor (Councillor N Nelmes), Councillors J Church, D Clausen, C Duncan, J Dunn, K Elliott, B Luke, J Mackenzie, A Robinson, A Rufo, E White and P Winney-Baartz.

IN ATTENDANCE

J Bath (Chief Executive Officer), D Clarke (Director Governance), F Leatham (Director People and Culture), J Rigby (Acting Director Infrastructure and Property), A Jones (Director City Wide Services), E Kolatchew (Manager Legal), M Bisson (Manager Regulatory, Planning and Assessment), S Moore (Manager Finance), L Duffy (Manager Parks and Recreation), J Vescio (Executive Officer), K Sullivan (Councillor Services/Minutes), A Knowles (Councillor Services/Meeting Support), L Stanhope (Councillor Services/Meeting Support) and G Axelsson (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.

ATTENDANCE VIA AUDIO VISUAL MEANS

PROCEDURAL MOTION

Moved by Cr Luke, seconded by Cr Duncan

That Council:

1. Notes the current Public Health Orders applicable to all of NSW;
2. Notes tonight's Ordinary Council meeting of 24 August 2021 is livestreamed on Council's website providing for access to members of the public; and
3. Notes the unprecedented public health risks facing the community and in the interests of public health and safety, permits all Councillors to attend the Ordinary Council meeting of 24 August 2021 by audio visual means.

**Carried
unanimously**

APOLOGIES

Nil.

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Nil.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - ORDINARY COUNCIL MEETING 27 JULY 2021

MOTION

Moved by Cr Clausen, seconded by Cr Winney-Baartz

The draft minutes as circulated be taken as read and confirmed subject to confidential minutes regarding Item 6 - Confidential Report – Consideration of Legal Advice being adopted publicly.

Carried

LORD MAYORAL MINUTE

ITEM-21 LMM 24/08/21 - CITY OF NEWCASTLE COVID-19 COMMUNITY AND ECONOMIC RESILIENCE PACKAGE 2.0 & PROTECTING LOCAL JOBS

MOTION

Moved by Lord Mayor, Cr Nelmes

Part A - COVID-19 Community and Economic Resilience Package 2.0

That City of Newcastle:

- 1 Notes that our 2020 Community and Economic Resilience Package saw \$5.5 million invested across our city, including interest free payment plans for residential and business rates, free online training packages, a significant community grants program to support our vulnerable and emerging at-risk community members and targeted industry support initiatives;
- 2 Recognises that current Stay-at-home orders, as well as Greater Sydney's and interstate protracted lockdowns, have had a direct impact on our local economy, with hotel occupancy rates dropping to 23%, and local unemployment currently at 6.7% with young people, casual workers and part-time workers, in particular, seeing significant losses of vital shifts at work, many losing their jobs altogether;
- 3 Acknowledges that an Independent Hunter Research Foundation Centre Report (**Attachment A**) found that City of Newcastle “acted quickly and decisively” in developing our Community and Economic Resilience Package (CERP), which was announced on 20 March last year, almost two weeks before NSW went into lockdown”, and that ‘the “well-rounded” nature of the

package was one of its key strengths, giving careful consideration to those most likely to be affected by the pandemic including vulnerable populations, the unemployed and small business"; and

- 4 Re-initiates our Community and Economic Resilience Package, including an ongoing commitment to assisting local residents and businesses with financial hardship support for rates, a community grants programs to support our vulnerable and emerging at-risk community members, support for affected local industries including the arts, entertainment, hospitality and tourism sectors, as well as continuing to build on our successful business innovation support programs such as NewSkills and the Product Development Mentoring Program.

Part B – Protecting Local Jobs:

The City of Newcastle:

- 1 Notes that in 2020/21 more than \$100 million was successfully invested into our capital works program, generating hundreds of local jobs and increasing the local economy's economic output by more than \$200 million, with capital works projects brought forward to assist in stimulating the local economy and protect our workforce;
- 2 Recognises that the unemployment rate in Newcastle has risen significantly in 2021, and that it is imperative that we once again take decisive action to ensure local jobs are protected in Newcastle;
- 3 Notes that the current works program for 2021/22 is \$90.4 million, at least \$10 million less than that delivered by staff last year as part of an adopted COVID-19 employment stimulus program;
- 4 Asks each Directorate of Council, through our directors, to review our adopted 2021/22 Budget, to ensure that all necessary measures are taken to protect jobs, while identifying any capital works projects that could be expedited or re-prioritised to have maximum impact in stimulating our local economy through the delivery of new and upgraded community infrastructure and report the results back to Council for consideration at the September quarterly review;
- 5 Notes that an increase in the 2021/22 works program of \$10 million would create another 100 new jobs in the LGA and increase total economic output by more than \$27 million; and
- 6 Recognises that the organisation has sufficient unrestricted cash reserves to fund an increase in its capital works program in the vicinity of \$10 million without adversely impacting on the six financial performance measures reported in the audited annual financial statements.

**Carried
unanimously**

REPORTS BY COUNCIL OFFICERS

ITEM-85 CCL 24/08/21 - TABLING OF REGISTER OF DISCLOSURES OF INTEREST - 1 MAY TO 31 JULY 2021

MOTION

Moved by Cr Elliott, seconded by Cr Mackenzie

That Council:

- 1 Note the tabling of the Register of Disclosures of Interest (for the period 1 May to 31 July 2021) by the Chief Executive Officer (CEO).

**Carried
unanimously**

ITEM-87 CCL 24/08/21 - VARIATIONS TO DEVELOPMENT STANDARDS REPORT - 2ND QUARTER 2021

MOTION

Moved by Cr Mackenzie, seconded by Cr White

That Council:

- 1 Receives the report on approved development variations between 1 April 2021 and 30 June 2021 at **Attachment A** in accordance with the Department of Planning, Industry and Environment's (DPIE) concurrence to vary development standards in the Newcastle Local Environment Plan 2012 (NLEP 2012).

**Carried
unanimously**

ITEM-88 CCL 24/08/21 - PUBLIC EXHIBITION OF CITY OF NEWCASTLE DRAFT DEVELOPMENT CONTRIBUTIONS PLAN

MOTION

Moved by Cr Elliott, seconded by Cr Mackenzie

That Council:

- 1 Place the draft Section 7.11 Development Contributions Plan (2021) (**Attachment A**) and draft Section 7.12 Development Contributions Plan (2021) (**Attachment B**) on public exhibition for 28 days.
- 2 Considers a report on submissions received following the public exhibition including any proposed changes prior to determining the final Contributions Plans.

For the Motion: Lord Mayor, Cr Nelmes and Councillors Church, Clausen, Duncan, Dunn, Elliott, Luke, Mackenzie, Robinson, Rufo, Winney-Baartz and White.

Against the Motion: Nil.

**Carried
unanimously**

ITEM-89 CCL 24/08/21 - EXECUTIVE MONTHLY PERFORMANCE REPORT

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

- 1 Receives the Executive Monthly Performance Report for July 2021.

For the Motion: Lord Mayor, Cr Nelmes and Councillors Clausen, Duncan, Dunn, Luke, Mackenzie, Winney-Baartz and White.

Against the Motion: Councillors Church, Elliott, Robinson and Rufo.

Carried

ITEM-84 CCL 24/08/21 - PUBLIC EXHIBITION OF DRAFT GREGSON PARK MASTERPLAN AND AMENDMENTS TO THE HERITAGE PLACES PLAN OF MANAGEMENT FOR GREGSON PARK

MOTION

Moved by Cr Duncan, seconded by Cr Winney-Baartz

That Council:

- 1 Place the draft Gregson Park Masterplan (**Attachment A**) on public exhibition for 42 days.
- 2 Place the draft amended Heritage Places Plan of Management (Heritage PoM) (**Attachment B**) for Gregson Park on public exhibition in accordance with the *Local Government Act 1993* (Act) for 28 days and to receive submissions for 42 days.
- 3 Hold a public hearing for the proposed re-categorisation of Gregson Park in the Heritage PoM, as required under the Act, during the public exhibition period.
- 4 Receive a report on the outcome of the exhibition period for the draft Gregson Park Masterplan and the amended Heritage PoM for Gregson Park.

**Carried
unanimously**

ITEM-86 CCL 24/08/21 - ADVISORY COMMITTEES ANNUAL PERFORMANCE REVIEWS

In moving the motion, Councillor Clausen stated he was moving an additional Part B to the motion.

MOTION

Moved by Cr Clausen, seconded by Cr White

PART A

That Council:

- 1 Receives the annual performance review (**Attachment A**) from each of the following advisory committees:
 - i) Access Inclusion Advisory Committee
 - ii) Asset Advisory Committee
 - iii) Community and Culture Advisory Committee
 - iv) Guraki Aboriginal Advisory Committee
 - v) Infrastructure Advisory Committee
 - vi) Liveable Cities Advisory Committee
 - vii) Strategy and Innovation Advisory Committee
 - viii) Youth Council

PART B

That Councillor Duncan be appointed to the Audit and Risk Committee and as co-Chair of the Access and Inclusion Advisory Committee for remainder of term.

Carried

NOTICES OF MOTION

ITEM-25 NOM 24/08/21 - 12 STEWART AVENUE CONTRACT ADMINISTRATION COSTS

MOTION

Moved by Cr Church, seconded by Cr Elliott

That Council

- 1 Notes that in December 2020, City of Newcastle first revealed contract administration costs of \$2,749,827 in relation to the fit-out of 12 Stewart Avenue, Newcastle West.
- 2 Notes that City of Council is committed to the highest standards of Corporate Governance and the principles of openness, transparency and accountability.

3 Notes Section 8.3 of the Code of Conduct for councillors which states that:

Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.

4 Notes Councillor Church lodged a Councillor Service Request for a detailed breakdown of the items included in this lumped figure after publicly raising concerns about the ballooning costs of the building fit-out.

