



## 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 26 July 2022

**TIME:** 6.00pm

**VENUE:** Audio visual platform Zoom

K Liddell  
Acting Chief Executive Officer

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

20 July 2022

### **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.*

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

**ORDINARY COUNCIL MEETING  
26 July 2022**

**CONTENTS**

<b>Item</b>	<b>Business</b>	<b>Page</b>
	<b>APOLOGIES/LEAVE OF ABSENCE</b>	
	<b>ORDERS OF THE DAY</b>	
	<b>DECLARATIONS OF PECUNIARY / NON-PECUNIARY INTEREST</b>	
	<b>CONFIRMATION OF PREVIOUS MINUTES</b>	3
	MINUTES - PUBLIC VOICE COMMITTEE 14 JUNE 2022	3
	MINUTES - ORDINARY COUNCIL MEETING 28 JUNE 2022	6
	<b>LORD MAYORAL MINUTE</b>	
	<b>REPORTS BY COUNCIL OFFICERS</b>	39
ITEM-58	CCL 26/07/22 - ADOPTION OF COUNCIL POLICIES	39
ITEM-59	CCL 26/07/22 - ADOPTION OF WICKHAM MASTERPLAN 2021 (2022 AMENDMENT)	42
ITEM-60	CCL 26/07/22 - TENDER REPORT - HIRE OR PURCHASE OUTRIGHT OF HEAVY PLANT AT SUMMERHILL WASTE MANAGEMENT CENTRE - CONTRACT NO. 2022/101T	46
	<b>NOTICES OF MOTION</b>	51
ITEM-24	NOM 26/07/22 - WILLIAM STREET PEDESTRIAN CROSSING, TIGHES HILL	51
	REPORT ON NOTICE OF MOTION - NOM 26/07/22 - WILLIAM STREET PEDESTRIAN CROSSING, TIGHES HILL	52
	<b>CONFIDENTIAL REPORTS</b>	Nil

**FOR DOCUMENTS MARKED 'DISTRIBUTED UNDER SEPARATE COVER' REFER TO  
COUNCIL'S WEBSITE AT [www.newcastle.nsw.gov.au](http://www.newcastle.nsw.gov.au)**

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

**CONFIRMATION OF PREVIOUS MINUTES**

**MINUTES - PUBLIC VOICE COMMITTEE 14 JUNE 2022**

**RECOMMENDATION**

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

**ATTACHMENTS**

**Attachment A:** 220614 Public Voice Committee 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](http://www.newcastle.nsw.gov.au)*

**CITY OF NEWCASTLE**

**Minutes of the Public Voice Committee Meeting held in the Council Chambers, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West on Tuesday 14 June 2022 at 6.04pm.**

---

**PRESENT**

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

**IN ATTENDANCE**

J Bath (Chief Executive Officer), F Leatham (Director People and Culture), J Rigby (Acting Director Infrastructure and Property), L Duffy (Acting Director City Wide Services), M Bisson (Manager Regulatory, Planning and Assessment), S Moore (Manager Finance), E Kolatchew (Manager Legal), N Kaiser (Interim Manager Major Events and Corporate Affairs), R Dudgeon (Acting Manager Assets and Projects), M Murray (Chief of Staff), K Sullivan (Councillor Services/Minutes), E Horder (Councillor Services/Meeting Support), R Garcia (Information Technology Support) and I Lockwood (Information Technology Support).

**MESSAGE OF ACKNOWLEDGEMENT**

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

**PRAYER**

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

**REQUEST TO ATTEND BY AUDIO VISUAL LINK / APOLOGIES**

**MOTION**

Moved by Cr Clausen, seconded by Cr J Barrie

The requests submitted by Councillors Duncan, Mackenzie, Pull and Wood to attend by audio visual link be received.

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

**Carried**

**DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS**

Nil.

**PUBLIC VOICE SESSIONS**

**ITEM-1 PV 14/06/22 - 29 BRUCE STREET, COOKS HILL - DA2021/00281 -  
NEW RESIDENTIAL BUILDING**

Mr David Naylor and Ms Margaret Conn, residents of Bruce Street, Cooks Hill, addressed Council and outlined concerns and objections to the development application. Ms Erin Daniel, Principal Planner Perception Planning and Mr James Clarence, Director Space Design Architecture addressed Council in support of the development application.

**The meeting concluded at 6.51pm.**

**MINUTES - ORDINARY COUNCIL MEETING 28 JUNE 2022**

**RECOMMENDATION**

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

**ATTACHMENTS**

**Attachment A:** 220628 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](http://www.newcastle.nsw.gov.au)*

CITY OF NEWCASTLE

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

---

**PRESENT**

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

**IN ATTENDANCE**

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

**MESSAGE OF ACKNOWLEDGEMENT**

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

**PRAYER**

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

**REQUEST TO ATTEND BY AUDIO VISUAL LINK / APOLOGIES**

**MOTION**

Moved by Cr Duncan, seconded by Cr Mackenzie

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

**Carried**

**MOTION**

Moved by Cr Barrie, seconded by Cr Mackenzie

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

**Carried**

**DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS**

**Councillor Church**

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

**Councillor Clausen**

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

**CONFIRMATION OF PREVIOUS MINUTES**

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

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Adamczyk

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

**Carried**

**LORD MAYORAL MINUTE**

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

**MOTION**

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

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



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

**Against the Motion:** Councillors Church and Pull.

**Carried**

**ITEM-13 LMM 28/06/22 - UNFAIR GRANT PROGRAM EXCLUSION**

**MOTION**

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

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

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

**Carried  
unanimously**

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

**MOTION**

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

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

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

**Carried  
unanimously**

## **REPORTS BY COUNCIL OFFICERS**

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

#### **MOTION**

Moved by Cr Mackenzie, seconded by Cr Adamczyk

That Council:

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

**Carried  
unanimously**

**CITY OF NEWCASTLE**

**ITEM-55 CCL 28/06/22 - MAKING OF THE RATE AND CHARGES FOR 2022/23**

**MOTION**

Moved by Cr Clausen, seconded by Cr Duncan

That Council:

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

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

**CITY OF NEWCASTLE**

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

- 2 An Ordinary Rate of zero point two two seven five eight zero cents (0.227580c) in the dollar with a 50% base charge of eight hundred and twenty three dollars and ninety three cents (\$823.93) named **RESIDENTIAL**, apply to all rateable land in City of Newcastle (CN) Local Government Area (LGA) categorised as Residential.

## CITY OF NEWCASTLE

Ordinary Council Meeting 26 July 2022

Page 14

- 3 An Ordinary Rate of zero point two nine three five one zero cents (0.293510c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **FARMLAND**, apply to all rateable land in CN LGA categorised as Farmland.
- 4 An Ordinary Rate of one point five six eight one zero zero cents (1.568100c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS**, apply to all rateable land in CN LGA categorised as Business **except** that rateable land determined to be in the Business Sub-Categories - Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City), Suburban Shopping Centres, Suburban Shopping Centres (Inner City), Suburban Shopping Centre – Hamilton, Major Commercial Shopping Centre (Inner City-East), Suburban Shopping Centre - Mayfield, Kotara, Homemaker's Centre, Kotara, Homemaker's Centre - South Zone, Kooragang Industrial Coal Zone, Kooragang North Coal Zone, Kooragang Industrial Centre, Kooragang Industrial Centre - Walsh Point, Mayfield North Heavy Industrial Centre, Mayfield North Industrial Centre, Mayfield North Future Industrial Development Centre, Mayfield West Storage Units, Carrington Industrial Coal Zone, Carrington Industrial Centre, Carrington Industrial Port Operations Use, Carrington Industrial Coal and Port Zone, Broadmeadow Industrial Centre and Hexham Industrial Centre.
- 5 An Ordinary Rate of three point six seven nine seven two two cents (3.679722c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - KOTARA**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Kotara located on a site of greater than eight hectares (80,000m<sup>2</sup>), providing at least six thousand square metres (6,000m<sup>2</sup>) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of forty (40) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Kotara.
- 6 An Ordinary Rate of four point five eight five four four six cents (4.585446c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - JESMOND**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Jesmond providing at least six thousand square metres (6,000m<sup>2</sup>) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Jesmond.

