

CITY OF NEWCASTLE

Minutes of the Ordinary Council Meeting held in the Council Chambers, 2nd Floor City Hall on Tuesday 24 October 2017 at 5.39pm.

PRESENT

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

IN ATTENDANCE

J Bath (Interim Chief Executive Officer), A Glauser (Interim Director Corporate Services), K Liddell (Director Infrastructure), P Chrystal (Director Planning and Regulatory), E Kolatchew (Interim Manager Legal and Governance), J Gaynor (Manager Strategic Planning), P Nelson (Manager Commercial Property), A Baxter (Manager Regulatory Services), P Moore (Manager Facilities and Recreation), P McCarthy (Team Co-ordinator Strategic Planning), D Fischetti (Media Officer), K Sullivan (Council Services/Minutes) and A Knowles (Council Services/Webcasting).

MESSAGE OF ACKNOWLEDGEMENT

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

PRAYER

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

APOLOGIES

MOTION

Moved by Cr Rufo, seconded by Cr M Byrne

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

Carried

TAKING OF THE OATH / AFFIRMATION OF OFFICE

Councillors Elliott and Winney-Baartz publicly reconfirmed their Oath / Affirmation taken on 16 October 2017 and 14 October 2017 respectively, as required under Section 233A of the Local Government Act - *Oath and Affirmation for Councillors*.

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor Clausen

Councillor Clausen declared a pecuniary interest in Item 104 - Appointment of Councillors to External Committees stating that the item included the appointment of a representative to the Hunter Water Corporation Forum which was undertaken by his employer.

Councillor Clausen stated that he would absent himself from the Chamber for discussion on the Hunter Water Corporation Forum appointment and requested the item be considered in seriatim so he could vote on the remaining committee appointments.

Councillor Church

Councillor Church declared a significant non-pecuniary interest in Item 116 - Supplementary Report - Land Bounded by Mosbri Crescent and Kitchener Parade The Hill - Adoption of Amendment to Newcastle LEP 2012 on the following basis:

- He was a former employee and shareholder of NBN
- He was a former client having purchased TV advertising in the past
- He continued to consult and advise his current employer and their clients on the purchase of TV advertising which at times was NBN television
- He lived in the vicinity of the development

Councillor Church stated that he would absent himself from the Chamber for discussion on the item.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - ORDINARY COUNCIL MEETING HELD 26 SEPTEMBER 2017

MOTION

Moved by Cr White, seconded by Cr Clausen

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

Carried

LORD MAYORAL MINUTE

ITEM-16 LMM 24/10/17 - RECOGNITION OF THE SERVICE OF MR ANDREW GLAUSER TO THE PEOPLE OF THE CITY OF NEWCASTLE

MOTION

Moved by Lord Mayor, Cr Nelmes

That Newcastle City Council:

- 1 Thanks Andrew Glauser, Interim Director Corporate Services and Manager Finance at Newcastle City Council for his service and dedication to his roles.

- 2 Notes that Mr Glauser has played an integral role in turning around Newcastle City Council's finances over the past 3 years, steering Newcastle City Council's implementation of a Special Rate Variation, ensuring the City of Newcastle avoided financial insolvency.

**Carried
unanimously**

**ITEM-17 LMM 24/10/17 - GLOBAL COVENANT OF MAYORS FOR
CLIMATE AND ENERGY**

MOTION

Moved by Lord Mayor, Cr Nelmes

That Newcastle City Council:

- 1 Prepares a report and a Council Workshop for Councillors regarding support for joining the International Council for Local Environmental Initiatives (ICLEI) Compact of Mayors, a global coalition of the World's leading Councils, Mayors and city leaders committed to action on climate change.
- 2 The information presented to Councillors includes a summary of proposed and ongoing measures Council is undertaking to measure and reduce greenhouse gas emissions and adapt to ongoing climate change;
- 3 The matter return to Council for determination by the February 2018 Ordinary Newcastle City Council meeting.