5 Notes that the request by Councillor Church was denied in a memo from the Director of Infrastructure dated 25 March 2021.

6 Formally requests, via this Notice of Motion, that a detailed and itemised report be produced, outlining the costs included in the contract administration of the fit-out and provides that report for tabling at the next Council meeting in September 2021.

7 Requests Council to proactively distribute the report to the public once tabled.

AMENDMENT

Moved by Cr Clausen, seconded by Cr Winney-Baartz

That Council:

1 Note the itemised break-down of the four separate projects associated with the fit out of 12 Stewart Avenue and note that each project was supported by the Council.

1. Relocation to 12 Stewart Avenue	\$8,389,994
Project Management	\$273,840
Design (Inc. design & cost consultancies, certification & approvals)	\$363,306
Staff relocation	\$45,384
Construction (Inc. preliminaries & margin)	\$8,061,664
Carpet rebate under lease terms	-\$354,200
2. Local Emergency Operations Centre	\$2,173,982
Project Management	\$154,830
Design (Inc. design & cost consultancies, certification & approvals)	\$167,924
Construction (materials, labour, preliminaries & margin)	\$1,851,228
3. Digital Library	\$3,267,465 *
Project Management	\$248,483
Design (Inc. design & cost consultancies, certification & approvals)	\$261,215
Construction (Inc. preliminaries & margin)	\$2,757,767
<p>\$2m of the cost was effectively funded by a member of the public who bequeathed funds to CN for the purpose of the construction of a new library.</p>	

4. Council Chamber	\$1,041,824
Project Management	\$83,365
Design (Inc. design & cost consultancies, certification & approvals)	\$74,633
Construction (Inc. preliminaries & margin)	\$883,826

For the Amendment: Lord Mayor, Cr Nelmes and Councillors Clausen, Duncan, Dunn, White and Winney-Baartz.

Against the Amendment: Councillors Church, Elliott, Luke, Mackenzie, Robinson and Rufo.

The Lord Mayor exercised the Chair's casting vote and declared the amendment carried.

**Carried
casting vote**

The amendment then became the motion.

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

Carried

ITEM-26 NOM 24/08/21 - INFRASTRUCTURE CONTRIBUTIONS BILL

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

1. Joins numerous other local Councils in calling on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament.
2. Calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.
3. Calls on the NSW Government to de-couple the Independent Pricing and Regulatory Tribunal led review on population growth from the infrastructure contributions reforms.
4. Notes that the NSW Legislative Council's Portfolio Committee 7 recommended that: "the Bill not proceed, until the draft regulations have been developed and release for consultation and the reviews into the rate pegging system, benchmarking and the essential works list have been published by the Independent Pricing and Regulatory Tribunal".
5. Affirms its support to LGNSW and requests LGNSW continue advocating on our behalf to protect local government from any amendments to infrastructure contributions which leaves councils and communities exposed to expending

ratepayer funds on new infrastructure made necessary by new development that is currently the responsibility of developers.

For the Motion: Lord Mayor, Cr Nelmes and Councillors Church, Clausen, Duncan, Dunn, Elliott, Mackenzie, Robinson, Rufo, White and Winney-Baartz.

Against the Motion: Councillor Luke.

Carried

ITEM-27 NOM 24/08/21 - NEW WEATHER STATION NEWCASTLE

MOTION

Moved by Cr Church, seconded by Cr Robinson

Council

- 1 Notes correspondence received from Nat Jeffery, long standing former weather presenter on NBN Television concerned about the location and operation of an automatic weather station for the City of Newcastle (**Attachment A**).
- 2 Notes the history of weather stations near the coast and that the responsibility for this service rests with the Bureau of Meteorology (BoM)
- 3 Writes to the BoM to advocate for a new weather station in the Newcastle LGA and offering to investigate possible council owned sites around Newcastle, including the inner West, to provide data that is relevant to the city's urban growth corridors.

Councillor White suggested that point three of the motion read as follows:

- 3 *Writes to the minister responsible for the BoM, the Minister for the Environment, and the Minister for Public Service, to advocate for funding for a new weather station in the Newcastle LGA and offering to investigate possible council owned sites around Newcastle, including the West, to provide data that is relevant to the city's urban growth corridors.*

Councillors Church and Robinson accepted the changes to point three.

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

Carried

ITEM-28 NOM 24/08/21 - PUBLIC SAFETY - YOUNG STREET, COOKS HILL

MOTION

Moved by Cr Elliott, seconded by Cr Robinson

That City of Newcastle

- 1 Notes representations made by residents of Young Street Cooks Hill **(Attachment A)** concerned about a recent murder and stabbing, sale and use of narcotics near the public pay phone, domestic violence, anti-social behavior, street cleanliness, parking and speeding cars.
- 2 Notes responses suggested by residents include:
 - Moving the Telstra Payphone to a nearby public area on Darby Street that is highly visible
 - Installation of CCTV cameras for surveillance and deterrence
 - Increased police presence
 - Installation of speed bumps in the street
 - Introduction of non-resident parking restrictions
 - Increased street cleaning
 - Improved maintenance of Public Housing on Darby Street
- 3 Notes that these issues require a coordinated and multi- agency response.
- 4 Facilitates a meeting with stakeholders listed below to discuss strategies and an action plan to improve amenity in the area.

Residents
Council Staff
Councillors
NSW Police
Telstra
NSW Department of Communities and Justice

**Carried
unanimously**

The meeting concluded at 7.57pm.

LORD MAYORAL MINUTE

**ITEM-22 LMM 28/09/21 - BYPASSING FREIGHT FROM RESIDENTIAL
NEWCASTLE**

MOTION

That City of Newcastle:

- 1 Notes that Transport for NSW has been consulting on a recommended corridor option for the much anticipated and long-awaited Lower Hunter Freight Corridor, aimed at establishing a future dedicated freight rail line between Fassifern and Hexham, bypassing residential Newcastle;
- 2 Reiterates that the Lower Hunter Freight Corridor would dramatically alleviate traffic congestion experienced at locations such as the Adamstown and Clyde Street level crossing gates;
- 3 Notes that City of Newcastle has made a detailed submission (**Attachment A**) to Transport for NSW, requesting that:
 - a) The future alignment of the corridor responds to the Hunter Region's needs over the long term, particularly in servicing the Port of Newcastle, which is identified in the Greater Newcastle Metropolitan Plan (GNMP) as a catalyst area and "global gateway, providing international freight connections" and our emerging Black Hill industrial precinct, also identified as a catalyst area in the GNMP;
 - b) The NSW Government assures that implementation of our key infrastructure projects, such as the Richmond Vale Rail Trail, will not be more onerous or costly as a result of the long-term reservation of the corridor;
 - c) There is project integration between the Lower Hunter Freight Corridor, the proposed M1 Motorway extension to Raymond Terrace and our emerging Black Hill industrial precinct; and
 - d) The preferred option at Hexham ensures that the corridor crosses over Maitland Road and the Hunter River to Ash Island and continues south on the northern side of the river, maintaining a reasonable distance from the suburb of Mayfield to a point where it can cross the river again on Kooragang Island, delivering on the concept of 'Port Side Rail'.
- 4 Emphasises the strong benefits of delivering the rail corridor alongside the port as both future proofing the freight rail corridor and significantly minimising community impacts and supporting future economic growth.

BACKGROUND

Lower Hunter Freight Corridor

Transport for NSW is consulting on a recommended corridor option for the Lower Hunter Freight Corridor which will provide for a future dedicated freight rail line between Fassifern and Hexham, bypassing the Greater Newcastle Metropolitan (urban) area.

Separating rail freight from the passenger rail line is a NSW Government initiative to reduce network congestion on the rail network across Newcastle, and improve travel times and reliability for both rail freight and passenger rail services.

Key benefits

When built the Lower Hunter Freight Corridor would:

- Separate rail freight and passenger rail services between the congested Fassifern and Hexham sections
- Support growing demand as freight and passenger rail services in Northern Sydney, Newcastle, and the Sydney-Newcastle corridor continue to grow.
- Remove most rail freight from the Greater Newcastle Metropolitan (urban) area
- Reduce network congestion and improve travel times and reliability for both rail freight and passenger rail services
- Support economic growth across the Lower Hunter region.
- Relieve congestion and journey delays to road and active transport users around level crossings at St James Road, Adamstown and Clyde Street, Islington
- Relieve pressure on regional roads and highways by moving more freight via a dedicate freight rail corridor
- Reduce the number of heavy vehicles on the roads
- Enable freight to move efficiently and safely.