- 7 An Ordinary Rate of five point zero seven eight four three nine cents (5.078439c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - WARATAH**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Waratah providing at least six thousand square metres (6,000m<sup>2</sup>) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Waratah.
- 8 An Ordinary Rate of five point seven six seven two five five cents (5.767255c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - WALLSEND**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Wallsend providing at least six thousand square metres (6,000m<sup>2</sup>) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Wallsend.
- 9 An Ordinary Rate of three point nine four eight seven one five cents (3.948715c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES – THE JUNCTION**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of The Junction providing at least six thousand square metres (6,000m<sup>2</sup>) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of fifteen (15) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres – The Junction.
- 10 An Ordinary Rate of one point zero nine three zero three eight cents (1.093038c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES (INNER CITY)**, apply to all rateable land in CN LGA situated at Newcastle West within the centre of activity defined by the land bounded by Parry, National Park, King and Steel Streets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres (Inner City).
- 11 An Ordinary Rate of one point four seven five six five eight cents (1.475658c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES (INNER CITY-EAST)**, apply to all rateable land in CN LGA situated at Newcastle West within the centre of activity

defined by the land bounded by Parry, Steel, King and Ravenshaw Streets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres (Inner City-East).

- 12 An Ordinary Rate of three point two eight two eight eight zero cents (3.282880c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – SUBURBAN SHOPPING CENTRES**, apply to all rateable land in CN LGA, being utilised as a Suburban Shopping Centre. "Suburban Shopping Centre" being defined as a centre of commercial activity situated on a site of greater than 6000m<sup>2</sup> which operates and has a dominant use as a Supermarket excepting the land categorised as Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City), Major Commercial Centres (Inner City-East), Suburban Shopping Centre – Mayfield or Suburban Shopping Centre - Hamilton. This land is categorised as Sub-category Business - Suburban Shopping Centres.
- 13 An Ordinary Rate of two point two zero two nine five four cents (2.202954c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – SUBURBAN SHOPPING CENTRES – INNER CITY**, apply to all rateable land in CN LGA, being utilised as an Inner City Suburban Shopping Centre. "Inner City Suburban Shopping Centre" being defined as a centre of commercial activity within the suburb of Newcastle West situated on a site of greater than four thousand and nine hundred square metres (4,900m<sup>2</sup>) which operates as a Supermarket excepting the land categorised as Major Commercial Centres (Inner City) or Major Commercial Centres (Inner City-East). This land is categorised as Sub-category Business - Suburban Shopping Centres – Inner City.
- 14 An Ordinary Rate of one point nine three four three eight seven cents (1.934387c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – SUBURBAN SHOPPING CENTRES – HAMILTON**. This sub-category applies to all rateable land within the centre of commercial activity defined by the land bounded by Hudson, Swan Donald and Bennett Streets, Hamilton which operates as a Supermarket. This land is categorised as Sub-category Business - Suburban Shopping Centres – Hamilton.
- 15 An Ordinary Rate of two point two zero two nine five four cents (2.202954c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – SUBURBAN SHOPPING CENTRE – MAYFIELD** apply to all rateable land within the suburb of at Mayfield, being utilised as a Suburban Shopping Centre. "Suburban Shopping Centre" being defined as a centre of commercial activity situated on a site of greater than 1 Hectare (10,000m<sup>2</sup>) with a minimum 4,000m<sup>2</sup> of floorspace which operates as a Supermarket. This land is categorised as sub-category Business – Suburban Shopping Centre - Mayfield.



- 16 An Ordinary Rate of one point three eight seven nine five nine cents (1.387959c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – KOTARA HOMEMAKER’S CENTRE** apply to all rateable land in CN LGA situated at Kotara, within the centre of activity defined by Lot 501 DP 1174032 and Lots 181 and 182 DP 850168. This land is categorised as sub-category Business – Kotara Homemaker’s Centre.
- 17 An Ordinary Rate of one point six six six seven nine eight cents (1.666798c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – KOTARA HOMEMAKER’S CENTRE - SOUTH ZONE** apply to all rateable land in CN LGA situated at Kotara, within the centre of activity defined by Lot 220 DP 1014716. This land is categorised as sub-category Business – Kotara Homemaker’s Centre - South Zone.
- 18 An Ordinary Rate of one point nine two zero zero eight nine cents (1.920089c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – KOORAGANG INDUSTRIAL COAL ZONE** apply to all rateable land in CN LGA within the centre of activity defined by the suburb of Kooragang being Lot 11 DP 841542, Lot 121 DP 874949, Lot 1 DP 1097327, Lot 5 DP 1097327, Lots 2, 5, 7, 9 DP 775774, Lot 1 DP 775775, Lot 1 DP 869622, Lot 18 DP 1119752. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Kooragang Industrial Coal Zone.
- 19 An Ordinary Rate of two point six one seven one zero seven cents (2.617107c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – KOORAGANG NORTH INDUSTRIAL COAL ZONE** apply to all rateable land in CN LGA within the centre of activity defined by the suburb of Kooragang being Lots 2, 3, 6, 16 DP1119752, Lot 61 DP 1184395, Lot 62 DP 1184943, Lot 16 DP 262783, Lots 8 DP 1119752, Lots 29, 30, 31, 32 and 33 DP 1184229, Lots 4, 5, 6, 10, 11, 12 DP 1207051, Lots 3, 7, 8, 9, 13, 14, 15 DP 1207051 and Lot 22 DP 1155723. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Kooragang North Industrial Coal Zone.
- 20 An Ordinary Rate of two point one eight six two six nine cents (2.186269c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – KOORAGANG INDUSTRIAL CENTRE WALSH POINT** apply to all rateable land in CN LGA within the centre of activity defined by the suburb of Kooragang being Lot 3 DP 234288, Lot 3 DP 1117013, and Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 DP 271222, Lots 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22 DP 234887, Lots 6, 7 DP 262783, Lots 1 DP 57567, Lots 2, 6, 7, 8, 9 DP 775772, Lots 11, 12, 13, 14, 17, 18, 19, 20, 22, 23 DP 775773, Lots 2, 4, 5, 7, 8, 9, 10, 14 DP 775775, Lots 29, 31, 32, 33, 35, 37, 38, 39, 40, 41, 42 DP 775776, Lots 44, 45, 46, 47, 48, 49, 50, 51, 53 DP 775777, Lots 60, 61, 62, 63

DP 802700, Lots 3 DP 858206, Lots 2, 4, 5 DP 1015754, Lots 201, 202, 203, 204, 205, 206, 208, 210 DP 1017038, Lots 210, 211 DP 1018949, Lots 520, 521 DP 1018950, Lots 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112 DP 1018951, Lots 131, 132 DP 1018952, Lot 362 DP 1104196, Lot 15 DP 1119752, Lots 12, 13 DP 1144748, Lots 1, 2 DP 1184514, Lots 1, 2, 3, 4 DP 1191912, Lots 94, 95 DP 1191913, Lots 41, 42, 43, 44 DP 1193134, Lot 2 DP 1195449, Lots 151, 152, 153 DP 1202468, Lots 91, 92 DP 1202475 and Lot 123/1223462. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act located within this centre of activity which is not sub categorised as Business – Kooragang Industrial Coal Zone or not sub categorised as Business – Kooragang North Industrial Coal Zone or not sub categorized Business – Kooragang Industrial Centre. This land is categorised as sub-category Business – Kooragang Industrial Centre Walsh Point.