Carried

REPORTS BY COUNCIL OFFICERS

**ITEM-103 CCL 24/10/17 - TABLING OF ANNUAL PECUNIARY INTEREST
RETURNS**

MOTION

Moved by Cr J Mackenzie, seconded by Cr White

Note the tabling of the register pecuniary interest returns (for the period 1 July 2016 to 30 June 2017) by the Interim Chief Executive Officer in accordance with s. 450A of the *Local Government Act 1993* (NSW).

Carried

**ITEM-108 CCL 24/10/17 - YOUNG STREET CARRINGTON PROPOSED
UPGRADE TO ZEBRA CROSSING**

MOTION

Moved by Cr White, seconded by Cr Mackenzie

Approve the proposed upgrade to existing zebra crossing on Young Street, Carrington, as shown at **Attachment A**.

Carried

ITEM-110 **CCL 24/10/17 - GLEBE ROAD, ADAMSTOWN - PROPOSED UPGRADE TO EXISTING ZEBRA CROSSING**

MOTION

Moved by Cr Rufo, seconded by Cr Duncan

Approve the proposed upgrade to existing zebra / children's crossing on Glebe Road, Adamstown, as shown at **Attachment A**.

Carried

ITEM-102 **CCL 24/10/17 - EXECUTIVE MONTHLY PERFORMANCE REPORT**

MOTION

Moved by Cr Clausen, seconded by Cr Dunn

The report be received.

Carried

In reference to paragraph 7(ii) of the report, *Materials and Contracts - increase of \$5.1m*, Councillor Rufo enquired what current projects had generated the increase in expenditure.

The Director Infrastructure stated that he would take the question on notice.

ITEM-104 **CCL 24/10/17 - APPOINTMENT OF COUNCILLOR REPRESENTATIVES TO EXTERNAL COMMITTEES**

PROCEDURAL MOTION

Moved by Cr Clausen, seconded by Cr Dunn

The motion be dealt with seriatim as Parts A and B. Part A to deal with all committees including the Hunter Water Corporation Forum and Part B to deal with the appointment to the Hunter Water Corporation Forum to be dealt with separately due to Councillor Clausen's conflict of interest.

Carried

PART A

MOTION

Moved by Cr Clausen, seconded by Cr Winney-Baartz

1 That Council appoints representatives as follows:

Councillor/s appointed	External Committee	Term of membership
Cr John Mackenzie Cr Emma White Cr John Church	Building Better Cities Housing Management and Development Committee	25 October 2017 to 11 September 2020
Cr Carol Duncan	Fort Scratchley Historical Society Incorporated	25 October 2017 to 11 September 2020
Cr John Mackenzie Cr Jason Dunn Cr Matthew Byrne - Alternate	Hunter and Central Coast Joint Regional Planning Panel	25 October 2017 to 11 September 2020
Cr Jason Dunn	Newcastle Art Gallery Foundation Board	25 October 2017 to 11 September 2020
Cr Peta Winney-Baartz	Newcastle City Traffic Committee	25 October 2017 to 11 September 2020
Cr Carol Duncan Cr Emma White - Alternate	Northern Settlement Services Management Committee	25 October 2017 to 11 September 2020
Cr Declan Clausen	NSW Public Libraries Association	25 October 2017 to 11 September 2020

2 Council staff write to the chairperson of each of the above advising of the new Councillor members/representative(s) and the term of their membership.

Carried

Councillor Clausen had declared a significant pecuniary interest in the appointment to the Hunter Water Corporation Forum and left the Chamber for discussion on Part B.

Councillor Mackenzie identified that he had a pecuniary interest in Item 104 - Appointment of Councillor Representatives to External Committees stating that his partner worked for the Hunter Water Corporation. Councillor Mackenzie left the Chamber for discussion on Part B.

PART B

MOTION

Moved by Cr White, seconded by Cr Dunn

- 1 That Council appoints representative as follows:

Cr Jason Dunn	Hunter Water Corporation Consultative Forum	25 October 2017 to 11 September 2019
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- 2 Council staff write to the chairperson of the above advising of the new Councillor members/representative(s) and the term of their membership.

Carried

Councillors Clausen and Mackenzie returned to the Chamber at the conclusion of the item.