RELATED PREVIOUS DECISIONS:

LMM 22/10/2019 – City of Newcastle Budget submission 2019/20

LMM 23/02/2021 – City of Newcastle Budget Submission 2021/22

LMM 27/08/2019 – Infrastructure Australia 2020 Priority List

LMM 28/07/2020 – Infrastructure Australia 2021 Priority List

LMM 27/07/2021 – Infrastructure Australia 2022 Priority List

LMM 28/04/2020 - City of Newcastle Fast-track Infrastructure Stimulus Opportunities

ATTACHMENTS:

LMM Item 22 Attachment A: City of Newcastle Submission on the Recommended Lower Hunter Freight Corridor

LMM Item 22 Attachment A distributed under separate cover

1. Catalyst Areas for Greater Newcastle Projects, as identified in the Greater Newcastle Metropolitan Plan

2. Large-scale priority infrastructure projects:

					
Coastal Management Planning and Erosion Management, especially at Stockton Beach	Flood mitigation at Wallsend	Newcastle Airport Expansion	Port of Newcastle Diversification	Hunter Sports and Entertainment Precinct	
					
Newcastle Light Rail Expansion	Lower Hunter Freight Corridor	Affordable housing initiatives	Metropolitan wide active transport (walking & cycling) improvements	John Hunter Hospital campus upgrades	
					
Newcastle Art Gallery Expansion	Local Sporting Amenity Upgrades	Local Playground upgrades, particularly for disability inclusion	Ferry Terminal at Wickham	Pensioner Rate Rebates	University of Newcastle STEM Regional Transformation Hub

3. Local priority infrastructure projects:

				
Summerhill Waste Management Centre – Organics Processing Facility	Richmond Vale Rail Trail	Newcastle Beach Community Facility (Stage 2, Newcastle Beach – Bathers Way)	Junction to Merewether Cycleway	Newcastle West Bi-directional Cycleway – West End Stage 2, Phase 1
				
Newcastle East End Streetscape Upgrades and Cycleway	Foreshore Park All Abilities Playground	Western Corridor Active Hub	Local Centres Program	

REPORTS BY COUNCIL OFFICERS

ITEM-90 **CCL 28/09/21 - COMMUNITY AND ECONOMIC RESILIENCE PACKAGE EXTENSION**

REPORT BY: **STRATEGY AND ENGAGEMENT**
CONTACT: **INTERIM DIRECTOR STRATEGY AND ENGAGEMENT /**
MANAGER COMMUNITY, STRATEGY AND INNOVATION

PURPOSE

To update the Council on the Lord Mayoral Minute COVID-19 Community and Economic Resilience Package 2.0, unanimously supported at the August 2021 Ordinary Meeting.

RECOMMENDATION

That Council:

- 1 Notes that City of Newcastle (CN) has developed a second phase of the Community and Economic Resilience Package (CERP) in response to the impact caused by the continuing lockdown of the Newcastle local government area (LGA) since 5 August 2021.
- 2 Notes that this response includes an increase in the 2021/22 works program of at least \$10 million, to be brought to the October Ordinary Council Meeting as part of the September Quarterly Review.

KEY ISSUES

- 3 CERP 2021/22 extends many of the successful initiatives delivered as part of CN's \$5.5 million CERP delivered throughout 2020 when the pandemic first impacted upon the city.
- 4 Local Government has an important role in coordinating a targeted response and building confidence in Newcastle's ability to rebound.
- 5 The CERP 2021/22 is divided into three stages:
 - i) Immediate action (completed August – September):
 - a) Communicate support available from all government and service providers (e.g. My Community Directory in partnership with Hunter Homeless Connect).
 - b) Promote CN's financial hardship support options.
 - ii) Continued action:

- a) Support local business to develop strategies to improve their provision of goods / services (e.g Economic Development Grants; NewConnects program; Lean in Newy).
 - b) Develop content and programs to connect with our community online. (e.g online programs from Newcastle Libraries, the Newcastle Art Gallery and the Museum).
 - c) Offer training and upskilling opportunities to enable the finding of new employment (e.g. Business Mentoring Program; LinkedIn Learning, Female Founders Program).
- iii) Recovery:
- a) Destination marketing and product development to support the tourism industry (e.g Event Sponsorship Program; Implementation of Destination Management Plan).
 - b) City activation to encourage local spending and growth in retail and hospitality sectors (e.g Locally Made and Played live music grants; Special Business Rate Program).
 - c) Investment and talent attraction to boost the local economy (e.g Implementation of Economic Development Strategy).
- 6 An increase in the 2021/22 works program of \$10 million is estimated by REMPLAN to create 100 new fulltime equivalent jobs and increase total economic output by \$27 million within the Newcastle LGA alone.

FINANCIAL IMPACT

- 7 All community and economic programs in CERP 2021/22, totaling approximately \$600,000 will be funded under existing operational budgets by redirecting programs, and by bringing activities forward to form a rapid response.
- 8 An increase in the capital works program will be funded by an increase in the 2021/22 Operational Plan as part of the September Quarterly Review.

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 9 The CERP is consistent with the following strategic directions of the Newcastle 2030 Community Strategic Plan:

Inclusive Community

- 4.1b Support initiatives and facilities that encourage social inclusion and community connections.
- 4.1c Improve, promote and facilitate equitable access to services and facilities.
- 4.2b Improve access to formal and informal lifelong learning opportunities, facilities and services.

Smart and Innovative

6.2b Support and advocate for the small business sector.

Open and Collaborative Leadership

7.2b Provide timely and effective advocacy and leadership on key community issues.

7.2c Establish collaborative relationships and advocate for local needs with all stakeholders.

7.3b Provide clear, consistent, accessible and relevant information to the community.

IMPLEMENTATION PLAN/IMPLICATIONS

10 The Economic Development Strategy 2021 (EDS) was endorsed at the Ordinary Council Meeting on 25 May 2021. The CERP aligns with a number of actions within the EDS including:

- i) Directly fund and project manage training packages that address key skill gaps and target marginalized populations. This is being delivered through the NewSkills program.
- ii) Increase participation in entrepreneurship and access to the innovation ecosystem by cultivating and embracing diversity through implementing inclusive programming designed for specific communities. This is being delivered through the Female Founders Program.

RISK ASSESSMENT AND MITIGATION

11 The CERP has been developed following five key principles;

- i) Direct actions to support community well-being.
- ii) Timely responses that address cash-flow for small business.
- iii) Innovative programs that provide long-term strategic benefits.
- iv) Collaboration with partners and contribution to existing initiatives.
- v) Financial responsibility for the long-term sustainability of the organisation.

12 CN has sufficient unrestricted cash reserves to fund an increase in its capital works program of more than \$10 million without placing at risk its compliance with the six financial performance measures reported in the audited Annual Financial Statements.

RELATED PREVIOUS DECISIONS

13 At the Ordinary Council Meeting held on 24 March 2020, Council endorsed the Lord Mayoral Minute Coronavirus Covid-19 Community and Economic Resilience Response.

- 14 At the Ordinary Council Meeting held on 24 August 2021, Council endorsed the Lord Mayoral Minute City of Newcastle Covid-19 Community and Economic Resilience Package 2.0 & Protecting Local Jobs.

CONSULTATION

- 15 Consultation was undertaken with the Strategy and Innovation Advisory Committee of Council at the September 2021 meeting.
- 16 CN's financial hardship options were promoted via televising advertising and social media in July 2021 to align with issuing of the Annual Rates Notice.
- 17 Promotion of the CERP commenced late August and is detailed in a flyer (Attachment A) delivered to all mailboxes in the LGA commencing 20 September 2021.
- 18 CN has engaged directly with community sector organisations regarding CN's Rapid Response Grants. A total of more than \$100,000 in grants has been awarded to fifteen groups to support vulnerable and emerging at risk community members.

BACKGROUND

- 19 CN's 2020 CERP saw \$5.5 million invested across the city, including interest free payment plans for residential and business rates, free online training packages, a significant community grants program, and targeted industry support initiatives.
- 20 Current Public Health Orders (including stay-at-home orders) have had a significant impact on the local economy, with hotel occupancy rates dropping to 23%, and local unemployment currently at 6.7%. Young people, casual workers, and part-time workers have lost their jobs.

OPTIONS

Option 1

- 21 The recommendation as at Paragraph 1 and 2. This is the recommended option.

Option 2

- 22 Not endorse the recommendation at Paragraph 1 and 2. This is not the recommended option.

ATTACHMENTS

Item 90 Attachment A: CERP Flyer

Item 90 Attachment A distributed under separate cover

**ITEM-91 CCL 28/09/21 - NEWCASTLE ART GALLERY FOUNDATION -
MEMORANDUM OF UNDERSTANDING**

REPORT BY: CITY WIDE SERVICES
**CONTACT: DIRECTOR CITY WIDE SERVICES / NEWCASTLE ART
GALLERY DIRECTOR**

PURPOSE

To endorse a Memorandum of Understanding with Newcastle Art Gallery Foundation.

RECOMMENDATION

That Council:

- 1 Endorses the Memorandum of Understanding with the Newcastle Art Gallery Foundation as provided in **Attachment A** and delegates authority to the Chief Executive Officer to sign the document on its behalf.

KEY ISSUES

- 2 At the Ordinary Council Meeting held on 22 March 2016 Council resolved that a Memorandum of Understanding (MoU) be prepared between City of Newcastle (CN) and the Newcastle Art Gallery Foundation (NAGF).
- 3 In consultation with the NAGF Board, a revised MoU has been developed to recognise the importance of the Newcastle Art Gallery to the people of Newcastle and the region and committing the ongoing support of the NAGF.
- 4 The MoU is a statement of intent by each party to guide the relationship in partnership to deliver the best possible outcomes for Newcastle Art Gallery. Each party agrees to act in good faith towards the other party and use its best endeavours to comply with the spirit and intention of this MoU.
- 5 The purpose of the MoU is to recognise and acknowledge the cultural importance of Newcastle Art Gallery and record the spirit of cooperation and respect between CN and NAGF. The parties acknowledge the significant role CN plays in providing financial, promotional and management support towards this major cultural asset for NSW including the permanent collection of over 7,000 works of art valued at \$115 million.
- 6 The MoU acknowledges the cultural importance of Newcastle Art Gallery to the people of Newcastle and recognises the work undertaken by NAGF. The MoU has been endorsed by the NAGF Board.

FINANCIAL IMPACT

- 7 The MoU with NAGF has no impact on the Operational Plan and approved budget.

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 8 Entering a MoU with NAGF is in alignment with Newcastle 2030 Community Strategic Plan action of Open and Collaborative Leadership.
- 9 Newcastle Art Gallery is consistent with the following strategic directions of the Newcastle 2030 Community Strategic Plan:
- i) Vibrant, Safe and Active Public Places
 - ii) Inclusive Community
 - iii) Liveable Built Environment

IMPLEMENTATION PLAN/IMPLICATIONS

- 10 Nil.

RISK ASSESSMENT AND MITIGATION

- 11 There is no known risk to CN in entering into a MoU with NAGF.