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

rateable land in CN LGA within the centre of activity defined by Lots 41, 42, 43, and 44 in DP 1191982, Lots 51, 52, 53 and 54 DP 1229869 and Lot 332 DP 1176879. This land is categorised as sub-category Business - Mayfield North Industrial Centre Future Development.

- 25 An Ordinary Rate of two point eight three one nine four one cents (2.831941c) in the dollar with a minimum rate of five hundred and sixty seven dollars and thirty five cents (\$567.35) named **BUSINESS – MAYFIELD WEST STORAGE UNITS** apply to all rateable land in CN LGA within the centre of activity defined by all lots contained within Strata Plan 99055. This land is categorised as sub-category Business - Mayfield West Storage Units.
- 26 An Ordinary Rate of three point three nine two five zero five cents (3.392505c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – CARRINGTON INDUSTRIAL PORT AND COAL ZONE** apply to all rateable land in CN LGA within the centre of activity defined by all land within Lot 1 DP 1044636 Lots 1, 2 DP 1104199, the land contained within Railway Land Lease reference number 115/75/2261, Lots 3, 4 DP 1104199, Lots 1, 2, 3 DP1187068, Lot 30 DP 1190075, Lots 8 and 11 DP 1190231, Lots 13, 14, 15, 16 DP 1190232, Lots 110, 111, 113 DP 1191911, Lots 91, 92, 93 DP 1193181, Lots 1, 2, 3 DP 1195231, Lots 219, 220 DP 1195310 . and Lots 1, 2, 3 in DP 1218150. This land is categorised as sub-category Business - Carrington Industrial Coal and Port Zone.
- 27 An Ordinary Rate of two point seven two one nine three four cents (2.721934c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – CARRINGTON INDUSTRIAL PORT OPERATIONS USE** apply to all rateable land in CN LGA within the centre of activity defined by all land within Lot 27 DP 842685 Lot 101 DP 1014244, Lot 1014 DP 1143277, Lot 33 DP 1078910 and Lot 1 DP 834572. This land is categorised as sub-category Business - Carrington Industrial Port Operations Use.
- 28 An Ordinary Rate of two point four three five four eight nine cents (2.435489c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – CARRINGTON INDUSTRIAL CENTRE** apply to all rateable land in CN LGA within the centre of activity defined by all land with an area of greater than than six hundred square metres (600m<sup>2</sup>) and zoned SP1 – Special Activities under the State Environmental Planning Policy (Three Ports) 2013 and located within the suburb of Carrington and the land known as Lot 1 DP 1097368 excepting that land categorised as Business - Carrington Industrial Coal and Port Zone or the land categorised as Business - Carrington Industrial Port Operations Use. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business – Carrington Industrial Centre.
- 29 An Ordinary Rate of three point eight seven zero five six zero cents (3.870560c) in the dollar with a minimum rate of one thousand one hundred and thirty four

- dollars and seventy cents (\$1,134.70) named **BUSINESS – BROADMEADOW INDUSTRIAL** apply to all rateable land in CN LGA within the centre of activity defined by all land within Lot 221 DP 1012345. This land is categorised as sub-category Business - Broadmeadow Industrial.
- 30 An Ordinary Rate of two point five three two six nine six cents (2.532696c) in the dollar with a minimum rate of one thousand one hundred and thirty four dollars and seventy cents (\$1,134.70) named **BUSINESS – HEXHAM INDUSTRIAL CENTRE** apply to all rateable land in CN LGA within the centre of activity defined by all land wholly or partly contained in a “parcel of land” as defined within the Valuation of Land Act NSW 1916, which is in the majority zoned IN3 Heavy Industrial under the Newcastle Local Environmental Plan 2012 and located within the suburb of Hexham or Tarro excepting Lots 2 and 3 DP 874409 and Lot 1 DP 90824. This sub categorisation applies to all land categorised as Business in terms of Section 518 of the Act within the defined area. This land is categorised as sub-category Business - Hexham Industrial Centre.
- 31 A Special Rate of zero point one seven zero five one zero cents (0.170510c) in the dollar named **HUNTER MALL**, apply to part of the rateable land within CN LGA constituted and known as the “Hunter Mall Town Improvement District” as defined in **Attachment A** for the purpose of defraying the cost of continuing additional horticultural and cleansing services and street furnishings determined to be of special benefit to the said Hunter Mall Town Improvement District. This rate applies to all properties within the defined area categorised as Business.
- 32 A Special Rate of zero point zero nine five five nine seven cents (0.095597c) in the dollar named **MAYFIELD BUSINESS DISTRICT**, apply to part of the rateable land within CN LGA constituted and known as the “Mayfield Business District” as defined in **Attachment B** for the purpose of defraying the additional cost of promotion, beautification and development of the Mayfield Business District determined to be of special benefit to the said Mayfield Business District. This rate applies to all properties within the defined area categorised as Business.
- 33 A Special Rate of zero point one seven seven seven three eight cents (0.177738c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE A**, apply to part of the rateable land within CN LGA constituted and known as the “Hamilton Business District” as defined in **Attachment C** for the purpose of defraying the additional cost of promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District. This rate applies to all properties within the defined area categorised as Business.
- 34 A Special Rate of zero point zero eight eight eight six nine cents (0.088869c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE B**, apply to part of the rateable land within CN LGA constituted and known as the “Hamilton Business District” as defined in **Attachment D** for the purpose of defraying the additional cost promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton

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

- 35 A Special Rate of zero point zero four four four three five cents (0.044435c) in the dollar named **HAMILTON BUSINESS DISTRICT - ZONE C**, apply to part of the rateable land within CN LGA constituted and known as the "Hamilton Business District" as defined in **Attachment E** for the purpose of defraying the additional cost promotion, beautification and development of the Hamilton Business District determined to be of special benefit to the said Hamilton Business District. This rate applies to all properties within the defined area categorised as Business.
- 36 A Special Rate of zero point three seven one two nine five cents (0.371295c) in the dollar named **WALLSEND BUSINESS DISTRICT - ZONE A**, apply to part of the rateable land within CN LGA constituted and known as the "Wallsend Business District" as defined in **Attachment F** for the purpose of defraying the additional cost promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District. This rate applies to all properties within the defined area categorised as Business.
- 37 A Special Rate of zero point one eight five six four seven cents (0.185647c) in the dollar named **WALLSEND BUSINESS DISTRICT - ZONE B**, apply to part of the rateable land within CN LGA constituted and known as the "Wallsend Business District" as defined in **Attachment G** for the purpose of defraying the additional cost promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District. This rate applies to all properties within the defined area categorised as Business.
- 38 A Special Rate of zero point two seven eight four seven one cents (0.278471c) in the dollar named **WALLSEND BUSINESS DISTRICT - ZONE C**, apply to part of the rateable land within CN LGA constituted and known as the "Wallsend Business District" as defined in **Attachment H** for the purpose of defraying the additional cost of promotion, beautification and development of the Wallsend Business District determined to be of special benefit to the said Wallsend Business District. This rate applies to all properties within the defined area categorised as Business.
- 39 A Special Rate of zero point zero nine eight four seven eight cents (0.098478c) in the dollar named **NEW LAMBTON BUSINESS DISTRICT**, apply to part of the rateable land within CN LGA constituted and known as the "New Lambton Business District" as defined in **Attachment I** for the purpose of defraying the additional cost of promotion, beautification and development of the New Lambton Business District determined to be of special benefit to the said New Lambton Business District. This rate applies to all properties within the defined area categorised as Business.
- 40 A Special Rate of zero point two two one eight five three cents (0.221853c) in the dollar named **CITY CENTRE - CITY EAST**, apply to part of the rateable

land within CN LGA constituted and known as the “City Centre Benefit Area - City East” as defined in **Attachment J** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City East determined to be of special benefit to the said City Centre Benefit Area - City East. This rate applies to all properties within the defined area categorised as Business.