ITEM-105 CCL 24/10/17 - APPOINTMENT OF COUNCILLOR REPRESENTATIVES TO ADVISORY COMMITTEES AND PANEL

MOTION

Moved by Cr Clausen, seconded by Cr Winney-Baartz

PART A

- 1 That Council appoints representatives as follows:

Councillor/s appointed	Advisory Committee	Term of membership
Lord Mayor, Cr Nuatali Nemes Cr Peta Winney-Baartz Cr Carol Duncan	Coastal Revitalisation Consultative Committee	25 October 2017 to 11 September 2020
Cr Declan Clausen Cr John Mackenzie Cr Emma White	Environmental Advisory Committee	25 October 2017 to 11 September 2020
Cr Emma White Cr Peta Winney-Baartz Cr Matthew Byrne	Guraki Aboriginal Advisory Committee	25 October 2017 to 11 September 2020
Cr Jason Dunn	Newcastle Floodplain Risk Management Advisory Committee	25 October 2017 to 11 September 2020
Cr Declan Clausen Cr John Mackenzie Cr Kath Elliott	Newcastle Cycling Advisory Committee	25 October 2017 to 11 September 2020
Cr Declan Clausen Cr Peta Winney-Baartz Cr Carol Duncan	Newcastle Youth Council Committee	25 October 2017 to 11 September 2020

Lord Mayor, Cr Nuatali Nemes Cr Declan Clausen Cr Carol Duncan Cr Emma White	Smart and Innovative Cities Committee	
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Councillors appointed	Panel	Term of membership
Cr Matthew Byrne Cr John Mackenzie Cr Carol Duncan Vacant	Review Panel	25 October 2017 to 11 September 2020

- 2 Committee facilitators will contact nominated Councillors and advise of the next meeting dates for each committee.

PART B

Council amend the Charter of the Asset Advisory Committee to include an additional Councillor representative. Councillor Luke be nominated to fill the new vacancy.

AMENDMENT

Moved by Cr Rufo, seconded by Cr Elliott

Council amend the Charters of the Coastal Revitalisation Committee and Guraki Aboriginal Advisory Committees to include an additional representative. Councillor Rufo be nominated to fill the new vacancy.

Councillor Clausen agreed to incorporate the amendment into the motion by proposing that the representative be an alternate and the alternate representative be Councillor Rufo.

Councillors Rufo and Elliott withdrew the amendment.

The motion moved by Councillor Clausen and seconded by Councillor Winney-Baartz as amended to include Councillor Rufo's appointment to the Coastal Revitalisation Consultative Committee and Guraki Aboriginal Advisory Committee as an alternate, was put to the meeting.

**Carried
unanimously**

ITEM-106 **CCL 24/10/17 - NEWCASTLE AIRPORT PTY LIMITED -
APPOINTMENT OF COUNCIL'S SHAREHOLDER
REPRESENTATIVES**

MOTION

Moved by Cr Clausen, seconded by Cr Dunn

- 1 In accordance with section 250D of the *Corporations Act 2001* (Cth) and clauses 1.1 and 1.2(c) of the Constitution of Newcastle Airport Pty Ltd, Council, in its capacity as one of the two shareholders of Newcastle Airport Pty Ltd, approves and appoints Shareholder Representatives as follows:
 - (a) Nuatali Nelmes, Lord Mayor of Newcastle City Council, and
 - (b) Jeremy Bath, Interim Chief Executive Officer of Newcastle City Council.
- 2 In accordance with Clause 400(4) of the *Local Government (General) Regulation 2015* (NSW), Council approves and authorises Council's seal to be affixed to the Appointment of Shareholder Representative form on the grounds that such appointment relates to the business of Council.

Carried

ITEM-107 **CCL 24/10/17 - ADOPTION OF 2016/17 ANNUAL FINANCIAL
STATEMENTS**

MOTION

Moved by Cr Byrne, seconded by Cr Dunn

Council receives and adopts Council's Financial Statements and accompanying notes, in respect of the year ended 30 June 2017, together with the Auditor's Report (**Attachment A**).