RELATED PREVIOUS DECISIONS

- 12 At the Ordinary Council meeting held 22 March 2016 Council resolved:

*Council endorses the Memorandum of Understanding with the Newcastle Art Gallery as provided in **Attachment A** and delegates authority to the Interim Chief Executive Officer to sign the document on behalf of Newcastle City Council.*

CONSULTATION

- 13 The MoU has been prepared in consultation with the NAGF Board.

BACKGROUND

- 14 Newcastle Art Gallery was Australia's first purpose-built regional Art Gallery, officially opened by Her Majesty Queen Elizabeth II in 1977. The nationally recognised permanent collection of over 7,000 works of art is valued at \$115 million and provides a time capsule of Australian art dating back to the earliest days of Newcastle more than 200 years ago when it became Australia's second city to be settled. It is the most valuable art collection in regional Australia.
- 15 At present, only 1% of Newcastle Art Gallery's works can be displayed in any year, due to a lack of space.

- 16 As a major cultural asset for NSW, the Newcastle Art Gallery offers the ability to tell local stories and inspire new ones through the creation, collecting and display of works of art of local, national and international importance.
- 17 The Art Gallery is nationally and internationally renowned for developing and delivering award winning, ambitious exhibitions and programming.
- 18 The community values the Newcastle Art Gallery as a destination for learning, cultural activity and tourism, however there is increased demand to see a larger number of works of art from its significant collection on permanent display.
- 19 To appropriately meet the growing expectations of our community, the existing 44 year old building requires upgrading and expanding to provide modern facilities such as a new café and retail shop, multi-purpose and educational program space, improved display and secure international standard loading dock.
- 20 Council recently endorsed a funding pathway for the expansion of the Newcastle Art Gallery to more than double the size of the existing facility. The additional 1,600 square metres of exhibition space represents a 250% increase in display capability. The expansion enables more of the city's renowned collection to be on permanent display in dedicated collection Galleries on the lower level, while the upper level Galleries will cater for temporary exhibitions, including international shows.
- 21 The expansion of the Newcastle Art Gallery was included in the NSW Government's Cultural Infrastructure Plan 2025, identifying the project as a 'regional opportunity'.
- 22 The NAGF Board works passionately to support the Newcastle Art Gallery to ensure the nationally recognised collection is maintained for generations to come.

OPTIONS

Option 1

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

Option 2

- 24 Council resolves not to endorse the Memorandum of Understanding between City of Newcastle and Newcastle Art Gallery Foundation. This is not the recommended option.

REFERENCES

Nil

ATTACHMENTS

Item 91 Attachment A: Memorandum of Understanding between City of Newcastle and Newcastle Art Gallery Foundation

Item 91 Attachment A distributed under separate cover

ITEM-92 CCL 28/09/21 - ADOPTION OF WICKHAM MASTERPLAN 2021 UPDATE

REPORT BY: GOVERNANCE
CONTACT: DIRECTOR GOVERNANCE / MANAGER REGULATORY, PLANNING AND ASSESSMENT

PURPOSE

To adopt the Wickham Masterplan 2021 update (WMP 2021) (**Attachment A**) as amended following public exhibition.

RECOMMENDATION

That Council:

- 1 Adopts the Wickham Masterplan 2021 Update.

KEY ISSUES

- 2 City of Newcastle (CN) placed the draft WMP 2021 on public exhibition for 28 days, from 2 July 2021 to 30 July 2021.
- 3 Prior to exhibition CN incorporated changes to the draft document that Council endorsed on 25 May 2021, which included extending the Village Hub precinct westward along Bishopsgate Street extending from Union Street to Railway Street and northward to Lindus Street.
- 4 CN received 61 submissions during the public exhibition, which are summarised in **Attachment B**, together with CN's response and/or recommended outcome to the matters raised. Community information sessions were held online during the public exhibition period from 21 to 23 July 2021. The information sessions were scheduled to be in person however COVID-19 Public Health Orders required these sessions to be moved online.
- 5 The key issues for consideration are outlined below.

Village Hub

- 6 CN received 39 submissions (including 26 signed proforma letters) in support of the Village Hub precinct being extended along Bishopsgate Street as shown in the draft WMP 2021. Thirty of these submissions were from Wickham residents and/or landowners, with the remaining nine being from outside of the suburb. CN received two submissions from Wickham property owners that opposed the extension of the Village Hub precinct along Bishopsgate Street and advocated for the proposed densities to remain as identified within WMP 2017 on land not affected by mine subsidence.

- 7 From discussions with community members at the information sessions, it appeared the desire for the extension of the Village Hub is in part due to many new residents who have bought existing dwellings in Wickham in recent years wish to maintain a lower density comparative to suburban areas of Newcastle, but with the expectations of the conveniences of living within the city centre. However, the vision of the WMP 2017 and as reflected in WMP 2021 is for Wickham to "continue to evolve into a diverse and dynamic mixed-use neighbourhood" with redevelopment supporting "increased residential densities as well as economic and employment generating uses that complement and support the adjoining emerging commercial core of the Newcastle City Centre".
- 8 More specifically the envisaged character of the Village Hub precinct is to support redevelopment and infill development to include terrace style housing, shop top housing and residential apartment buildings up to three storeys in height that incorporate architectural elements complementary to existing housing stock. The envisaged character and scale is consistent to the redevelopment along the northern side of Throsby Street but with the addition of a landscaped front setback to facilitate a 'greener' streetscape than what is existing. This vision supports redevelopment that responds to the existing subdivision and ownership patterns at a scale (limited to three storeys) that is lower than other areas of Wickham comprising larger lots.
- 9 The desire of some residents to enjoy the benefits of living in the inner city at existing residential densities is noted, however, maintaining a density expected within a suburban setting will not deliver the vibrancy and improvements to the public domain that was advocated by the Wickham community during the preparation of the adopted Masterplan and unanimously supported by Council. The area of the exhibited Village Hub extension along Bishopsgate Street is 200m from the Newcastle Transport Interchange and the new commercial core of the Newcastle City Centre. Increasing density in the city centre, next to the transport interchange, will enable the delivery of community infrastructure and is consistent with the planning principles and envisioned outcomes of this Catalyst Area within the Greater Newcastle Metropolitan Plan, Newcastle Local Strategic Planning Statement and the Newcastle Urban Renewal Strategy.
- 10 The area within the extended Village Hub precinct (as exhibited) consists of 16 existing dwellings (three being townhouses within a strata title, six being semi-detached dwellings and seven being detached dwellings on individual lots). This is less than 50% of the total area proposed to be included, with the remaining area of 4,668.8m² currently being used for non-residential land uses within industrial buildings.
- 11 CN has estimated that the proposed extended Village Hub precinct within WMP 2021 will yield less than 50 new dwellings (applying current controls and assuming an average area per dwelling of 90m²) when considering the feasibility of amalgamating land, the cost of demolition, decontamination, and construction. This compares to an estimated additional 105 dwellings under WMP 2017, based on current land ownership and site areas. This increase

could be as high as 140 additional dwellings if some amalgamation was achieved of individual parcels. It is noted that WMP 2017 assumed that the majority of redevelopment would gain access from Lindus or Railway Streets, with Bishopsgate being widened to a consistent width to improve pedestrian access.

29 Bishopsgate Street Wickham

- 12 CN received a submission prepared by SLR Consulting on behalf of the landowner of 29 Bishopsgate Street (Gemini Interchange Pty Ltd) opposing the inclusion of this land into the extended Village Hub precinct on grounds that the land does not reflect the described character of the Village Hub precinct.
- 13 The site at 29 Bishopsgate Street is identified in WMP 2017 and WMP 2021 as a key redevelopment parcel. It is not constrained by mine subsidence or flooding and consists of a large parcel in single ownership (area 2,641m²) being just over 30% of the area of the extension to the Village Hub precinct in the draft WMP 2021. The site was formerly occupied by a service station and an industrial building. This larger site does not bear any of the described character of the rest of the Village Hub area which is smaller parcels consisting of individual dwellings.
- 14 The current Local Environmental Plan (LEP) standards for this site and two adjoining parcels fronting Lindus Street allow for greater building height (14m) than the envisaged scale of up to three storeys within the adjoining Village Hub precinct. The provisions included within Newcastle Development Control Plan 2012 (DCP 2012) for this site require a minimum building setback of 2m to Bishopsgate Street and a further upper-level setback for any part of the building above height of building (HOB) 12m being a minimum of 6m to any street, to deliver a consistent built scale along the streetscape. Additional development controls are included as an action of WMP 2021 to require upper-level side and rear setbacks of 8m for development above HOB 12m where adjoining land within the Village Hub precinct, regardless of the level of density and scale identified within the LEP.
- 15 This large site (29 Bishopsgate Street) is able to cater for a mix of both employment and residential land uses with the increased scale and density being focused to the north-western corner of the site, addressing Lindus and Railway Streets and adjacent to the public domain open space area identified as a community infrastructure project on Map 6 of WMP 2021.
- 16 It is therefore recommended that the Emerging Industry Quarter precinct apply to 29 Bishopsgate Street as contained in WMP 2017 and not the Village Hub precinct. Similarly, two adjacent parcels along Lindus Street are recommended to also be included in the Emerging Industry Quarter as per WMP 2017. These two parcels have an existing HOB of 14m under Newcastle Local Environmental Plan 2012 (NLEP 2012). These sites have been included on Map 3 – Urban Precincts of the revised WMP 2021. Furthermore, it is recommended to allow redevelopment at the increased scale and density as

envisaged by WMP 2017 and reflected by Area B of Map 9 - Areas proposed for development incentive within WMP 2021 (up to 35m HOB and floor space ratio (FSR) of 2.5:1, on sites over 2000m²).