- 41 A Special Rate of zero point zero four nine eight three three cents (0.049833c) in the dollar named **CITY CENTRE - DARBY STREET**, apply to part of the rateable land within CN LGA constituted and known as the “City Centre Benefit Area -Darby Street” as defined in **Attachment K** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Darby Street determined to be of special benefit to the said City Centre Benefit Area -Darby Street. This rate applies to all properties within the defined area categorised as Business.
- 42 A Special Rate of zero point zero five one zero seven nine cents (0.051079c) in the dollar named **CITY CENTRE - CITY WEST (CLOSE ZONE)**, apply to part of the rateable land within CN LGA constituted and known as the “City Centre Benefit Area - City West” as defined in **Attachment L** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City West (Close Zone) determined to be of special benefit to the said City Centre Benefit Area - City West (Close Zone). This rate applies to all properties within the defined area categorised as Business.
- 43 A Special Rate of zero point zero three nine two two four cents (0.039224c) in the dollar named **CITY CENTRE - CITY WEST (DISTANT ZONE)**, apply to part of the rateable land within CN LGA constituted and known as the “City Centre Benefit Area -City West” as defined in **Attachment M** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - City West (Distant Zone) determined to be of special benefit to the said City Centre Benefit Area - City West (Distant Zone). This rate applies to all properties within the defined area categorised as Business.
- 44 A Special Rate of zero point two two one eight five three cents (0.221853c) in the dollar named **CITY CENTRE - TOWER** apply to part of the rateable land within CN LGA constituted and known as the “City Centre Benefit Area - Tower” as defined in **Attachment N** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area - Tower determined to be of special benefit to the said City Centre Benefit Area - Tower. This rate applies to all properties within the defined area categorised as Business.
- 45 A Special Rate of zero point two two one eight five three cents (0.221853c) in the dollar named **CITY CENTRE – MALL**, apply to part of the rateable land within CN LGA constituted and known as the “City Centre Benefit Area - Mall” as defined in **Attachment O** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area -

Mall determined to be of special benefit to the said City Centre Benefit Area - Mall. This rate applies to all properties within the defined area categorised as Business.

- 46 A Special Rate of zero point one one six three seven four cents (0.116374c) in the dollar named **CITY CENTRE - CIVIC (CLOSE ZONE)**, apply to part of the rateable land within CN LGA constituted and known as the “City Centre Benefit Area – Civic (Close Zone)” as defined in **Attachment P** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area – Civic (Close Zone) determined to be of special benefit to the said City Centre Benefit Area – Civic (Close Zone). This rate applies to all properties within the defined area categorised as Business.
- 47 A Special Rate of zero point zero five eight one eight seven cents (0.058187c) in the dollar named **CITY CENTRE - CIVIC (DISTANT ZONE)**, apply to part of the rateable land within CN LGA constituted and known as the “City Centre Benefit Area –Civic (Distant Zone)” as defined in **Attachment Q** for the purpose of defraying the additional cost of promotion, beautification and development of the City Centre Benefit Area – Civic (Distant Zone) determined to be of special benefit to the said City Centre Benefit Area – Civic (Distant Zone). This rate applies to all properties within the defined area categorised as Business.
- 48 A **STORMWATER MANAGEMENT SERVICE CHARGE** of twenty five dollars (\$25.00) per non-strata title property and twelve dollars and fifty cents (\$12.50) per strata / company title unit for the provision of stormwater management services. This charge applies to all rateable land categorised as Residential not being an exclusion as outlined in Section 496A(2) of the Act as amended.
- 49 A **STORMWATER MANAGEMENT SERVICE CHARGE** of twenty five dollars (\$25.00) per three hundred and fifty square metres (350m<sup>2</sup>) or part thereof, of land area capped at a maximum of \$5,000 for each non-strata title property. This charge applies to all non-strata title or non-company title rateable land categorised as Business or sub-categorised as one of the Business sub-categories referred to in the table within paragraph 1 of this report not being an exclusion as outlined in Section 496A(2) of the Act as amended or an exclusion outlined in paragraph 48.
- 50 A **STORMWATER MANAGEMENT SERVICE CHARGE** of twenty five dollars (\$25.00) per three hundred and fifty square metres 350m<sup>2</sup> or part thereof, of land area occupied by the strata scheme, capped at a maximum of \$5,000, divided between each unit based on the unit entitlement of each business lot divided by the total unit entitlement of strata lots within the scheme. This charge applies to all strata title or company title rateable land categorised as Business where the dominant use of the strata development is for business purposes, not being an exclusion as outlined in Section 496A(2) of the Act as amended.
- 51 A **STORMWATER MANAGEMENT SERVICE CHARGE** of twelve dollars and fifty cents (\$12.50) per three hundred and fifty square metres (350m<sup>2</sup>) or part thereof, of land area capped at a maximum of \$2,500 for each non-strata

property. This charge shall only apply where a business property's storm water is not discharged to a storm water pipeline that is reliant on a downstream network that CN has a proportion of the ownership of, and maintenance responsibility for. This charge applies to non-strata title or non-company title rateable land categorised as Business or sub-categorised as one of the Business sub-categories referred to in the table within paragraph 1 of this report not being an exclusion as outlined in Section 496A(2) of the Act as amended.

52 A **DOMESTIC WASTE MANAGEMENT SERVICE CHARGE** of four hundred and sixty dollars and zero cents (\$460.00) for the provision of domestic waste management services for each parcel of rateable land for which the service is available in CN LGA.

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

**Carried**

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

**MOTION**

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

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

**Carried  
unanimously**

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

**MOTION**

Moved by Cr Duncan, seconded by Cr Mackenzie

That Council:

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

**Carried  
unanimously**



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

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

**MOTION**

Moved by Cr Adamczyk, seconded by Cr Clausen

That Council:

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

7.4 A Council officer, or member of the public, is to be addressed by their official designation or as Mr/Mrs (surname).

15.1 A Councillor may draw the attention of the Chairperson to an alleged breach of this Code by raising a point of order. A point of order does not require a seconder.

For example:

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

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

**AMENDMENT**

Moved by Lord Mayor, Cr Nelmes

That Council:

1 Notes that changes to the current meeting preamble and prayer were not publicly exhibited as a part of the community consultation process for the Adoption of the Code of Meeting Practice (COMP);

2 Notes that genuine inclusive consultation specifically regarding the preamble and prayer has not occurred;

3 Asks Councillor McCabe to lead the engagement and consultation regarding proposed changes to the preamble and prayer component of the COMP, inclusive of all interested parties;

- 4 Notes the submission from several faith-based groups, including the statement:

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

- 5 Invites Church leaders and community to work with Councillor McCabe on a way forward given there is an opportunity for revision of the prayer to make it more inclusive, including but not limited to:

- Bishop Peter Stuart, Anglican Bishop of Newcastle
- Fr Greg Barker, Maitland-Newcastle Catholic Diocesan Administrator
- Major Mark Everitt, Area Officer, Hunter and NSW Central Coast, The Salvation Army
- Pastor Matt Brown, Hunter District Baptist Church
- Rev Keith Edwards, Regional Oversight C3 Church
- Pastor Luke Main, Hunter Region Leader, Australian Christian Churches
- Rev Greg McConnell, The Chair of the Hunter Presbytery of the Uniting Church
- Rick Prosser, Kingdomworks

- 6 Receives a report back to the Community and Culture Advisory Committee from Councillor McCabe regarding the results of the engagement.