**Carried
unanimously**

ITEM-109 **CCL 24/10/17 - LAMBTON PARK FENCED OFF LEASH DOG
AREA**

MOTION

Moved by Cr Clausen, seconded by Cr Rufo

- 1 Council endorse the processes being undertaken in reviewing dog off leash provision.
- 2 Council endorse the establishment of four fenced dog parks within the Newcastle Local Government Area (LGA).
- 3 Council acknowledges the importance to the community of a dog off-leash area in Lambton Park, and note its inclusion for consideration within the review.

4 That the review additionally consider off-leash opportunities at:

- Novocastrian Park, New Lambton
 - Waratah Park, Waratah
 - Connelly Park, Carrington
- (as per Council's resolution of 13/12/17)

and

- Stevenson Park, Mayfield West

Carried

ITEM-111 CCL 24/10/17 - 26 EDITH STREET WARATAH (WRIGHTSON RESERVE) AND RD 20435 - ADOPTION OF AMENDMENT TO NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012

MOTION

Moved by Cr Clausen, seconded by Cr Rufo

Council resolves to:

- i) Endorse the attached planning proposal (**Attachment A**), pursuant to section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), to amend Newcastle Local Environmental Plan 2012 (LEP) in order to reclassify land at 26 Edith Street Waratah, described as Lot 374 DP 755247, from community to operational and to rezone the land from RE1 Public Recreation to SP2 Health Services Facility and to rezone Part of RD 20435 from RE1 Public Recreation to R2 Low Density Residential.
- ii) Forward the planning proposal to the Department of Planning and Environment (DPE) requesting that a draft Local Environmental Plan be prepared and made pursuant to section 59(1) of the EP&A Act.
- iii) Advise the Secretary of the DPE that Council does not seek to exercise delegations for undertaking section 59(1) of the EP&A Act.

For the Motion:

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

Against the Motion:

Nil.

Carried

ITEM-112

**CCL 24/10/17 - 1 ORDNANCE STREET NEWCASTLE -
ENDORSEMENT OF PROPOSED AMENDMENT TO
NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012**

MOTION

Moved by Cr Mackenzie, seconded by Cr Duncan

Council resolves to:

- i) Endorse the attached Planning Proposal (**Attachment A**), pursuant to Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in order to amend Newcastle Local Environmental Plan 2012 for land at 1 Ordnance Street, Newcastle by amending Schedule 1 to remove the additional permitted use of a function centre and kiosk with associated car parking and landscaping.
- ii) Forward the Planning Proposal to the Minister for Planning and Environment for Gateway Determination pursuant to Section 56 of the EP&A Act.
- iii) Advise the Secretary of Planning and Environment that Council does not seek to exercise delegations for undertaking Section 59(1) of the EP&A Act.
- iv) Receive a report back on the Planning Proposal following completion of the required consultation if any objections have been received.

For the Motion:

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

Against the Motion:

Nil.

Carried

ITEM-113

**CCL 24/10/17 - SUBMISSION TO DEPARTMENT OF PLANNING
AND ENVIRONMENT - SHORT TERM HOLIDAY LETTING**

MOTION

Moved by Cr Mackenzie, seconded by Cr Clausen

Council endorses the draft submission provided at **Attachment A** for lodgment with the Department of Planning and Environment.

**Carried
unanimously**

ITEM-114 CCL 24/10/17 - ESTABLISHMENT OF A DISABILITY INCLUSION ADVISORY COMMITTEE

MOTION

Moved by Cr Duncan, seconded by Cr Clausen

Council resolves to:

- i) Adopt the Draft Disability Inclusion Advisory Committee (DIAC) Charter as per **Attachment A**.
- ii) Council appoints Councillors Byrne, Duncan and Winney-Baartz to the Disability Inclusion Advisory Committee.