- 17 To ensure that a balanced approach is implemented that manages growth while maintaining the lower scale character envisaged along the remainder of Bishopsgate Street (within the Village Hub precinct), an additional Action (8) is included within WMP 2021 that will require an amendment to DCP 2012 "to include an additional control for upper-level setbacks for any development on land that adjoins the Village Hub precinct, to require any part of the development above HOB 12m to be setback a minimum 6m from all street fronting boundaries and 8m to all side or rear boundaries that adjoin land within the Village Hub precinct".

Local Character

- 18 CN received 43 submissions (26 being a signed proforma letter) requesting the local village character be addressed along Church Street and the east end of Bishopsgate Street to ensure there is an interface with the existing cottages that exemplify the village character.
- 19 This is addressed within the envisaged character statement of the Emerging Industry Quarter. This identifies both Church and Bishopsgate Streets together with Throsby and Lindus Streets, as being east-west running streets where the character precincts change mid-block from Village Hub, but where WMP 2021 propose that the scale is maintained within the lower levels of new development along the streetscape, with any additional height provided at an upper-level setback from the street.
- 20 Elsewhere within the Village Hub precinct where existing building heights within the LEP allow for development of a greater scale than envisaged for the Village Hub, CN has included an additional Action 7 under the heading 'Ensure built environment is functional, responsive and resilient' which identifies amending DCP 2012 to include additional controls for upper-level setbacks for development within the Village Hub precinct (on land that has an existing HOB of greater than 10m within NLEP 2021) to introduce an upper level setback of 6m from all street fronting boundaries and 6m to side and rear boundaries that adjoin other land within the Village Hub precinct, to any part of proposed development above 10m.

Dwelling Types

- 21 CN received 29 submissions in support of the action proposed within WMP 2021 to amend NLEP 2021 and allow additional dwelling types (Dual occupancies, Dwelling houses, Secondary dwellings, and Semi-detached dwellings) within Wickham. These land uses are currently prohibited within the B4 Mixed Use Zone, thereby requiring landowners to rely on existing use rights where the land is not suitable for redevelopment to a higher density residential land use currently permitted with consent.

Building Heights

- 22 23 submissions raised opposition to the current building heights proposed within WMP 2017, as reflected in WMP 2021, based on the potential impact these may have on the amenity (eg from overshadowing) along streetscapes (ie public domain) based on the existing tall buildings constructed in Wickham.
- 23 The taller buildings recently completed in Wickham are within the Rail Edge precinct with many being approved under the previous development controls applying under the LEP and DCP at that time. The Rail Edge precinct along Station Street consists of limited sites for redevelopment. This precinct consists of the greatest densities proposed for Wickham (with the FSR being considerably higher than other potential redevelopment within the Park Edge and the Emerging Industry Quarter).
- 24 However, current DCP provisions for this area require new proposals to include upper-level setbacks of 6m for the part of buildings above 12m, which will result in a more consistent scale applying along the street (similar to recent development in Throsby Street, east of Union Street) with taller elements setback from the street to provide a more open feel and solar access to the street. In addition, the building setbacks and articulation requirements within the DCP will also ensure that new development provides opportunities for landscaping and deep root planting of trees.

10 Dangar Street

- 25 CN received a submission from GYDE Consulting on behalf of the owners of the Bowline development site at 10 Dangar Street, Wickham. The submission requests that WMP 2021 provides for greater scale and density than is currently provided for within Area E of Map 9 – Areas proposed for development incentive. Area E currently identifies a potential uplift in HOB from 45m (LEP HOB) to 60m (WMP 2017 HOB with incentives). The Bowline landowners are seeking a HOB of up to 105m and an increase in FSR from 5 to 8.5:1 based on the site being a prime location that can accommodate additional density and the ability to provide for additional community infrastructure.
- 26 Both WMP 2017 and WMP 2021 were prepared using an evidence-based approach. While it may be possible to provide additional density and scale on the Bowline development site, the strategic merit for this has not been established by the owner, nor has the need to provide additional community infrastructure. As such, there has been no change to WMP 2021 regarding this site.

Mine Subsidence

- 27 CN received 35 submissions (26 being part of a proforma letter) expressing concern over the proposed building heights within the Planning Proposal for

41 and 47 Throsby Street, due to the proposal being within an area impacted by mine subsidence.

- 28 This Planning Proposal is separate to WMP 2021 and is being processed as per the relevant Gateway determination by the Department of Planning Industry and Environment (DPIE) and will be publicly exhibited accordingly. CN has consulted with Subsidence Advisory NSW (SANSW), who confirmed the land at 41 and 47 Throsby Street is not undermined, but within the area of influence, which has resulted in further geotechnical assessment by the applicant to ensure that any risks may be resolved through the design parameters of any subsequent development.
- 29 CN also received submissions from both UDIA and Property Council suggesting that bulk grouting within the Wickham area should be carried out utilising the Newcastle Mine Grouting Fund (NMGF), or that CN should seek a review of the advice received by SANSW.
- 30 The NMGF is administered by Hunter and Central Coast Development Corporation (HCCDC), not CN. Furthermore, SANSW is the statutory authority on mine subsidence and any development within mine subsidence districts is subject to SANSW approval.
- 31 CN will continue to liaise with SANSW and HCCDC with the objective of facilitating redevelopment in Wickham in accordance with WMP 2021.

Heritage

- 32 Open Newcastle (group) and other individual submissions suggested that WMP 2021 has not adequately addressed heritage and suggested that the Village Hub precinct should be listed as a Heritage Conservation Area within the LEP.
- 33 Heritage was an important consideration in preparing the WMP 2017, which resulted in the listing of the Former Bullock Island Rail Corridor within Newcastle LEP 2012.
- 34 All properties in Wickham were previously assessed having regard for the criteria used for assessing heritage significance. Items of local significance were already included within the LEP, and while other dwellings were old in terms of years built, this alone does not provide grounds for heritage listing. Furthermore, none of the Wickham precincts meet the criteria to warrant inclusion as a Heritage Conservation Area, given there is not a consistent example of several contributory items related to a specific timeframe (or grouping) that cannot be readily found elsewhere within the city.

Traffic

- 35 CN received three submissions raising traffic matters. These submissions sought changes to traffic directions and speeds of various streets and laneways, as well as traffic calming measures with the LATM (Local Area Traffic Management) plan.
- 36 Implementation of traffic management is subject to consideration and approval by the Newcastle City Traffic Committee and is based on traffic modelling prepared for the LATM. The LATM took into account each potential redevelopment scenario up until 2036 (including the inclusion of the Newcastle Transport Interchange at Wickham, noting CN used the same model and consultant as TfNSW). All items raised relating to traffic and the existing Wickham LATM plan will be considered as part of any future LATM review.

Cycleways

- 37 Submissions related to the detail design of constructing cycleways will be considered as part of CN's plan for implementation of the Newcastle Cycle Plan and the Wickham public domain plan.

Community Infrastructure

- 38 CN received four objections (one from a Wickham resident, one from the Friends of King Edward Park, one from Open Newcastle, and one individual from outside of the suburb) to the proposed increase in building heights and density proposed through development incentives for community infrastructure, claiming this will deliver increased profit for a few, at the cost of liveability for many.
- 39 The Community Infrastructure Incentives Policy, which was adopted by Council on 27 July 2021, seeks to ensure that incentives deliver identified community infrastructure that facilitates urban renewal and delivers to the community infrastructure not otherwise attainable via CN existing revenue streams and contribution framework.

Wickham Park

- 40 CN received 33 submissions (including 26 proforma letters) in support of plans to provide improved access to Wickham Park from various locations in Wickham, through the former rail corridor. The acquisition of this land is being pursued by CN with Sydney Trains to realise this opportunity.

FINANCIAL IMPACT

- 41 The preparation and exhibition of WMP 2021 is funded under the CN 2020/21 operational budget.

- 42 The identified actions, if adopted, will require funding and resourcing to implement.
- 43 The proposed actions and delivery of assets necessary to achieve the desired outcomes in the WMP 2021 will be funded by:
- i) CN's four-year delivery program;
 - ii) Schedule of works within a Local Infrastructure Contributions Plan, prepared under Part 7 Infrastructure contributions and finance of the *Environmental Planning and Assessment Act 1979* (EP&A Act); and
 - iii) Development, where these are identified on private land and adopted within NLEP2012 and/or NDCP 2012.

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 44 The WMP 2021 is consistent with the objectives of this plan and will particularly contribute to implementing the following objectives:

Integrated and Accessible Transport

- 1.2a Continue to upgrade, extend, and promote cycle and pedestrian networks.
- 1.3a Ensure safe road networks through effective planning and maintenance.
- 1.3b Ensure community and business needs for adequate and accessible parking are prioritised.

Vibrant, Safe and Active Public Places

- 3.1a Provide quality parkland and recreation facilities that are diverse, accessible, and responsive to changing needs.
- 3.2a Celebrate Newcastle's cultural heritage and diversity.

Inclusive Community

- 4.2a Ensure people of all abilities can enjoy our public places and spaces.

Liveable Built Environment

- 5.2a Plan for concentrated growth around transport and activity nodes.
- 5.2b Plan for an urban environment that promotes active and healthy communities.

- 5.3a Ensure sufficient housing diversity to meet community needs, including affordable living and adaptable housing options.

Smart and Innovative

- 6.1b Attract new business and employment opportunities.
- 6.3d Foster a collaborative approach to continue city centre renewal.

Open and Collaborative Leadership

- 7.1a Encourage and support long term planning for Newcastle, including implementation, resourcing, monitoring, and reporting.
- 7.2c Establish collaborative relationships and advocate for local needs with all stakeholders.
- 7.4a Continuous improvement in services delivery based on accountability, transparency, and good governance.