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

**AMENDMENT**

Moved by Cr Mackenzie, seconded by Cr McCabe

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

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

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

**Defeated**

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

**Carried**

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

**MOTION**

Moved by Cr Clausen, seconded by Cr Richardson

That Council:

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

**AMENDMENT**

Moved by Cr Mackenzie

That Council:

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

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

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

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

**Carried**

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

**MOTION**

Moved by Cr Richardson, seconded by Cr Clausen

That Council:

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

**Carried**

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

**MOTION**

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

That Council:

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

**For the Motion:**

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

**Against the Motion:**

Councillor Church.

**Carried**

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

**MOTION**

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

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

**AMENDMENT**

Moved by Cr Church, seconded by Cr Pull

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

**Defeated**

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

**Carried**

**NOTICES OF MOTION**

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

**MOTION**

Moved by Cr Richardson, seconded by Cr Wood

That City of Newcastle:

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

**Carried**

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

**MOTION**

Moved by Cr Adamczyk, seconded by Cr Richardson

That City of Newcastle:

- 1 Notes the ongoing success of our Playground Replacement Program with brand new playgrounds being delivered in 2021/22 at McCauley Park, Tarro; Minmi Reserve, Minmi; Kotara Park, Kotara and Bernborough Avenue, Maryland as well as significant progress towards the completion of the \$1.5 million Wallsend Active Hub, bringing the City's investment into new and upgraded playgrounds to more than \$10 million in the past five years alone;
- 2 Notes that our 2022/23 Budget has dedicated \$15.3 million for new and improved parks, playgrounds, sporting, and aquatic facilities – including a Playground Replacement at Beresfield Pool, following recent upgrades to the playgrounds at Wallsend and Mayfield Pools;

- 3 Notes that the first stage of the multimillion-dollar investment into the Foreshore Park all-abilities playground and water park Masterplan implementation will be delivered in partnership under the Works Program in our 2022/23 Budget, and that along with the Playground Replacement Program, forms a key priority component of the 'Liveable Newcastle' objective of our Community Strategic Plan *Newcastle 2040*;
- 4 Advises the community that the 2022/23 Playground Replacement Program includes upgrades in the following locations:
  - a) Waratah Park, Waratah
  - b) Harold Myers Park, Birmingham Gardens
  - c) Vera Wilson Park, Beresfield
  - d) Highland County, Fletcher
  - e) Avon Street Reserve, Mayfield

**AMENDMENT**

Moved by Cr Mackenzie, seconded by Cr Clausen

**PART B - Stevenson Park Masterplan**

That Council

- 1 Notes that CN collaborated closely with the Friends of Stevenson Park and the Mayfield West community to deliver a \$1.2 million inclusive playground and active space at Stevenson Park;
- 2 Notes the concerns raised by Mayfield United Junior Soccer Football Club in the media regarding upgrades to facilities at Stevenson Park;
- 3 Notes that Stevenson Park sporting fields and amenities were historically managed by a S355 Committee and that CN has only recently commenced management of the grounds;
- 4 Notes that an analysis of the existing sports facilities conditions was undertaken during the preparation of the Stevenson Park Masterplan, which found:
  - a. Many elements of the facility are unsafe, do not meet Australian Standards and pose a risk to the community.
  - b. The facility and associated amenities do not provide equitable access and is not Disability Discrimination Act compliant.
  - c. The amenities do not cater for the increasing participation rates of females in sport and their specific needs.
  - d. Lighting does not meet Australian standards of play.

- 5 Continues to work collaboratively with the users of Stevenson Park, including MUJSFC and the Friends of Stevenson Park, to deliver the improvements detailed in the Stevenson Park Masterplan, including possible upgrades to field, amenities, access, lighting, shade trees and spectator seating in the Sports precinct of that plan, further stages of the playground, picnic tables, directional signage to public toilets and directional signage to disabled parking spaces.

**Carried  
unanimously**

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

**Carried  
unanimously**

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

Councillor Church left the Chamber for discussion on the item.

**MOTION**

Moved by Cr Richardson, seconded by Cr Duncan

That City of Newcastle:

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

- 8 Requests City of Newcastle's Affordable Housing Working Party consider Council's response to the issue of illegal dumping resulting from insecure housing, including in multi-unit dwellings.

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

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

**Against the Motion:** Councillor Pull.

**Carried**

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

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

Councillor Clausen left the Chamber for discussion on the item.

**MOTION**

Moved by Cr Pull, seconded by Cr Adamczyk

That City of Newcastle

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

**AMENDMENT**

Moved by Cr Richardson, seconded by Cr Duncan

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



- 7 Also correspond with the NSW opposition, specifically the Shadow Treasurer, seeking its commitment to future funding for flood mitigation works.

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

**PROCEDURAL MOTION**

Moved by Cr Duncan, seconded by Cr Mackenzie

Council extend the meeting until close of business.

**Carried**

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

**Carried**

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

**Carried  
unanimously**

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

**ITEM-21 NOM 28/06/22 - MEGA-WATT SCALE BATTERY INSTALLATION**

**MOTION**

Moved by Cr Mackenzie, seconded by Cr Clausen

That the City of Newcastle

- 1 Notes that the Climate Action Plan 2021-25 includes, as Action 1.5, to: "investigate and install megawatt scale battery storage options to firm renewable supply and build resilience across CN operations."
- 2 Notes the installation of a smaller scale energy storage system (ESS) underway at Summerhill Waste Management facility.
- 3 Notes that a megawatt scale ESS connected to the Summerhill Solar Farm could firm renewable energy supply to Summerhill Waste Management operations, including the organics recycling facility, the Materials Recovery Facility (MRF), the proposed EV waste collection fleet, and additional operational infrastructure.
- 4 Consider and investigate the opportunities for a mega-watt scale ESS in the development of:
  - a) The City of Newcastle Fleet Transition Plan
  - b) The City of Newcastle Waste Strategy

**Carried  
unanimously**

**ITEM-22 NOM 28/06/22 - INTERNATIONAL CAMPAIGN TO ABOLISH NUCLEAR WEAPONS**

**MOTION**

Moved by Cr Mackenzie, seconded by Cr McCabe

That the City of Newcastle

- 1 Notes that the International Campaign to Abolish Nuclear Weapons (ICAN) Cities Appeal was endorsed unanimously by the City of Newcastle on 26 February, 2019.
- 2 Further notes that the CN submitted a motion in support of the Treaty on the Prohibition of Nuclear Weapons to the Australian Local Government Association (ALGA) for discussion at the 2020 National General Assembly.
- 3 Further notes that CN reaffirmed its long-held commitment to declaring the city a Nuclear Free Zone in June 2021, with reference to 29 June 1982 when the City first declared Newcastle a Nuclear Free Zone under Lord Mayor Joy Cummings AM, and resolving to establish with Hunter Peace Group a dedicated Newcastle Peace Park at Tighes Hill Reserve, adjacent to Islington Park.
- 4 Writes to the Prime Minister The Hon Anthony Albanese MP, Minister for Foreign Affairs Senator the Hon Penny Wong, Minister for Defence and Deputy Prime Minister The Hon Richard Marles MP, and Minister for Defence Industry The Hon Pat Conroy MP to urge them to urgently progress the signing and ratification on the Treaty on the Prohibition of Nuclear Weapons.
- 5 Further writes to Minister for Defence and Deputy Prime Minister The Hon Richard Marles MP, and Minister for Defence Industry The Hon Pat Conroy MP to express CN's opposition to a nuclear submarine base in the Port of Newcastle, consistent with this and preceding resolutions of Council.