Carried

ITEM-115 CCL 24/10/17 - CITIES LEADERSHIP INSTITUTE US TOUR PROGRAM 2017 - PARTICIPATION OF CITY OF NEWCASTLE

MOTION

Moved by Cr Mackenzie, seconded by Cr Byrne

- 1 Council supports participation in the Cities Leadership Institute US Smart Cities Tour 2017.
- 2 Council endorse the attendance of Deputy Lord Mayor, Cr Declan Clausen on the Cities Leadership Institute US Smart Cities Tour 2017.
- 3 Council endorse the attendance of Council's City Revitalisation Coordinator and Smart City Coordinator on the Cities Leadership Institute US Smart Cities Tour 2017.
- 4 The Deputy Lord Mayor and Council Officer's report to Council on the outcome of the cities exchange by open Briefing.

**Carried
unanimously**

Following a request from Councillor Elliott that Council be informed of the specific innovations Council staff would be focusing on, the Lord Mayor requested that the Interim Chief Executive Officer provide a Memo to All Councillors.

ITEM-116

**CCL 24/10/17 - SUPPLEMENTARY REPORT - LAND BOUNDED
BY MOSBRI CRESCENT AND KITCHENER PARADE THE HILL
- ADOPTION OF AMENDMENT TO NEWCASTLE LEP 2012**

Councillor Church left the Chamber for discussion on the item.

MOTION

Moved by Cr Clausen, seconded by Cr Robinson

Council resolves to:

- i) Endorse the attached planning proposal PP_2016_NEWCA_ 010_00, pursuant to section 55 of the Environmental Planning and Assessment Act 1979 NSW (EP&A Act), in order to amend Newcastle Local Environmental Plan 2012 (LEP) and rezone land bounded by Mosbri Crescent and Kitchener Parade, The Hill that comprises the following land parcels:
 - a) SP6373, SP3058, Lots 10, 12, 13 DP 216346 and Lot 1 DP204077, Nos 1 - 17 Mosbri Crescent, and
 - b) Lot 8 DP216346, SP19610 and Lot 62 DP522440, Nos. 31, 37 and 41 Kitchener Parade, The Hill.
- ii) Forward the planning proposal to the Department of Planning and Environment (DPE) requesting that a draft LEP be prepared and made pursuant to section 59(1) of the EP&A Act.
- iii) Advise the Secretary of the DPE that Council does not seek to exercise delegations for undertaking section 59(1) of the EP&A Act.
- iv) Adopt the new draft Section 6.14 - 11 Mosbri Crescent, The Hill of Newcastle Development Control Plan 2012 (DCP) and provide public notice advising that this development control take effect on the business day following the date upon which the abovementioned amendment to the LEP is made.

AMENDMENT

Moved by Cr Mackenzie, seconded by Cr Elliott

Council resolves to:

- i) Endorse an amended planning proposal to rezone land bounded by Mosbri Crescent and Kitchener Parade, The Hill. The planning proposal is amended by:
- amending the height of buildings map to be a maximum of 11 metres for the site, and
 - amending the floor space ratio map to be a maximum of 0.9: 1 for the site.

The description of the land parcels remains the same and points ii) and iii) of the recommendation remain the same.

- iv) Adopt the new draft Section 6.14 - 11 Mosbri Crescent, The Hill of Newcastle Development Control Plan 2012 with corresponding amendments as required to reflect the amended building heights and floor space ratio and provide public notice advising that this development control plan takes effect on the business day following the date upon which the amendment to Newcastle LEP 2012 is made.

The Lord Mayor declared a standing declaration in respect of this item, less than significant non-pecuniary interest as a former Councillor lived near the proposed development.

The amendment moved by Councillor Mackenzie and seconded by Councillor Elliott was put to the meeting.

For the Amendment: Councillors Elliott and Mackenzie.

Against the Amendment: Lord Mayor, Cr Nelmes, Councillors Byrne, Clausen, Duncan, Dunn, Robinson, Rufo, White and Winney-Baartz.

Defeated

The motion moved by Councillors Clausen and Robinson was put to the meeting.

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

Against the Motion: Nil.