IMPLEMENTATION PLAN/IMPLICATIONS

- 45 The WMP 2021 seeks to implement the outcomes of the following adopted strategies, plans and policies of Council:
 - i) Newcastle 2030 - Community Strategic Plan 2018-2028 (CSP), as identified above.
 - ii) Newcastle Local Strategic Planning Statement (LSPS), includes the following relevant Planning Priorities:
 - a) **Planning Priorities 8:** Plan for growth and change in Catalyst Areas, Strategic Centres, Urban Renewal Corridors and Housing Release Areas.
 - b) **Planning Priority 9:** Sustainable, healthy and inclusive streets, neighbourhoods and local centres.
 - c) **Planning Priority 10:** Development responds to the desired local character of our communities.
 - d) **Planning Priority 14:** Enable the transition to new economy job and grow creative industries.

RISK ASSESSMENT AND MITIGATION

- 46 WMP 2021 refines the proposed areas suitable for redevelopment at the densities envisaged within WMP 2017, based on:

- i) Mine subsidence risk advice received from Subsidence Advisory NSW and the unlikelihood to mitigate this risk by the required means, thereby reducing the areas available for redevelopment at increased densities.
- ii) The extension of the Village Hub precinct on land along Bishopsgate Street (excluding the larger parcels at the western end as recommended in this report), based on community comments to maintain a lower scale character for redevelopment consistent with the existing development standards applying to this area.
- iii) Identification of potential community infrastructure projects that are envisaged to be delivered through development incentives on identified land, subject to implementation of Council's recently adopted Community Infrastructure Incentives Policy, through provisions in Newcastle LEP 2012 and DCP for Wickham.

RELATED PREVIOUS DECISIONS

- 47 At the Ordinary Council meeting on 28 November 2017 Council adopted the WMP 2017.
- 48 At the Ordinary Council meeting on 25 May 2021 Council resolved to exhibit the draft WMP 2021 Update.
- 49 At the Ordinary Council meeting on 27 July 2021 Council adopted the Community Infrastructure Incentives Policy.

CONSULTATION

- 50 CN held a 28-day public exhibition of the 2021 Update to Wickham Masterplan from 2 to 30 July 2021, through CN's Have Your Say webpage.
- 51 The public exhibition and community engagement was notified in writing to GLOW, 62 registered interested contacts, landowners, residents and businesses in the Wickham area, DPIE, SANSW, Port of Newcastle, Sydney Trains, Property Council and UDIA.
- 52 Due to COVID-19 restrictions CN engaged with GLOW by holding an online meeting with representatives on 19 July 2021. Online community engagement replaced the information drop-in session at Wickham on 22 July. Thirty-eight individual online information sessions were made available between 21 and 23 July 2021. A total of 14 individual online information sessions were booked. These sessions allowed members of the community to ask questions and discuss matters of interest with the CN project teams.
- 53 The public exhibition received a total of 61 submissions, including:
 - i) 33 submissions from the Wickham community (being residents/landowners)

- ii) 21 submissions from other interested parties outside of Wickham
- iii) 2 submissions from consultants on behalf of landowners
- iv) A submission from Open Newcastle
- v) A submission from Friends of King Edward Park
- vi) A submission from Port of Newcastle
- vii) A submission from Property Council
- viii) A submission from UDIA.

54 A summary of the submissions received and CN's response to these is provided at **Attachment B**.

BACKGROUND

55 In November 2017 Council unanimously supported and adopted the WMP following extensive community engagement with stakeholders to identify the desired future character of Wickham to 2040. The desired future character was reflected in the vision to be implemented through various strategies and actions based on three key objectives:

- i) Improve accessibility and connectivity within Wickham and to adjoining areas
- ii) Create safe, attractive, and inclusive public places
- iii) Ensure built environment is functional, responsive, and resilient.

56 In 2020, CN engaged with stakeholders including the Wickham community on the implementation of actions in WMP 2017, and consideration of additional information received from Subsidence Advisory NSW on the findings of their Newcastle City Centre risk modelling.

57 The WMP recognises the strategic location of Wickham due to its proximity to the emerging Newcastle CBD in Newcastle West and the Newcastle Transport Interchange. The WMP identifies various strategies and actions required to address the challenges and opportunities to urban renewal in the area.

58 The actions include implementation of various interventions within the urban structure that will deliver the community's desire for increasing opportunities for 'greening' and activation within the public domain. Further actions were identified for improving access through private land when redevelopment occurs.

OPTIONS

Option 1

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

Option 2

60 Council resolves not to adopt the Wickham Masterplan 2021 Update, which results in the changes to the existing Masterplan and new actions not being implemented. This is not the recommended option.

REFERENCES

Nil

ATTACHMENTS

Item 92 Attachment A: Wickham Masterplan 2021 Update
Item 92 Attachment B: Summary of submissions

Item 92 Attachments A and B distributed under separate cover.

ITEM-93 CCL 28/09/21 - EXECUTIVE MONTHLY PERFORMANCE REPORT

REPORT BY: GOVERNANCE
CONTACT: DIRECTOR GOVERNANCE / MANAGER FINANCE

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 2021/22 Operational Plan as at the end of August 2021.
- 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 August 2021.

KEY ISSUES

- 2 At the end of August 2021 the consolidated YTD actual operating position is a surplus of \$3.7m which represents a positive variance of \$0.8m against the budgeted YTD surplus of \$2.9m. This budget variance is due to a combination of income and expenditure variances which are detailed in **Attachment A**. The full year budget for 2021/22 is a surplus of \$1.2m.
- 3 The net funds generated as at the end of August 2021 is a surplus of \$8.2m (after capital revenues, expenditure and loan principal repayments). This is a positive variance of \$2.4m to the YTD budgeted surplus position of \$5.8m. This is primarily due to a timing variance in the delivery of CN's works program with a delay in the spend of project expenditure (both capital and operational expenditures).
- 4 CN is monitoring the ongoing financial impacts of the NSW Government's COVID-19 lockdown and restrictions. Any required adjustments to the 2021/22 budget will be considered as part of the Quarterly Budget Review process.
- 5 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

- 6 The variance between YTD budget and YTD actual results at the end of August 2021 is outlined in the Executive Monthly Performance Report.

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 7 This report aligns with the following strategic directions of the Newcastle 2030 Community Strategic Plan:

Open and collaborative Leadership

- 7.4b Ensure the management of Council's budget allocations and funding alternatives are compliant with Council policy and relevant legislation to ensure the long-term financial sustainability of the organisation.

IMPLEMENTATION PLAN/IMPLICATIONS

- 8 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

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

RELATED PREVIOUS DECISIONS

- 10 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.
- 11 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

- 12 A monthly workshop is conducted with the Councillors to provide detailed information regarding financial performance and a forum to ask questions.

BACKGROUND

- 13 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

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

Option 2

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

REFERENCES

ATTACHMENTS

Item 93 Attachment A: Executive Monthly Performance Report – August 2021

Item 93 Attachment A distributed under separate cover

NOTICES OF MOTION

ITEM-29 NOM 28/09/21 - INNER CITY BYPASS - PEATTIE'S ROAD DEPOT

COUNCILLORS: P WINNEY-BAARTZ, D CLAUSEN, C DUNCAN, J DUNN, N NELMES AND E WHITE

PURPOSE

The following Notice of Motion was received on Wednesday 15 September 2021 from the abovenamed Councillors.

The purpose is to seek the relocation of the depot planned by Transport for NSW (TfNSW) in Peattie's Road for the construction of the Inner City Bypass.

MOTION

That Council:

- 1 Notes advocacy from residents regarding Transport for NSW's proposed Peattie's Road Depot. Notes that Council has made a submission to the Department of Planning, Industry and Environment;
- 2 Notes that this matter crosses Council boundaries and that Lake Macquarie City Council has considered a complimentary Notice of Motion;
- 3 Writes to the Minister for Transport and Roads seeking his intervention to ensure the proposed Peattie's Road depot does not proceed. Further that to facilitate this, we request that the Minister enter into discussions with the Minister for Health to ensure that a complementary timetable for the construction of the Inner City Bypass and the John Hunter Hospital (JHH) expansion can be developed to ensure that the original proposal for a construction depot for the Bypass on site behind JHH can be implemented; and
- 4 Writes to local MPs whose electorates are affected by this proposal, and to the Parliamentary Secretary for the Hunter, seeking their support to ensure the Peattie's Road proposal does not proceed.

BACKGROUND

TfNSW is proposing to establish a depot near Peattie's Road Wimbledon Grove to house infrastructure equipment to be used for the Inner City Bypass currently in development.

The proposed depot is being established because the original site on land adjacent to John Hunter Hospital (JHH) has been deemed unable to be used because of

proposed expansion plans for the hospital. An alternative site at Astra Street Shortland is also unable to be used because of residual contamination issues.

The proposed site is problematical for the following reasons:

- The safety impact on the local community from tens of thousands of construction vehicle movements on Peattie's Road each year was not assessed. Safety issues were not mentioned in the TfNSW report.
- The removal of native wetland at the site with biodiversity impacts and encroachment of a first order stream contravene the Local Environment Plan and The Land Management (Native Vegetation) Code 2018. The Peattie's Road site is the only site with potential impacts to biodiversity associated with the removal of 0.2 hectares of native vegetation (page164). The closest watercourse to the project area is Tickhole Creek, a first order stream (page 126). The Land Management (Native Vegetation) Code 2018 prescribes at least a 10m buffer distance for a first order stream.
- No traffic study was carried out into the impact of the large construction fleet accessing and sharing Peattie's Road, a local suburban road with a constrained access (intersection with Newcastle bypass). TfNSW has based its proposal on expectation. No traffic data is available however, daily traffic volumes would be very low, being limited to residents of Wimbledon Grove [page 49] of the report. .
- The impact of day and night exceedances of noise upon 637 nearby residence. The three proposed night time activities of general compound activities, deliveries and construction support activities have predicted impacts at residential receivers impacted for sleep disturbance and awakening potential (page327).
- The highly contentious claim that proposed modification will incur no visual impact, with the report instead relying on the previous 2016 EIS assessment that pre-dates the proposal for the new main compound site at Peattie's Road.
- Inadequate consultation and engagement in preparing the proposal. A letterbox drop was made to only 17 of 100+ affected residences and a lack of critical review by organisations responsible for representing the community.
- The failure of the 468-page proposal to provide any detailed layout of the compound; no indication of staffing levels; no indication of parking requirements; no indication of the number of buildings and stockpile areas; no indication of service noise from equipment such as generators.
- The 468-page proposal was on exhibition for two weeks during school holidays, (closed 30/6/2021) which provided extremely limited opportunity for the community to review and respond. TfNSW has failed to respond to issues raised by the community despite being required to do so by 30/8/2021.
- The use of the 8 hectare heavily degraded, closed and capped former Astra Street Landfill site for the main compound site (and other ancillary facilities) was

overlooked. It is able to accommodate the main compound proposed for Peattie's Road, and the also the ancillary proposed for Marshall Street.