**AMENDMENT**

Moved by Cr Clausen, seconded by Cr Adamczyk

- 1 Notes that the International Campaign to Abolish Nuclear Weapons (ICAN) Cities Appeal was endorsed unanimously by the City of Newcastle on 26 February, 2019.
- 2 Further notes that the CN submitted a motion in support of the Treaty on the Prohibition of Nuclear Weapons to the Australian Local Government Association (ALGA) for discussion at the 2020 National General Assembly.
- 3 Further notes that CN reaffirmed its long-held commitment to declaring the city a Nuclear Free Zone in June 2021, with reference to 29 June 1982 when the City first declared Newcastle a Nuclear Free Zone under Lord Mayor Joy Cummings AM, and resolving to establish with Hunter Peace Group a dedicated Newcastle Peace Park at Tighes Hill Reserve, adjacent to Islington Park.

- 4 Writes to the Prime Minister The Hon Anthony Albanese MP, Minister for Foreign Affairs Senator the Hon Penny Wong, Minister for Defence and Deputy Prime Minister The Hon Richard Marles MP, and Minister for Defence Industry The Hon Pat Conroy MP to urge them to urgently progress the signing and ratification on the Treaty on the Prohibition of Nuclear Weapons, after taking into account the need to:
- a. Ensure an effective verification and enforcement architecture
  - b. Ensure the interaction of the Ban Treaty with the longstanding Nuclear Non-Proliferation
  - c. Treaty Work to achieve universal support for the Ban Treaty.

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

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

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

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

**PROCEDURAL MOTION**

Moved by Cr Pull, seconded by Cr Mackenzie

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

**Carried**

**PART A**

**MOTION**

Moved by Cr Mackenzie, seconded by Cr McCabe

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

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

- a. Working to create the conditions necessary to achieve a pathway to universal support for the Ban Treaty
- b. Advocating to the United States that it actively negotiates with Russia, China and other nuclear armed states to develop a treaty to the New START treaty with a view to realising the objectives of Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), namely, a world free of nuclear weapon; and

- c. Seeking to work with partners and allies to build upon the International Commission on Nuclear Non-Proliferation and Disarmament to develop an initiative which proposes a way of working with states possessing nuclear weapons to achieve Article VI of the NPT and encouraging transparency among all states with nuclear weapons in relation to their use doctrine and the composition of their arsenals, while continuing to strengthen non-proliferation goals in the Indo Pacific region.

**Carried  
unanimously**

**PART B**

**MOTION**

Moved by Cr Mackenzie, seconded by Cr McCabe

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

**For the Motion:**

Lord Mayor, Cr Nelmes and Councillors Adamczyk, Clausen, Duncan, Mackenzie, McCabe, Richardson and Wood.

**Against the Motion:**

Councillors Barrie, Church and Pull.

**Carried**

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

**MOTION**

Moved by Cr Mackenzie, seconded by Cr McCabe

That City of Newcastle:

- 1 Notes the resolution of Council in February 2022 to work in collaboration with the SDG Hunter Region Taskforce to progress a city-wide pathway and timetable to carbon neutrality in line with Newcastle Climate Action Plan 2021-25, which commits the City of Newcastle to a Net Zero Emission City by not later than 2040.
- 2 Receives a briefing from the SDG Hunter Region Taskforce on progress to date, specifically with regard to:

## CITY OF NEWCASTLE

Ordinary Council Meeting 26 July 2022

Page 38

- a Developing a city-wide pathway and timetable to carbon neutrality by no later than 2040 in conjunction with business, the public sector and the community and based on the best scientific and technical advice; and
- b Recommending measures to progress economic diversification and structural economic change as fossil fuel industries become less reliable within the LGA and more broadly across the Hunter.

**For the Motion:**

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

**Against the Motion:**

Councillor Pull.

**Carried**

**The meeting concluded at 10.14pm**

**REPORTS BY COUNCIL OFFICERS**

**ITEM-58                      CCL 26/07/22 - ADOPTION OF COUNCIL POLICIES**

**REPORT BY:                GOVERNANCE**  
**CONTACT:                DIRECTOR GOVERNANCE AND CHIEF FINANCIAL**  
**OFFICER / MANAGER LEGAL**

---

**PURPOSE**

To adopt four revised Council Policies.

**RECOMMENDATION**

That Council:

- 1        Adopts the Newcastle Heritage Policy at **Attachment A**.
- 2        Adopts the Public Voice and Public Briefings Policy at **Attachment B**.
- 3        Adopts the Planning Agreements Policy at **Attachment C**.
- 4        Adopts the Community Infrastructure Incentives Policy at **Attachment D**.

**KEY ISSUES**

- 5        Policies are key control documents for City of Newcastle (CN) that mitigate risk. They are critical to supporting effective and evidence-based decision making and ensure CN complies with relevant legislation and guidelines. Policies are most effective when they are regularly reviewed and updated.
- 6        It is recommended that all policies adopted by the former Council be re-adopted by the new Council, ideally within the first 12 months of the new term. The benefits of re-adopting policies within the first 12 months of the new Council term include:
  - i.        All policies are on a consistent review cycle;
  - ii.       Councillors have assurance that all Council adopted policies are up to date;
  - iii.      Councillors are aware of the policies early in the term which provides the opportunity to understand their application and content.
- 7        Four policies have been reviewed and updated. The revised policies (with tracked changes) and a summary of each policy is at Attachments A – D.

**FINANCIAL IMPACT**

- 8 There is no budget implication in adopting Council policies.

**NEWCASTLE 2040 ALIGNMENT**

- 9 Adopting these policies is consistent with the priorities of the Newcastle 2040 Community Strategic Plan.

**4 Achieving Together**

4.2 Trust and Transparency

4.2.1 Genuine engagement

4.2.2 Shared information and celebration of success

4.2.3 Trusted Customer Experience

**IMPLEMENTATION PLAN/IMPLICATIONS**

- 10 Adopted Council policies are published on CN's website.

**RISK ASSESSMENT AND MITIGATION**

- 11 Reviewing policies regularly and in line with each Council term ensures that policies remain up-to-date and relevant.

**RELATED PREVIOUS DECISIONS**

- 12 At the Council Meeting on 27 July 2021, Council resolved to adopt the Community Infrastructure Incentives Policy.
- 13 At the Council Meeting on 25 May 2021, Council resolved to adopt the Planning Agreements Policy.
- 14 At the Council Meeting on 22 June 2013, Council resolved to adopt the Newcastle Heritage Policy.
- 15 At the Council Meeting on 27 August 2019, Council resolved to adopt the Public Voice and Public Briefings Policy.

**CONSULTATION**

- 16 The policies have been circulated for internal consultation with relevant staff.

**BACKGROUND**

- 17 A number of revised policies will be presented to Council for consideration during the first 12 months of the Council term.



**OPTIONS**

**Option 1**

18 The recommendation as at Paragraphs 1 to 4. This is the recommended option.

**Option 2**

19 Council does not adopt the recommendations as at Paragraphs 1 to 4. This is not the recommended option.

**REFERENCES**

**ATTACHMENTS**

**Item 58 Attachment A:** Newcastle Heritage Policy  
**Item 58 Attachment B:** Public Voice and Public Briefings Policy  
**Item 58 Attachment C:** Planning Agreements Policy  
**Item 58 Attachment D:** Community Infrastructure Incentives Policy

**Attachments A - D distributed under separate cover**

**ITEM-59 CCL 26/07/22 - ADOPTION OF WICKHAM MASTERPLAN 2021 (2022 AMENDMENT)**

**REPORT BY: GOVERNANCE**  
**CONTACT: DIRECTOR GOVERNANCE AND CHIEF FINANCIAL OFFICER / MANAGER REGULATORY, PLANNING AND ASSESSMENT**

---

**PURPOSE**

To adopt the Wickham Masterplan 2021 (2022 Amendment).