Carried

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

NOTICES OF MOTION

ITEM-24 **NOM 24/10/17 - NEWCASTLE COUNCIL APPRENTICESHIP SCHEME**

MOTION

Moved by Cr J Mackenzie, seconded by Cr Robinson

That Council:

- 1 Acknowledge the leadership role Council plays as an employer with an obligation to provide secure employment and skills for young people in our community,
- 2 Commits to reviewing the current apprenticeship, cadetship and graduate programs, and
- 3 Requests staff provide a report that details:
 - a) The current number of apprentices, cadets and graduates employed and otherwise engaged with council and their areas of expertise, trade or speciality;
 - b) The capacity of council to increase apprentice, cadet and graduate employment, and the benefits and opportunities to the local community of expanding this employment; and
 - c) Potential sources of external funding that may assist with an expansion of Council's apprentice numbers including state and federal funding grants.

AMENDMENT

Moved by Cr White, seconded by Cr Clausen

Add following to 3 (a):

- How many apprentices, cadets and graduates were employed in Financial Years 2017/18, 2016/17, 2015/16;
- How many First, Second, and Third year apprentices are currently employed by Council; and
- How many identified apprentice, cadet or graduate positions are currently vacant;
- The gender breakdown of the information requested above

Add 3 (d):

Outlines the current number of employees at Newcastle City Council who currently identify as Indigenous, including the number of apprentices, cadets and graduates who identify as Indigenous.

The amendment moved by Councillor White and seconded by Councillor Clausen was put to the meeting.

Carried

The motion moved by Councillors Mackenzie and Robinson, as amended, was put to the meeting.

**Carried
unanimously**

ITEM-25 NOM 24/10/17 - PHASE OUT OF SINGLE-USE PLASTIC BAGS

MOTION

Moved by Cr J Mackenzie, seconded by Cr Elliott

That Council:

- 1 Write to the New South Wales and Australian Government advocating for a ban on single-use plastic bags.
- 2 Formalise a policy to ensure that all Council-managed enterprises, Council activities and events on Council land seek to eliminate the use of disposable plastic items.
- 3 Promote the positive steps being taken in the community to both reduce the use of single use plastic bags, and to address marine plastic pollution more generally.
- 4 Continue to assist and educate local businesses and the community to reduce the use of disposable plastic items and invite expressions of interest from BIA's to introduce a trial program and provide lessons learned to other BIA's.

**Carried
unanimously**

**ITEM-26 NOM 24/10/17 - INDEPENDENT EVENT ASSESSMENT OF THE
NEWCASTLE 500**

MOTION

Moved by Cr J Mackenzie, seconded by Cr Church

That Council:

- 1 Engages an independent, expert third party to undertake an evaluation and event impact assessment to assess the social, economic and environmental benefits and costs associated with Newcastle City Council's support for the Newcastle 500 event, following the events completion in November 2017.
- 2 Requests a report to Council in early 2018 on the findings of this analysis.

AMENDMENT

Moved by Cr Rufo, seconded by Cr Elliott

Council write to Destination NSW suggesting Destination NSW engages an independent, expert third party to undertake an evaluation and event impact assessment to assess the social, economic and environmental benefits and costs associated with Newcastle City Council's support for the Newcastle 500 event, following the events completion in November 2017.

Councillor Elliott questioned whether there was a licence fee to Supercars over a period of time and what that was.

The Interim Chief Executive Officer stated that he would take the question on notice.

The Lord Mayor proposed a Part 3 to the motion addressing the amendment.

- 3 *Council request DNSW to provide Council with a report prepared by an independent expert third party to undertake an evaluation and event impact assessment to assess the social, economic and environmental benefits and costs associated with the Newcastle 500 event, following the events completion in November 2017.*

The mover and seconder agreed to incorporate Part 3 into the motion.

The amendment was withdrawn by Councillors Rufo and Elliott.

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

Carried

ITEM-27

NOM 24/10/17 - BERESFIELD SWIMMING CENTRE

MOTION

Moved by Cr Dunn, seconded by Cr Byrne

That Council:

- 1 Amend the operating hours of the Beresfield Swimming Centre (BSC) for the 2017/2018 season to:

23 September 2017 to 29 October 2017	Mon - Sun	6am - 6pm
	Sat - Sun	6am - 6pm
30 October 2017 to 18 March 2018	Mon - Fri	6am - 7pm
	Sat - Sun	6am - 7pm
19 March 2018 to 29 April 2018	Mon - Fri	6am - 6pm
	Sat - Sun	6am - 6pm

with associated costs to be addressed through the Quarterly Budget Review process.