Other contributing/unexplained factors

- Consultation between Health Infrastructure NSW and Hunter New England Health District and TfNSW has determined construction of expansion of JHH (SSD-9351535) will occur sooner than originally anticipated and construction is likely to coincide with construction of the project (page 15). The main works construction of the bypass is expected to take about 30 months, weather permitting. The additional construction compounds are proposed to be used for the duration of construction. Given that detailed planning for the hospital expansion will need to be undertaken before construction can begin, the timeframe for overlap with the bypass construction seems at odds with the timeframe for completion of the bypass.

ATTACHMENTS

Nil.

ITEM-30 NOM 28/09/21 - PRINCIPAL PEDESTRIAN NETWORK

COUNCILLORS: K ELLIOTT AND J CHURCH

PURPOSE

The following Notice of Motion was received on 16 September 2021 from the abovenamed Councillors.

MOTION

That council staff provide an update on the PPN, including a briefing at a councillor workshop, which includes:

- An overview of the process of identifying and prioritising footpaths, including ramps.
- When the PPN will be completed.
- When a project list is scheduled to be completed.
- Annual indicative budget required to adequately progress though the routes and projects on a rolling program.
- How Councillors can participate to ensure the areas of concern from the community can be dealt with, particularly if they are unsafe.

BACKGROUND

During lockdowns many people have taken to the streets to walk. And what they have found in many cases is a city that has far fewer footpaths than needed to enable people to move freely, for exercise, for shopping, for leisure, to access public transport, to enable children to walk to school safely and for mental health benefits.

For example, at Minmi Public School there is no footpath for children being dropped off in the 5 minute drop off zone. Conversely there is a footpath adjacent to the school in the No Stopping Zone. The dirt track at the drop off zone is on a slope, with tree roots and a rutted track, making it unsafe for children. Minmi Public School P and C have been engaging with Council to have it fixed but it is not completed.

Harriet St in Waratah has no footpaths and there is no way for local children, many of whom are walking to one of the three schools in the area, to get to school on a wet day without muddy, wet shoes. The track is so rutted that when it rains it's a stream of mud on both sides of Harriet St.

Footpaths are needed around the Acacia Avenue dog park, particularly the section that joins the park to the existing footpath in Alnwick Rd.

Fourth Street Adamstown between Wood St and the start of the Fernleigh track on Bailey St Adamstown needs a footpath.

Martin St Shortland between King St and Mason St has a break in the footpath that needs completion. Parents and grandparents with prams are unable to push their children over the uneven ground. These parents and grandparents have to take their prams on the road.

These are recent example of requests received recently by above mentioned councillors. They have been provided to staff.

However, it is noted that for many years Council had an extensive list of new footpath projects in a document called a PAMP – the Pedestrian, Access and Mobility Plan. This list was used to prioritise footpaths and to provide a clear workplan to progressively pave this city.

A recent request for a copy of the PAMP resulted in advice that this no longer exists.

In order to find out what the footpath plans are for the city, and to advise constituents who are seeking new footpaths, one can only find out the current footpath projects on the council website.

The website currently (as at 14 Sept 2021) has 12 projects on it. Of these, four are in concept or design development. Only eight are in design and construction or construction.

Other than the web site link there is no comprehensive listing of all requested new footpaths and associated treatments which would fall within a Pedestrian Access and Mobility Plan.

Staff are working on a pedestrian network and walking plan project that will include a principal pedestrian network (PPN). The PPN may show indicative prioritisation, for example, high medium and low. The PPN will show routes, but not full projects.

Staff are also working on publishing an indicative, four-year project listing. This will comprise footpath/kerb extension/kerb ramp/refuges/pedestrian crossing projects needed to complete the PPN.

A Councillor briefing on the progress of this work will assist Councillors in their discussions and work with constituents and also assist in communicating community feedback to staff responsible.

ATTACHMENTS

Nil.

**ITEM 30 NOM 28/09/21 DIRECTOR COMMENT - PRINCIPAL
PEDESTRIAN NETWORK**

REPORT BY: GOVERNANCE

CONTACT: DIRECTOR GOVERNANCE

DIRECTOR COMMENT

Background

The Newcastle 2030 Community Strategic Plan indicates City of Newcastle's intention to 'upgrade, extend and promote cycle and pedestrian paths'.

Expansion of footpaths and other improvements to pedestrian facilities are of high interest to the community with a high volume of requests received each year. A 2018 Notice of Motion from Councillor Clausen, which was unanimously supported by the Council, sought the 'development of a proactive Footpath Strategy to guide investment in the delivery of new footpaths across the city over the duration of the next Community Strategic Plan'.

Requests for pedestrian facilities such as footpaths, refuges and crossings are generally rated and prioritised in accordance with the system developed and detailed in the CN's Pedestrian Network Strategic Plan and the Newcastle Pedestrian Access and Mobility Plan.

The ranking system includes consideration of:

- type of development in the area (for example, schools, shopping centres, sporting venues, parks, etc.)
- traffic parameters, such as traffic volume, speed and road classification
- safety (accident history, footway condition)
- facility benefits (potential users - children, elderly, disabled)
- continuity of route (addition or link to existing facility)

Notwithstanding their priority, projects may on occasion be scheduled for implementation ahead of higher ranking projects for various reasons, such as in response to grant opportunities, complexity of development (requiring longer planning timeframe) or potential efficiencies to be gained by co-scheduling with other works in the area.

Often, the provision of footpaths must be complemented by crossing facilities such as refuges or zebra crossings and kerb ramps, to make a route pedestrian friendly. Pedestrian facilities projects may be identified in local area traffic management

studies, public domain and other studies; initiated by officers in execution of their duties or they may arise from external requests.

It is acknowledged that systematic identification of a pedestrian network is required for the Newcastle Local Government Area.

Current Status

CN is developing a Principal Pedestrian Network (PPN) and Walking Plan. A PPN is a designated mapped network of routes which support walking trips into and around key destinations such as activity centres, schools, and transport nodes.

The proposed Walking Plan will include the PPN and a listing of projects to progress achievement of the network. Similar to the recently adopted Cycling Plan, it will also address targets, monitoring and other actions required to support more walking in Newcastle. It will outline the process of network development, criteria for prioritisation of routes/projects and, desired service levels for provision of pedestrian facilities throughout the city (for example, areas for footpaths on one side or both sides of the street).

Initial pedestrian network¹ mapping will be undertaken and result in a series of proposed routes. Further analysis is required to translate the proposed routes, inclusive of crossing facilities, into a series of prioritised projects.

Other preparatory work which has been undertaken as a result of the 2018 Notice of Motion includes:

- Laser survey data has been interrogated to map footways, footpaths, shared paths, traffic signals, pedestrian refuges and pedestrian crossings. This facilitates identification of footpath vacancies, kerb ramp vacancies and existing, non-compliant kerb ramps.
- Accident data and Newcastle City Traffic Committee approvals have been incorporated in City of Newcastle's ESRI GIS mapping platform.
- Mapping of pedestrian and local area traffic management project sites from existing spreadsheets has been completed.

It is expected that engagement will be undertaken in early 2022 to allow for comment on initial network mapping and include visibility of existing requests. This, and other engagement feedback, will be considered in the finalisation of the PPN. Public exhibition of the draft Walking Plan is expected to follow later in 2022. A Councillor workshop will be scheduled following early engagement and prior to exhibition of the draft Walking Plan.

¹ Initial mapping will be based on the methodology outlined in *Guidelines for developing Principal Pedestrian Networks* (Department of Economic Development, Jobs, Transport and Resources, 2015).

Delivery

Footpath and related projects are delivered through the Pedestrian Access and Mobility Plan Program of the Transport Portfolio as approved through the annual budget process. The PAMP Program covers new pedestrian infrastructure such as footpaths, raised crossings, kerb extensions and pedestrian refuges. Around 20 projects are listed each year for design and/or construction. In addition, some footpath works and raised crossing projects are undertaken under operational budgets and the Local Area Traffic Management Program respectively.

Actual expenditure for the PAMP Program in recent years is as follows:

- 2018/19 - \$1,741,469
- 2019/20 - \$2,984,554
- 2020/21 - \$2,536,472

Examples of projects completed in recent years include:

- 2018/19 *
 - Bruncker Road, Adamstown – Kerb extensions and wombat crossing upgrade near Mandalong Road
 - Union Street, Tighes Hill – Kerb ramps on Union Street at Bryant Street, Tighes Terrace and Sparke Street
 - Anderson Drive, Tarro – Footpath construction north side, Eastern Avenue to Tennyson Street
- 2019/20 *
 - Jubilee Road, Elmore Vale – Footpath on east side from No. 131 to Watkins Street
 - Union, Laman and Bull Streets, Cooks Hill – Raised pedestrian crossings and kerb extensions
 - Gordon Avenue, Hamilton South – Pedestrian refuge and kerb extensions
- 2020/21 *
 - Croudace Road, Elmore Vale – Footpath on northern side, Jubilee Road to Cardiff Road
 - Janet Street, North Lambton – Footpath between Algie Street and Summit Street, raised crossing and kerb extensions
 - Woodstock Street at Maitland Road – Pedestrian refuge and kerb extensions
 - Young Road, Lambton – Pedestrian refuges, intersection realignments, kerb ramps, footpath south side Durham Road to Orlando Road
- 2021/22 *
 - Hannell Street, Maryville – Footpath on west side from Throsby Creek shared path to Harrison Street

Footpath sections on Christo Road, Waratah and Minmi Road, Maryland are currently under construction.