**RECOMMENDATION**

That Council:

- 1 Adopts the Wickham Masterplan 2021 (2022 Amendment) as at **Attachment A**.

**KEY ISSUES**

- 2 City of Newcastle (CN) placed the draft Wickham Masterplan (WMP) 2021 (2022 Amendment) on public exhibition between 28 March 2022 and 6 May 2022. The WMP 2021 (2022 Amendment) aims to ensure an appropriate built form outcome is achieved in Wickham.
- 3 CN received six submissions on the draft during the public exhibition period. The submissions are summarised at **Attachment B** together with CN's response to matters raised.
- 4 The WMP 2021 (2022 Amendment) includes changes to Map 9 – Areas proposed for development incentive and Table 4 – Potential development incentives for provision of community infrastructure (pg. 18). These changes relate to land on Throsby Street and aim to ensure a more gradual built form transition between the higher density Emerging Industry Quarter Urban Precinct and the lower-scale Village Hub Urban Precinct should these sites develop in the future.
- 5 The remainder of the document remains unchanged, and as adopted by Council in September 2021.
- 6 CN is concurrently progressing a number of planning projects in Wickham including the Community Infrastructure Incentives planning proposal and the draft Development Control Plan (DCP) 6.03 Wickham. The Community Infrastructure Incentives planning proposal is currently with the Department of Planning and Environment for Gateway Determination. Draft DCP 6.03 Wickham was publicly exhibited in May and June 2022 and will be reported back to Council for adoption in August 2022. It includes a number of additional upper-

level setback controls contained within the WMP 2021 for land within and adjacent to the Village Hub as well as other changes.

- 7 CN is also preparing a comprehensive public domain plan for Wickham. Project objectives include increasing amenity and safety in the area. It will include fully resolved traffic, transport and road configuration changes in line with WMP 2021. Community engagement will be undertaken as part of this project.

## **FINANCIAL IMPACT**

- 8 The preparation, exhibition and finalisation of the WMP 2021 (2022 Amendment) is funded under the CN 2021/22 and 2022/23 operational budgets.

## **NEWCASTLE 2040 ALIGNMENT**

- 9 The WMP 2021 (2022 Amendment) is consistent with Newcastle 2040 Community Strategic Plan and will contribute to the implementation of the following objectives:

### **1.1 Enriched neighbourhoods and places**

1.1.1 Great spaces

1.1.2 Well-designed places

### **1.3 Safe, active and linked movement across the city**

1.3.1 Connected cycleways and pedestrian networks

### **3.4 City-shaping partnerships**

3.4.1 Optimise city opportunities

### **4.2 Trust and transparency**

4.2.1 Genuine engagement

### **4.3 Collaboration and innovative approach**

4.3.2 Innovation and continuous improvement

## **IMPLEMENTATION PLAN/IMPLICATIONS**

- 10 The WMP 2021 (2022 Amendment) implements the outcomes of the following Council adopted strategies, plans and policies:
  - i) Newcastle 2040 Community Strategic Plan, as outlined above.
  - ii) Newcastle Local Strategic Planning Statement, including the following planning priorities:

- a) **Planning Priority 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.

11 If adopted the WMP 2021 (2022 Amendment) will replace the current WMP 2021 and be known simply as the WMP 2021.

### **RISK ASSESSMENT AND MITIGATION**

12 The incentive heights proposed in WMP 2021 (2022 Amendment) are reflected in the planning proposal for Community Infrastructure Incentives in Wickham. That planning proposal aims to implement the incentives heights via changes to Newcastle Local Environmental Plan 2012 (NLEP 2012). Subject to Gateway Determination, the planning proposal will be publicly exhibited and then reported back to Council.

### **RELATED PREVIOUS DECISIONS**

13 At the Ordinary Council Meeting on 28 November 2017, Council adopted the WMP 2017.

14 At the Ordinary Council Meeting on 27 July 2021 Council adopted the Community Infrastructure Incentives Policy.

15 At the Ordinary Council Meeting on 28 September 2021, Council adopted the WMP 2021 following public exhibition in July 2021.

16 At the Ordinary Council Meeting on 22 March 2022, Council resolved to exhibit the draft WMP 2021 (2022 Amendment).

### **CONSULTATION**

17 CN exhibited the draft WMP 2021 (2022 Amendment) from 28 March 2022 to 6 May 2022.

18 CN's Have Your Say webpage invited the community to comment on the draft WMP 2021 (2022 Amendment) and people who made submissions previously on the WMP 2021 were notified about the exhibition by email.

19 A Councillor Workshop was held on the draft WMP 2021 (2022 Amendment) on 15 March 2022.

- 20 An online briefing session with representatives from the Greater Lifestyles Of Wickham (GLOW) community group was held on 22 March 2022.

**BACKGROUND**

- 21 The WMP 2017 identified the vision and outlined the strategies and actions to guide CN's planning decisions and support urban renewal in the Wickham area. The WMP identified the opportunity to increase development densities based on land capacity and the envisaged future character.
- 22 The WMP 2021 responds to advice on mine subsidence identified by Subsidence Advisory NSW, as part of preparation the Newcastle City Centre Subsidence Risk Model. It provides more certainty for strategic opportunities where redevelopment could accommodate increased densities and for community infrastructure delivery.

**OPTIONS**

**Option 1**

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

**Option 2**

- 24 That Council does not adopt the WMP 2021 (2022 Amendment). This is not the recommended option.

**REFERENCES**

**ATTACHMENTS**

- Item 59 Attachment A: Wickham Masterplan 2021 Update (2022 Amendment)**  
**Item 59 Attachment B: Submissions table**

**Item 59 Attachments A - B distributed under separate cover**

**ITEM-60 CCL 26/07/22 - TENDER REPORT - HIRE OR PURCHASE  
OUTRIGHT OF HEAVY PLANT AT SUMMERHILL WASTE  
MANAGEMENT CENTRE - CONTRACT NO. 2022/101T**

**REPORT BY: CITY WIDE SERVICES**  
**CONTACT: DIRECTOR AND INTERIM MANAGER WASTE SERVICES**

---

**PURPOSE**

To accept a tender for the Dry Hire of Heavy Plant at Summerhill Waste Management Centre (SWMC) in accordance with Contract No. 2022/101T.

Due to the estimated total value of the contract exceeding \$1 million, the Chief Executive Officer's delegation requires a resolution of Council to accept the tenders.

**REASON FOR CONFIDENTIALITY**

The confidential attachments have been classified confidential in accordance with the provisions of the *Local Government Act 1993* (the Act) as follows:

- Section 10A(2)(d) of the Act provides that Council can close a meeting to consider commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.
- Section 10B(1)(a) and (b) of the Act provides that the discussion of the item in a closed meeting must only:
  - (a) include as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security; and
  - (b) occur if the Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

**GROUND FOR CLOSING PART OF THE MEETING**

In respect to section 10D(2) of the Act, the grounds on which part of a meeting is to be closed for the discussion of the particular item must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. Accordingly, an appropriate resolution to proceed is required first.

**MOTION TO PROCEED**

The discussion of the confidential attachments take place in a closed session, with the press and public excluded, for the following reasons:

- A The matter relates to tenders for Hire or Purchase Outright of Heavy Plant at the Summerhill Waste Management Centre Contract No.2022/101T.
- B It is contrary to the public interest to discuss tenders in an open meeting because the information provided to Council by tenderers is provided on the

basis that it will be treated by Council as commercial-in-confidence. A practice of disclosing sensitive commercial information to the public, including competitors, could result in the withholding of such information by tenderers. This would lead to a reduction in the supply of information relevant to Council's decision. A disclosure of confidential information by Council could result in Council being the subject of litigation for breach of confidence.