- 2 Implement the changes in operating hours at BSC as soon as possible and notify relevant stakeholders.
- 3 Investigate upgrades to BSC including but not limited to additional shading, additional shaded seating, children's water activities and report back to Council.

AMENDMENT

Moved by Cr Elliott, seconded by Cr Robinson

Council seek from Council Officers a concept plan and early costings for a water park at Beresfield Pool.

As part of the investigation of upgrades, Councillor Dunn agreed to incorporate a water park in Part 3 of the motion.

Councillors Elliott and Robinson withdrew the amendment.

The motion moved by Councillors Dunn and Byrne was put to the meeting.

**Carried
unanimously**

ITEM-28

NOM 24/10/17 - STEVENSON PARK UPGRADES

MOTION

Moved by Cr White, seconded by Cr Winney-Baartz

That Council

- 1 Notes the advocacy of the recently formed Friends of Stevenson Park group requesting upgrades to Stevenson Park Mayfield West;
- 2 Notes that in the adopted Operational Plan for FY 2017/18, Council will spend approximately \$16 million on parks, playgrounds and reserves, including in recently delivering a new \$150,000 playground at Centennial Park Cooks Hill, commencement of delivery of a new \$1.5 million adventure playground at Blackbutt Richley Reserve, and playground upgrades at Smith Park, Wallsend Park, Grahame Park, Bull and Toule St Reserves;
- 3 Continues Council's consultation with the Friends of Stevenson Park group and broader Mayfield West community, and commits to delivering playground upgrades of a value of at least \$150,000 at Stevenson Park in FY 2018/19;
- 4 Commits to updating the Stevenson Park Masterplan, while engaging with all user groups, local residents and the Friends of Stevenson Park, providing a report back to Council in the second quarter of 2018.

**Carried
unanimously**

ITEM-29**NOM 24/10/17 - STOCKTON TRAFFIC AND PARKING****MOTION**

Moved by Cr White, seconded by Cr Winney-Baartz

That Council:

- 1 Reiterates Council's resolution of 25 July 2017 requesting that the NSW Parliamentary Standing Committee on Transport and Infrastructure currently holding an inquiry into Commuter Car Parking in NSW hold a hearing in Newcastle.
- 2 Receives a petition with 100 signatories from residents of Stockton and surrounding suburbs [Cr White to table at Ordinary Council meeting] seeking a solution to commuter car parking issues.
- 3 Undertakes consultation to look at options to expand car parking options on Stockton including consideration of expansion of the current car park at the Ferry Terminal and an additional Ferry stop.
- 4 Receives a petition with 150 signatories from residents of Stockton and surrounding suburbs [Cr White to table at Ordinary Council meeting] seeking a solution to safety concerns associated with the "drop off" zone located at the Early Learning Centre on Stockton.
- 5 Works to address the safety concerns surrounding the "drop off" zone associated with the Early Learning Centre on Stockton.
- 6 Again writes to the NSW Parliamentary Standing Committee on Transport to again extend an invitation to hold a hearing in Newcastle.

Carried

Councillor White tabled the petitions on commuter car parking issues and safety concerns regarding the drop off zone at the Early Learning Centre.

ITEM-30**NOM 24/10/17 - COUNCIL STREET, COOKS HILL****MOTION**

Moved by Cr White, seconded by Cr Duncan

That Council:

- Notes that the Council Street renewal project is scheduled to commence in early 2018;
- Preserves the integrity of the overall Cooks Hill Local Area Traffic Management (LATM) scheme;
- Reviews the basis of the proposed re-opening of Council Street to traffic as well as other recent changes at Laman Street in a workshop with Councillors. The workshop will also consider the consistency of the traffic management treatment of Darby Street and Bull Street all within the overall context of the Cooks Hill LATM scheme. Included in the workshop to Councillors will be an analysis of the impact of re-opening Council Street to traffic.