* The above listed spend does not include significant upgrades to footpaths and pedestrian infrastructure that have been delivered through the Local Centres Program, with works completed at Beresfield, Carrington, Kotara, Merewether and Hamilton, with works currently underway in Stockton, New Lambton, Shortland and Wallsend.

RECOMMENDATION

That Council:

- 1 Notes work underway towards development of the Principal Pedestrian Network and draft Walking Plan, and that a Councillor workshop will be held in early 2022.

**ITEM-31 NOM 28/09/21 - CHANGES TO 2022 NEWCASTLE 500
SUPERCARS**

COUNCILLOR: J MACKENZIE

PURPOSE

The following Notice of Motion was received on 20 September 2021 from the abovenamed Councillor.

MOTION

That the City of Newcastle

- 1 Notes the cancellation of the Gold Coast 500 Supercars event in December "due to ongoing safety and logistic concerns brought about by the COVID-19 pandemic", as reported by the Newcastle Herald on September 14th, 2021.
- 2 Notes the comments in the same article by the Supercars chief executive officer Sean Seamer that "given the evolving and unpredictable COVID situation, it has become increasingly challenging to stage a complex multi-faceted event", and that Supercars would likely publish its 2022 calendar in the next two months.
- 3 Recognises the public health arrangements for large-scale public events such as a Supercars street race have yet to be determined by the NSW Government under its 'reopening NSW road map'.
- 4 Notes that a City of Newcastle spokesperson was quoted in the Newcastle Herald on 25 March 2021 stating that the Newcastle 500 would be held in March 2022.
- 5 Require any changes to the current agreement with Supercars in relation to the timing, staging, access or other aspects of the 2022 Newcastle 500 event be reviewed and approved by the elected Council prior to approval.

BACKGROUND

City of Newcastle has prioritised the safety and wellbeing of our communities, customers and employees in the context of the public health risks of COVID-19, and has ensured compliance with the NSW Government's Public Health Orders relating to public spaces and council services. The NSW Minister for Health and Medical Research has made a number of Orders, under section 7 of the Public Health Act 2010, in order to reduce risks and impacts of COVID, and these include Orders in relation to gathering and public events. These Orders are amended frequently, and have implications for the staging of large public events like Supercars.

Supercars statement regarding Gold Coast 500.

<https://www.supercars.com/news/championship/supercars-statement-regarding-gold-coast-500/>

Supercars says Newcastle 500 race still on track for 2022 despite COVID-19, championship takeover, Newcastle Herald, September 14 2021.

<https://www.newcastleherald.com.au/story/7429464/supercars-says-newcastle-500-still-on-track-for-early-2022/>

ATTACHMENTS

Nil

ITEM-32 NOM 28/09/21 - NEWCASTLE PORTSIDE FREIGHT RAIL-LINE

COUNCILLOR: J MACKENZIE

PURPOSE

The following Notice of Motion was received on 20 September 2021 from the abovenamed Councillor.

MOTION

That the City of Newcastle

- 1 Supports the creation of a Newcastle portside freight rail line as essential, priority infrastructure for the growth and diversification of the city and region's economies.
- 2 Advocates the need for portside rail in the CoN submission on the Transport for NSW's Lower Hunter Freight Corridor, currently on exhibition.
- 3 Includes the Newcastle Portside Freight Rail Proposal in the City of Newcastle's infrastructure priorities for state and federal budget submissions and seeks future inclusion on the Infrastructure Australia Priority List.
- 4 Writes to the Prime Minister, the Hon. Scott Morrison MP; Treasurer, the Hon. Josh Frydenberg MP; Senator Hollie Hughes, Senator for NSW; NSW Premier, the Hon. Gladys Berejiklian MP; NSW Treasurer, the Hon. Dominic Perrottet MP, Parliamentary Secretary for the Hunter, the Hon Taylor Martin MLC, seeking support and endorsement for this essential priority infrastructure.

BACKGROUND

The Port of Newcastle have a well-advanced concept for an automated container terminal development at the 90-hectare Mayfield site. This site was once part of the BHP Steelworks and is the largest and best-connected vacant port land site on Australia's east coast. The available land coupled with the potential for deep water berthing provides a significant growth and economic diversification opportunity for the region. Work to date has identified the capacity for a 2 million TEU (Twenty-foot Equivalent Unit containers) per annum container terminal.

City of Newcastle has been a strong advocate for the proposed container terminal, including in its submission to the NSW Parliamentary Inquiry into the Impact of the Port of Newcastle Sale Arrangements on Public Works Expenditure. City of Newcastle supports the findings of AlphaBeta's report "Global Gateway for NSW: the economic impact of a container terminal at the Port of Newcastle" and Deloitte Access Economics report "Container Terminal Policy in NSW". These independent economic analyses, commissioned by the Port of Newcastle, make a strong economic case for the development a container terminal, demonstrating that a container terminal at Newcastle will create a \$6 billion uplift in economic activity. The flow-on effects of a container terminal will help create 4,600 jobs across a diverse range of industries.

However, this regional economic benefit will not be realised unless it is supported by complementary investment in rail infrastructure to enable direct rail-based access to the Port for all container freight transport. Such investment is outside the capacity of the City of Newcastle. Without improved rail access, the increase in freight container capacity is anticipated to require heavy vehicle road-freight movements of up to 800.000 containers per year, which would devastate the existing road network and create unacceptable congestion, pollution and amenity impacts on Newcastle residents.

Port and rail-side residential groups, especially Correct Planning and Consultation for Mayfield (CPCFM), have long advocated the need for a freight rail line servicing the port that would prevent thousands of additional truck movements through the suburbs. The proposed Portside Rail Line would follow the edge of the south arm of the Hunter River, linking the existing rail lines from the Basin and Dyke Point Wharfs area to the rail corridor that leads to Kooragang Island.

The portside rail would reduce the need for heavy rail freight movement from major residential areas, and substantially reduce truck-based freight movements through the city. Further benefits include increasing the efficiency of freight movement within the Port of Newcastle, including the anticipated demands of the proposed container terminal. There is a flow on improvement in public health and environmental amenity through the reduction in pollution and emissions in the city's portside suburbs.

ATTACHMENTS

Nil.

**ITEM-33 NOM 28/09/21 - WOODCHIP EXPORTS FROM THE PORT OF
NEWCASTLE**

**COUNCILLORS: J MACKENZIE, D CLAUSEN, C DUNCAN, J DUNN, N
NELMES, E WHITE AND P WINNEY-BAARTZ**

PURPOSE

The following Notice of Motion was received on 20 September 2021 from the abovenamed Councillors.

MOTION

That the City of Newcastle

- 1 Opposes the export of woodchips from the Port of Newcastle.
- 2 Opposes the proposal to export 60,000 tonnes of native forest woodchips per annum to Japan over 20 years through the Port of Newcastle.
- 3 Writes to the Port of Newcastle to object to the export of woodchips, and to seek understanding of the Port's diversification plans, including how, if at all, exporting woodchips for fuel contributes to those plans.

BACKGROUND

The Newcastle Herald reported on the 8th September 2021 regarding a proposal for the export of woodchip biomass from the Port of Newcastle to burn in power stations in Japan. Woodchip biomass for this purpose would likely come from North Coast forests, intensifying logging in NSW native forests and diminishing habitat for already threatened and endangered wildlife in these areas.

The proposal involves reopening Boral's woodchip export terminal at the Port of Newcastle, which closed in 2013 after a 30-year campaign from environmental groups locally and across the country. Since its closure, rates of NSW native forest logging have halved, and extraction of pulp logs have dropped to almost 10% of pre-2013 levels.

Proponents of biomass energy emphasise the use of sawmill waste, however project details for this proposal demonstrate that the majority of biomass will be sourced from native forests, mostly on the north coast. The export of woodchips will incentivise increased and more intensive native forest logging by creating a market demand for low value, high volume native forest products, especially in low value trees that would otherwise be left standing under a selective logging approach.

Wood biomass emits up to 50% more CO₂ than coal when burnt, due to the high water content. In February 2021, over 500 scientists from around the world signed an open letter condemning biomass as a fuel because it is not low carbon or carbon-

neutral as is sometimes alleged, and directs subsidies and investment away from genuinely renewable energy sources. The letter concludes with the following statement:

“Trees are more valuable alive than dead both for climate and for biodiversity. To meet future net zero emission goals, your governments should work to preserve and restore forests and not to burn them.”

The City of Newcastle recognised in a council resolution of 28 May 2019 that there is a global climate emergency and urgent need for real action on climate change. The City of Newcastle has consistently affirmed a commitment to a just economic transition for coal mining communities, including support for investment in hydrogen as an export energy, construction of large-scale renewables and pumped hydro, and manufacturing of electric vehicles. Biomass export is inconsistent with these positions, and a backwards step on the road to sustainability and clean energy.

ATTACHMENTS

Letter Regarding Use of Forests for Bioenergy (February 11, 2021), To President Biden, President von der Leyen, President Michel, Prime Minister Suga, and President Moon.

<https://www.dropbox.com/s/hdmmcnd0d1d2lg5/ScientistLettertoBidenCvonderLeyenCMichelCSuga6MoonRe.ForestBiomass8February11C20219.pdf?dl=0>