- C The closed session involves only as much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.
- 

## RECOMMENDATION

- 1 At **Attachment A**.

## KEY ISSUES

### Tender

- 2 This contract is for the permanent on-site hire of four designated plant items to process incoming waste in accordance with Environmental Protection License 5897.

### Contract Term

- 3 The contract period is for five years.

### Advertising of Tenders

- 4 The Tenders were advertised in the Sydney Morning Herald and Newcastle Herald on Saturday 12 February 2022 and nationally on the Tenderlink website.

### Tenders Received

- 5 Tenders closed at 2:00pm on 29 March 2022. Tender submissions were received from eight contractors:

- i) Westrac Pty Ltd
- ii) RDO Equipment
- iii) Liebherr Australia
- iv) CJD Equipment Pty Ltd
- v) Porter Equipment Australia
- vi) Delta Rent Pty Ltd
- vii) CEG Distribution/Hunter JCB
- viii) Komatsu Australia Pty Ltd

### Evaluation Process

- 6 The tenders were assessed against the following criteria:
- i) Tender Price 30%
  - ii) Diversity 10%
  - iii) WHS 5%
  - iiii) Capability 25%
  - v) Previous Experience 30%

- 7 The tenders were assessed by a Tender Assessment Panel consisting of the following Council officers – Site Operations Manager, Site Operations Coordinator and Waste and Commercial Collections Manager.

**Recommended Tenderer**

- 8 The recommended tenderer has been delivering this type of equipment into Australia since 1981 and now leads the way with the latest technology in both emissions and safety.

**FINANCIAL IMPACT**

- 9 The contract will be funded from Summerhill Waste Management Centre's operational budget in accordance with Our Budget 2022/23. The total cost over the duration of the contract is detailed in **Attachment A**.
- 10 Various options for the plant requirements were assessed including Dry Hire, Leasing and Purchasing however it was determined that Dry Hire is the most cost effective. Dry Hire also has the benefit of combining the plant supply and associated plant maintenance with an obligation for the supplier to provide a back-up or replacement plant item in the event of major failure of the hired equipment. This is critical to the operational requirements of Summerhill to meet and maintain compliance with its environmental protection license. Other benefits of the recommended arrangement are discussed at **Attachment A**.

**IMPLICATIONS**

**Policy Implications**

- 11 The proposed contract aligns with the following Newcastle 2040 Community Strategic Plan directions:

**Sustainable**

- 2.3 Circular Economy
  - 2.3.2 Localised supply chain and sustainable procurement

**Achieving Together**

- 4.1 Inclusive and Integrated Planning
  - 4.1.1 Financial sustainability

**Environmental Implications**

- 12 The recommended supplier complies with current Australian Vehicle Emission Standards and National Heavy Vehicle Regulator requirements. The tender specifications included an option for suppliers to consider electric or alternate fuel source heavy plant but no submissions were received.

**Social Implications**

- 13 This contract will ensure CN can maintain critical waste processing on site at Summerhill.



**Ecological Sustainability**

- 14 The recommended tenderer does not have a specific ESD policy in place. Despite this, the recommended tenderer has not been prosecuted for environmental offences, nor is it involved in any of the prescribed activities such as uranium mining, wood chipping, nuclear energy or timber harvesting.

**IMPLEMENTATION**

- 15 The contract will be managed by Summerhill's site operations team. Ongoing maintenance will be provided by the preferred tenderer.

**CONSULTATION/COMMUNICATION**

- 16 Internal consultation has taken place with the Director and Interim Manager Waste Services, Contract Management Services and the SWMC team.

**BACKGROUND**

- 17 The calling of tenders was in accordance with the requirements of section 55 of the Act. The process followed was in accordance with Part 7 of the Regulation. Council is required to accept tenders in accordance with clause 178 of the Regulation (see Options).
- 18 SWMC is licensed to receive 364,000 tonnes of waste per year and requires heavy plant for operational requirements to process waste. A range of heavy plant and machinery enables SWMC to process waste to meet conditions within SWMC's environment protection license.
- 19 Council awarded a contract for heavy plant hire in June 2017 and this contract is due to expire on 31 August 2022. This tender recommendation is for the hire of four plant items including an Excavator, Wheel Loader, Bulldozer and Articulated Dumptruck which will work onsite at SWMC.
- 20 SWMC has utilised a range of heavy machinery under contract for the last five years, in a hiring arrangement.
- 21 Failure to hire fit for purpose heavy plant will have a detrimental effect on service delivery at SWMC as well as the site not being able to meet its environment protection license.

**OPTIONS**

**Option 1**

- 22 The recommendation as set out in **Attachment A**. This is the recommended option.

**Option 2**

- 23 Council defers a decision at this time to allow further consideration of the tenders received. This is not the recommended option.

**Option 3**

24 Council resolves not to accept any tender and invite fresh tenders. This is not the recommended option.

**Option 4**

25 Council resolves not to accept any tender and enter into negotiations with any party with a view to entering into a contract. Council must state a reason for this in its resolution. This is not the recommended option.

**Option 5**

26 Council resolves not to accept any tender and not proceed with the contract. Council must state a reason for this in its resolution. This is not the recommended option.

**ATTACHMENTS**

**Item 60 Attachment A:** Confidential Recommendation

**Item 60 Attachment B:** Confidential Tender Evaluation Matrix - Summary

***(refer Confidential Council Meeting Agenda 26 July 2022)***

**NOTICES OF MOTION**

**ITEM-24**                      **NOM 26/07/22 - WILLIAM STREET PEDESTRIAN CROSSING,  
TIGHES HILL**

**COUNCILLOR:**            **J MACKENZIE**

---

**PURPOSE**

*The following Notice of Motion was received on Monday 18 July 2022 from the abovenamed Councillor.*

**MOTION**

That the City of Newcastle

- Notes the concerns raised by residents regarding the pedestrian crossing on William Street in Tighes Hill.
- Notes that the crossing is used by hundreds of children and their families each day due to its proximity to the local school, and that issues regarding kerb and guttering treatment, lighting and signage make this crossing a potential hazard for users.
- Acknowledges the urgency of this matter due to the risks to children in our community walking and riding to school, and for people with a disability who are unable to use this crossing safely.
- Prioritise the repair and upgrade of the William Street Tighes Hill pedestrian crossing in the forward works program, with consideration given to including the installation of a compliant kerb ramp, improved drainage and flood mitigation, and upgraded street lighting, signage and road markings.

**BACKGROUND**

Nil.

**ATTACHMENTS**

Nil.

**REPORT ON NOTICE OF MOTION - NOM 26/07/22 - WILLIAM STREET  
PEDESTRIAN CROSSING, TIGHES HILL**

**REPORT BY: GOVERNANCE**

**CONTACT: DIRECTOR GOVERNANCE AND CHIEF FINANCIAL  
OFFICER**

---

**DIRECTOR COMMENT**

The William Street crossing, located immediately north of Bryant Street in Tighes Hill, is a current identified priority project under the Pedestrian Access and Mobility Plan and Tighes Hill Local Area Traffic Management Plan. This project has been allocated funding for planning and design under the 2022/23 transport program.

Once design has been resolved and relevant approvals obtained, the project will be listed for a range of eligible grant funding streams, such as the Newcastle Port Community Contribution Fund, and listed for consideration under City of Newcastle's (CN) forward Capital Works program.

**RECOMMENDATION**

That Council:

- 1 Notes the William Street Tighes Hill pedestrian crossing is scheduled for planning and design in CN's 2022/23 transport program.
- 2 Notes that once design and approvals are finalised, the project will be listed for consideration under CN's forward Capital Works program, including exploring opportunities for external funding support through eligible grant programs.