Carried

ITEM-31**NOM 24/10/17 - REFURBISHMENT AND UPGRADE OF LAMBTON POOL****MOTION**

Moved by Cr Rufo, seconded by Cr Church

- 1 That Council staff report to the Ordinary Council Meeting of 28 November 2017 on the options for refurbishment and upgrade of Lambton Pool including broad cost estimates of each of the options.
- 2 The options to include, as a minimum:
 - a. Replacement of existing pools, water recirculation, filtration and heating systems, pool surrounds and footpaths, grandstand and shade structures with latest technologies including pool insulation and energy efficient water recirculation and heating.
 - b. Upgrade and cover 25m pool to enable 12 monthly operations.
 - c. Upgrade amenities and include spaces for 'dry' activities such as a gymnasium and work out rooms.
 - d. Extra parking spaces to cater for increased patronage.
- 3 The report to explain the opportunities for staging the works, in line with funding availability.
- 4 The report to describe potential funding options, including State and Federal grants, private sector funding, and SRV funds.
- 5 A briefing of Council be conducted prior to the submission of this report.

**Carried
unanimously**

CONFIDENTIAL REPORTS

PROCEDURAL MOTION

Moved by Cr Clausen, seconded by Cr Dunn

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

Carried

Council resolved into confidential session at 9.15pm.

During confidential session:

- A procedural motion to extend the meeting to 10.00pm was moved and seconded by Councillors Clausen and Winney-Baartz and carried.
- A division was called on Confidential Item 12 - Confidential Property Matter - Wallsend.
- A procedural motion was moved and seconded by Councillors Rufo and White to return to open Council.

Council reconvened at 9.35pm and the Interim Chief Executive Officer then reported the resolutions of confidential session.

ITEM-10 CON 24/10/17 - REDUCTION IN OUTDOOR TRADING FEES

MOTION

Moved by Cr Rufo, seconded by Cr Clausen

Council, noting the unique circumstances of the civil works program in Newcastle East, resolves to:

- i) Authorise the Interim Chief Executive Officer (Interim CEO) to waive the Outdoor Trading Fees incurred by nineteen business owners operating within the Newcastle Central Business District for a six month period commencing from 1 July 2017 and concluding on 31 December 2017. The total cost of the reduction in fees is \$13,250.50.
- ii) This confidential report relating to the matters specified in sections 10A(2)(d) of the Act be treated as confidential and remain confidential until Council determines otherwise.

Carried

ITEM-11 **CON 24/10/17 - CONFIDENTIAL PROPERTY MATTER - WALLSEND**

MOTION

Moved by Cr Dunn, seconded by Cr Rufo

- 1 Council resolves to acquire a property in Wallsend for an amount within 10% of the valuation referred to in the terms outlined in the confidential report.
- 2 Council grants authority to the Interim Chief Executive Officer or his delegate to execute all relevant documentation to effect the transaction.
- 3 To publicly notify the proposal to classify the acquired land as operational land in accordance with section 34 of the *Local Government Act 1993*.
- 4 If no public submissions are received objecting to the classification proposal the property is classified as operational land.
- 5 This confidential report relating to the matters specified in s10A(2)(d) of the *Local Government Act 1993* be treated as confidential and remain confidential until finalisation of the transaction.

**Carried
unanimously**

ITEM-12 **CON 24/10/17 - CONFIDENTIAL PROPERTY MATTER - OFFICE ACCOMMODATION**

MOTION

Moved by Cr Dunn, seconded by Cr Clausen

- 1 Council resolves to grant authorisation to the Interim Chief Executive Officer to proceed to finalise commercial terms for appropriate new office accommodation on terms as outlined in this report provided they are favourable to Council.
- 2 Council grant authority to the Interim Chief Executive Officer or his delegate to execute all relevant documentation between Council and the relevant lessor identified in the report.
- 3 This confidential report relating to the matters specified in s. 10A(2)(d) of the *Local Government Act 1993* be treated as confidential and remain confidential until Council determines otherwise.

Carried

The meeting concluded at 9.38pm.